

1 A bill to be entitled
2 An act relating to economic programs; amending ss.
3 11.45, 14.32, 15.18, 15.182, 20.435, and 20.60, F.S.;
4 conforming provisions to changes made by the act;
5 repealing s. 20.601, F.S., relating to review of the
6 Department of Economic Opportunity; transferring all
7 duties, records, pending issues, rules, and unexpended
8 balances of appropriations, allocations, and other
9 public funds relating to programs in Enterprise
10 Florida, Inc., to the Department of Economic
11 Opportunity by a type two transfer; authorizing the
12 Florida Sports Foundation to enter into an agreement
13 with the Department of Economic Opportunity for
14 certain purposes and use certain funds; providing
15 legislative intent; providing transitional provisions
16 for terminated programs established pursuant to
17 certain statutes; amending ss. 125.0104, 159.803,
18 166.231, 189.033, 196.012, 196.101, 196.121, 196.198,
19 196.1995, 197.3181, 197.319, 212.02, 212.031, and
20 212.06, F.S.; conforming provisions to changes made by
21 the act; conforming cross-references; repealing s.
22 212.0602, F.S., relating to an exemption from sales
23 and use taxes for certain education-related purchases
24 or leases; amending s. 212.08, F.S.; conforming
25 provisions to changes made by the act; repealing s.

26 | 212.097, F.S., relating to the Urban High-Crime Area
27 | Job Tax Credit Program; amending ss. 212.098, 212.20,
28 | 218.61, 218.64, 220.02, 220.13, 220.183, and 220.1895,
29 | F.S.; conforming provisions to changes made by the
30 | act; conforming a cross-reference; repealing ss.
31 | 220.1899 and 220.191, F.S., relating to an
32 | entertainment industry tax credit and a capital
33 | investment tax credit, respectively; amending s.
34 | 220.194, F.S.; conforming a cross-reference; amending
35 | ss. 220.196, 272.11, 287.0947, 287.137, and 288.0001,
36 | F.S.; conforming provisions to changes made by the
37 | act; repealing s. 288.001, F.S., relating to the
38 | Florida Small Business Development Center Network;
39 | amending s. 288.012, F.S.; conforming provisions to
40 | changes made by the act; repealing s. 288.017, F.S.,
41 | relating to a cooperative advertising matching grants
42 | program; amending ss. 288.018, 288.047, 288.061,
43 | 288.0655, 288.0656, 288.0658, 288.075, 288.076, and
44 | 288.095, F.S.; conforming provisions to changes made
45 | by the act; conforming a cross-reference; amending s.
46 | 288.101, F.S.; removing a provision authorizing the
47 | Governor to approve certain infrastructure funding;
48 | repealing ss. 288.1045, 288.106, 288.107, 288.108,
49 | 288.1081, 288.1082, 288.1088, and 288.1089, F.S.,
50 | relating to the qualified defense contractor and space

51 flight business tax refund program, a tax refund
52 program for qualified target industry businesses,
53 brownfield redevelopment bonus refunds, high-impact
54 business, the Economic Gardening Business Loan Pilot
55 Program, the Economic Gardening Technical Assistance
56 Pilot Program, the Quick Action Closing Fund, and the
57 Innovation Incentive Program, respectively; amending
58 s. 288.111, F.S.; conforming a provision to changes
59 made by the act; repealing ss. 288.1162, 288.11621,
60 288.11631, 288.1169, and 288.1171, F.S., relating to
61 professional sports franchises, spring training
62 baseball franchises, retention of Major League
63 Baseball spring training baseball franchises, the
64 International Game Fish Association World Center
65 facility, and motorsports entertainment complexes,
66 respectively; amending ss. 288.122 and 288.1226, F.S.;
67 conforming provisions to changes made by the act;
68 amending s. 288.12265, F.S.; transferring
69 responsibility for administering and operating welcome
70 centers from Enterprise Florida, Inc., to the Florida
71 Tourism Industry Marketing Corporation; repealing ss.
72 288.125, 288.1251, 288.1252, 288.1253, 288.1254, and
73 288.1258, F.S., relating to a definition of the term
74 "entertainment industry," the promotion and
75 development of the entertainment industry by the

76 Office of Film and Entertainment, the Florida Film and
 77 Entertainment Advisory Council, certain travel and
 78 entertainment expenses, an entertainment industry
 79 financial incentive program, and entertainment
 80 industry qualified production companies, respectively;
 81 amending ss. 288.7015, 288.706, 288.773, 288.776,
 82 288.7771, 288.816, and 288.826, F.S.; conforming
 83 provisions to changes made by the act; repealing ss.
 84 288.901, 288.9015, 288.903, 288.904, 288.905, and
 85 288.906, F.S., relating to Enterprise Florida, Inc.,
 86 powers of board of directors of Enterprise Florida,
 87 Inc., duties of Enterprise Florida, Inc., funding for
 88 Enterprise Florida, Inc., the president and employees
 89 of Enterprise Florida, Inc., and the annual report and
 90 audits of Enterprise Florida, Inc., and its divisions,
 91 respectively; transferring, renumbering, and amending
 92 s. 288.907, F.S.; conforming provisions to changes
 93 made by the act; repealing s. 288.911, F.S., relating
 94 to the creation and implementation of a marketing and
 95 image campaign; transferring, renumbering, and
 96 amending s. 288.912, F.S.; conforming provisions to
 97 changes made by the act; repealing s. 288.92, F.S.,
 98 relating to the divisions of Enterprise Florida, Inc.;
 99 amending s. 288.923, F.S.; conforming provisions to
 100 changes made by the act; repealing ss. 288.95155,

101 288.9519, 288.9520, and 288.955, F.S., relating to the
 102 Florida Small Business Technology Growth Program, a
 103 not-for-profit corporation intended to promote the
 104 competitiveness and profitability of high-technology
 105 business and industry, public records exemption, and
 106 the Scripps Florida Funding Corporation, respectively;
 107 amending ss. 288.9603, 288.9605, 288.9614, and
 108 288.9624, F.S.; conforming provisions to changes made
 109 by the act; amending s. 288.96255, F.S.; conforming a
 110 cross-reference; amending s. 288.980, F.S.; conforming
 111 a provision to changes made by the act; repealing ss.
 112 288.991, 288.9912, 288.9913, 288.9914, 288.9915,
 113 288.9916, 288.9917, 288.9918, 288.9919, 288.9920,
 114 288.9921, and 288.9922, F.S., relating to the New
 115 Markets Development Program; repealing ss. 288.993,
 116 288.9931, 288.9932, 288.9933, 288.9934, 288.9935,
 117 288.9936, and 288.9937, F.S., relating to the Florida
 118 Microfinance Act, definitions relating to certain
 119 programs, the Microfinance Loan Program, the
 120 Microfinance Guarantee Program, annual reports for
 121 certain programs, and the evaluation of certain
 122 programs, respectively; amending ss. 288.9961,
 123 290.0056, 290.0065, 290.00677, 290.007, 290.053, and
 124 295.22, F.S.; conforming provisions to changes made by
 125 the act; conforming cross-references; amending ss.

126 320.08058, 331.3051, 331.3081, and 339.08, F.S.;

127 conforming provisions to changes made by the act;

128 repealing s. 339.2821, F.S., relating to economic

129 development transportation projects; amending ss.

130 376.82, 377.703, 377.804, 377.809, 380.0657, 401.23,

131 403.7032, 403.973, 443.091, 445.004, 445.045, 446.44,

132 465.003, 477.0135, 570.81, 570.85, and 624.5105, F.S.;

133 conforming provisions to changes made by the act;

134 conforming a cross-reference; repealing s. 625.3255,

135 F.S., relating to a capital participation instrument;

136 amending ss. 657.042, 658.67, 1004.015, 1004.65,

137 1004.78, 1011.76, and 1011.94, F.S.; conforming

138 provisions to changes made by the act; conforming a

139 cross-reference; providing an effective date.

140

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

142

143 Section 1. Paragraph (i) of subsection (3) of section

144 11.45, Florida Statutes, is amended to read:

145 11.45 Definitions; duties; authorities; reports; rules.—

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

147 Auditor General may, pursuant to his or her own authority, or at

148 the direction of the Legislative Auditing Committee, conduct

149 audits or other engagements as determined appropriate by the

150 Auditor General of:

151 ~~(i) Enterprise Florida, Inc., including any of its boards,~~
152 ~~advisory committees, or similar groups created by Enterprise~~
153 ~~Florida, Inc., and programs. The audit report may not reveal the~~
154 ~~identity of any person who has anonymously made a donation to~~
155 ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~
156 ~~identity of a donor or prospective donor to Enterprise Florida,~~
157 ~~Inc., who desires to remain anonymous and all information~~
158 ~~identifying such donor or prospective donor are confidential and~~
159 ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~
160 ~~of the State Constitution. Such anonymity shall be maintained in~~
161 ~~the auditor's report.~~

162 Section 2. Paragraph (a) of subsection (3) of section
163 14.32, Florida Statutes, is amended to read:

164 14.32 Office of Chief Inspector General.—

165 (3) Related to public-private partnerships, the Chief
166 Inspector General:

167 (a) Shall advise public-private partnerships, ~~including~~
168 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
169 improvement of internal control measures necessary to ensure
170 fiscal accountability.

171 Section 3. Section 15.18, Florida Statutes, is amended to
172 read:

173 15.18 International and cultural relations.—The Divisions
174 of Arts and Culture, Historical Resources, and Library and
175 Information Services of the Department of State promote programs

176 having substantial cultural, artistic, and indirect economic
177 significance that emphasize American creativity. The Secretary
178 of State, as the head administrator of these divisions, shall
179 hereafter be known as "Florida's Chief Arts and Culture
180 Officer." As this officer, the Secretary of State is encouraged
181 to initiate and develop relationships between the state and
182 foreign cultural officers, their representatives, and other
183 foreign governmental officials in order to promote Florida as
184 the center of American creativity. The Secretary of State shall
185 coordinate international activities pursuant to this section
186 with ~~Enterprise Florida, Inc.~~, and any other organization the
187 secretary deems appropriate. For the accomplishment of this
188 purpose, the Secretary of State shall have the power and
189 authority to:

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

192 (2) Plan and carry out activities designed to cause
193 improved cultural and governmental programs and exchanges with
194 foreign countries.

195 (3) Plan and implement cultural and social activities for
196 visiting foreign heads of state, diplomats, dignitaries, and
197 exchange groups.

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

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

204 (6) Provide, arrange, and make expenditures for the
 205 achievement of any or all of the purposes specified in this
 206 section.

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

209 15.182 International travel by state-funded musical,
 210 cultural, or artistic organizations; notification to the
 211 Department of State.—

212 (2) The Department of State, in conjunction with the
 213 Department of Economic Opportunity ~~and Enterprise Florida, Inc.,~~
 214 shall act as an intermediary between performing musical,
 215 cultural, and artistic organizations and Florida businesses to
 216 encourage and coordinate joint undertakings. Such coordination
 217 may include, but is not limited to, encouraging business and
 218 industry to sponsor cultural events, assistance with travel of
 219 such organizations, and coordinating travel schedules of
 220 cultural performance groups and international trade missions.

221 Section 5. Paragraph (a) of subsection (7) of section
 222 20.435, Florida Statutes, is amended to read:

223 20.435 Department of Health; trust funds.—The following
 224 trust funds shall be administered by the Department of Health:

225 (7) Biomedical Research Trust Fund.

226 (a) Funds to be credited to the trust fund shall consist
 227 of funds appropriated by the Legislature. Funds shall be used
 228 for the purposes of the James and Esther King Biomedical
 229 Research Program, the Casey DeSantis Cancer Research Program,
 230 and the William G. "Bill" Bankhead, Jr., and David Coley Cancer
 231 Research Program as specified in ss. 215.5602, ~~288.955~~, 381.915,
 232 and 381.922. The trust fund is exempt from the service charges
 233 imposed by s. 215.20.

234 Section 6. Subsection (4), paragraph (a) of subsection
 235 (5), paragraph (b) of subsection (9), and subsections (10) and
 236 (11) of section 20.60, Florida Statutes, are amended to read:

237 20.60 Department of Economic Opportunity; creation; powers
 238 and duties.—

239 (4) The purpose of the department is to assist the
 240 Governor in working with the Legislature, state agencies,
 241 business leaders, and economic development professionals to
 242 formulate and implement coherent and consistent policies and
 243 strategies designed to promote economic opportunities for all
 244 Floridians. To accomplish such purposes, the department shall:

245 (a) Facilitate the direct involvement of the Governor and
 246 the Lieutenant Governor in economic development and workforce
 247 development projects designed to create, expand, and retain
 248 businesses in this state, to recruit business from around the
 249 world, and to facilitate other job-creating efforts.

250 (b) Recruit new businesses to this state and promote the

251 expansion of existing businesses by expediting permitting and
 252 location decisions, worker placement and training, and incentive
 253 awards.

254 (c) Promote viable, sustainable communities by providing
 255 technical assistance and guidance on growth and development
 256 issues, grants, and other assistance to local communities.

257 (d) Ensure that the state's goals and policies relating to
 258 economic development, workforce development, community planning
 259 and development, and affordable housing are fully integrated
 260 with appropriate implementation strategies.

261 (e) Manage the activities of public-private partnerships
 262 and state agencies in order to avoid duplication and promote
 263 coordinated and consistent implementation of programs in areas
 264 including, but not limited to, tourism; international trade and
 265 investment; business recruitment, creation, retention, and
 266 expansion; minority and small business development; rural
 267 community development; and the development and promotion of
 268 professional and amateur sporting events.

269 (f) Coordinate with state agencies on the processing of
 270 state development approvals or permits to minimize the
 271 duplication of information provided by the applicant and the
 272 time before approval or disapproval.

273 (5) The divisions within the department have specific
 274 responsibilities to achieve the duties, responsibilities, and
 275 goals of the department. Specifically:

276 (a) The Division of Strategic Business Development shall:
 277 1. Analyze and evaluate business prospects identified by
 278 the Governor and, the secretary, ~~and Enterprise Florida, Inc.~~
 279 2. Administer certain tax refund, tax credit, and grant
 280 programs created in law. Notwithstanding any other provision of
 281 law, the department may expend interest earned from the
 282 investment of program funds deposited in the Grants and
 283 Donations Trust Fund to contract for the administration of those
 284 programs, or portions of the programs, assigned to the
 285 department by law, by the appropriations process, or by the
 286 Governor. Such expenditures shall be subject to review under
 287 chapter 216.
 288 3. Develop measurement protocols for the state incentive
 289 programs and for the contracted entities which will be used to
 290 determine their performance and competitive value to the state.
 291 Performance measures, benchmarks, and sanctions must be
 292 developed in consultation with the legislative appropriations
 293 committees and the appropriate substantive committees, and are
 294 subject to the review and approval process provided in s.
 295 216.177. The approved performance measures, standards, and
 296 sanctions shall be included and made a part of the strategic
 297 plan for contracts entered into for delivery of programs
 298 authorized by this section.
 299 4. Develop a 5-year statewide strategic plan. The
 300 strategic plan must include, but need not be limited to:

301 a. Strategies for the promotion of business formation,
302 expansion, recruitment, and retention through aggressive
303 marketing, international development, and export assistance,
304 which lead to more and better jobs and higher wages for all
305 geographic regions, disadvantaged communities, and populations
306 of the state, including rural areas, minority businesses, and
307 urban core areas.

308 b. The development of realistic policies and programs to
309 further the economic diversity of the state, its regions, and
310 their associated industrial clusters.

311 c. Specific provisions for the stimulation of economic
312 development and job creation in rural areas and midsize cities
313 and counties of the state, including strategies for rural
314 marketing and the development of infrastructure in rural areas.

315 d. Provisions for the promotion of the successful long-
316 term economic development of the state with increased emphasis
317 in market research and information.

318 e. Plans for the generation of foreign investment in the
319 state which create jobs paying above-average wages and which
320 result in reverse investment in the state, including programs
321 that establish viable overseas markets, assist in meeting the
322 financing requirements of export-ready firms, broaden
323 opportunities for international joint venture relationships, use
324 the resources of academic and other institutions, coordinate
325 trade assistance and facilitation services, and facilitate

326 availability of and access to education and training programs
 327 that assure requisite skills and competencies necessary to
 328 compete successfully in the global marketplace.

329 f. The identification of business sectors that are of
 330 current or future importance to the state's economy and to the
 331 state's global business image, and development of specific
 332 strategies to promote the development of such sectors.

333 g. Strategies for talent development necessary in the
 334 state to encourage economic development growth, taking into
 335 account factors such as the state's talent supply chain,
 336 education and training opportunities, and available workforce.

337 5. Update the strategic plan every 5 years.

338 6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
 339 Inc.; local governments; the general public; local and regional
 340 economic development organizations; other local, state, and
 341 federal economic, international, and workforce development
 342 entities; the business community; and educational institutions
 343 to assist with the strategic plan.

344 (9) The secretary shall:

345 (b) Serve as the manager for the state with respect to
 346 contracts with ~~Enterprise Florida, Inc.,~~ and all applicable
 347 direct-support organizations. To accomplish the provisions of
 348 this section and applicable provisions of chapter 288, and
 349 notwithstanding the provisions of part I of chapter 287, the
 350 secretary shall enter into specific contracts with ~~Enterprise~~

351 ~~Florida, Inc., and other~~ appropriate direct-support
 352 organizations. Such contracts may be for multiyear terms and
 353 must include specific performance measures for each year. For
 354 purposes of this section, the Florida Tourism Industry Marketing
 355 Corporation and the Institute for Commercialization of Florida
 356 Technology are not appropriate direct-support organizations.

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

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

364 (b) The report must incorporate annual reports of other
 365 programs, including:

366 1. Information provided by the Department of Revenue under
 367 s. 290.014.

368 2. Information provided by enterprise zone development
 369 agencies under s. 290.0056 and an analysis of the activities and
 370 accomplishments of each enterprise zone.

371 ~~3. The Economic Gardening Business Loan Pilot Program~~
 372 ~~established under s. 288.1081 and the Economic Gardening~~
 373 ~~Technical Assistance Pilot Program established under s.~~
 374 ~~288.1082.~~

375 3.4. A detailed report of the performance of the Black

376 Business Loan Program and a cumulative summary of quarterly
 377 report data required under s. 288.714.

378 ~~4.5.~~ The Rural Economic Development Initiative established
 379 under s. 288.0656.

380 ~~5.6.~~ The Florida Unique Abilities Partner Program.

381 ~~6.7.~~ A detailed report of the performance of the Florida
 382 Development Finance Corporation and a summary of the
 383 corporation's report required under s. 288.9610.

384 (11) The department shall establish annual performance
 385 standards for ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
 386 Inc.; the Florida Tourism Industry Marketing Corporation; Space
 387 Florida; and the Florida Development Finance Corporation and
 388 report annually on how these performance measures are being met
 389 in the annual report required under subsection (10).

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

391 Section 8. (1) All duties, functions, records, pending
 392 issues, existing contracts, administrative authority,
 393 administrative rules, and unexpended balances of appropriations,
 394 allocations, and other public funds relating to the programs in
 395 Enterprise Florida, Inc., are transferred by a type two transfer
 396 to the Department of Economic Opportunity.

397 (2)(a) The Florida Sports Foundation, incorporated under
 398 chapter 617, Florida Statutes, which was previously merged into
 399 and transferred to Enterprise Florida, Inc., may enter into an
 400 agreement with the Department of Economic Opportunity to

401 continue any existing program, activity, duty, or function
 402 necessary for the operation of that foundation.

403 (b) Any funds held in trust which were donated to or
 404 earned by the Florida Sports Foundation may be used by that
 405 foundation for the original purposes for which the funds were
 406 received.

407 (3) It is the intent of the Legislature that the changes
 408 made by this act be accomplished with minimal disruption of
 409 services provided to the public and with minimal disruption to
 410 employees of any organization.

411 Section 9. For programs established pursuant to ss.
 412 212.097, 220.1899, 220.191, 288.1045, 288.106, 288.107, 288.108,
 413 288.1081, 288.1082, 288.1088, 288.1089, 288.1162, 288.11621,
 414 288.11631, 288.1169, 288.1171, 288.95155, 288.9916, 288.9934,
 415 288.9935, and 339.2821, Florida Statutes, no new or additional
 416 applications or certifications shall be approved, no new letters
 417 of certification may be issued, no new contracts or agreements
 418 may be executed, and no new awards may be made. All
 419 certifications are rescinded except for those certified
 420 applicants or projects that continue to meet the criteria in
 421 effect before July 1, 2023. Any existing contracts or agreements
 422 authorized under any of these programs shall continue in full
 423 force and effect in accordance with the statutory requirements
 424 in effect when the contract or agreement was executed or last
 425 modified. However, no further modifications, extensions, or

426 waivers may be made or granted relating to such contracts or
 427 agreements except computations by the Department of Revenue of
 428 the income generated by or arising out of the qualifying
 429 project.

430 Section 10. Paragraph (n) of subsection (3) of section
 431 125.0104, Florida Statutes, is amended to read:

432 125.0104 Tourist development tax; procedure for levying;
 433 authorized uses; referendum; enforcement.—

434 (3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

435 (n) In addition to any other tax that is imposed under
 436 this section, a county that has imposed the tax under paragraph
 437 (1) may impose an additional tax that is no greater than 1
 438 percent on the exercise of the privilege described in paragraph
 439 (a) by a majority plus one vote of the membership of the board
 440 of county commissioners in order to:

441 1. Pay the debt service on bonds issued to finance:

442 a. The construction, reconstruction, or renovation of a
 443 facility either publicly owned and operated, or publicly owned
 444 and operated by the owner of a professional sports franchise or
 445 other lessee with sufficient expertise or financial capability
 446 to operate such facility, and to pay the planning and design
 447 costs incurred prior to the issuance of such bonds for a new
 448 professional sports franchise ~~as defined in s. 288.1162.~~ As used
 449 in this sub-subparagraph, the term "new professional sports
 450 franchise" means a professional sports franchise that was not

451 based in this state before April 1, 1987.

452 b. The acquisition, construction, reconstruction, or
 453 renovation of a facility either publicly owned and operated, or
 454 publicly owned and operated by the owner of a professional
 455 sports franchise or other lessee with sufficient expertise or
 456 financial capability to operate such facility, and to pay the
 457 planning and design costs incurred prior to the issuance of such
 458 bonds for a retained spring training franchise.

459 2. Promote and advertise tourism in the State of Florida
 460 and nationally and internationally; however, if tax revenues are
 461 expended for an activity, service, venue, or event, the
 462 activity, service, venue, or event shall have as one of its main
 463 purposes the attraction of tourists as evidenced by the
 464 promotion of the activity, service, venue, or event to tourists.

465
 466 A county that imposes the tax authorized in this paragraph may
 467 not expend any ad valorem tax revenues for the acquisition,
 468 construction, reconstruction, or renovation of a facility for
 469 which tax revenues are used pursuant to subparagraph 1. The
 470 provision of paragraph (b) which prohibits any county authorized
 471 to levy a convention development tax pursuant to s. 212.0305
 472 from levying more than the 2-percent tax authorized by this
 473 section shall not apply to the additional tax authorized by this
 474 paragraph in counties which levy convention development taxes
 475 pursuant to s. 212.0305(4)(a). Subsection (4) does not apply to

476 the adoption of the additional tax authorized in this paragraph.
 477 The effective date of the levy and imposition of the tax
 478 authorized under this paragraph is the first day of the second
 479 month following approval of the ordinance by the board of county
 480 commissioners or the first day of any subsequent month specified
 481 in the ordinance. A certified copy of such ordinance shall be
 482 furnished by the county to the Department of Revenue within 10
 483 days after approval of the ordinance.

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

486 159.803 Definitions.—As used in this part, the term:

487 (11) "Florida First Business project" means any project
 488 which is certified by the Department of Economic Opportunity as
 489 eligible to receive an allocation from the Florida First
 490 Business allocation pool established pursuant to s. 159.8083.
 491 The Department of Economic Opportunity may certify ~~these~~
 492 ~~projects meeting the criteria set forth in s. 288.106(4)(b) or~~
 493 any project providing a substantial economic benefit to this
 494 state.

495 Section 12. Paragraph (a) of subsection (8) of section
 496 166.231, Florida Statutes, is amended to read:

497 166.231 Municipalities; public service tax.—

498 (8)(a) Beginning July 1, 1995, a municipality may by
 499 ordinance exempt not less than 50 percent of the tax imposed
 500 under this section on purchasers of electrical energy who are

501 determined to be eligible for the exemption provided by s.
 502 212.08(14) ~~s. 212.08(15)~~ by the Department of Revenue. The
 503 exemption shall be administered as provided in that section. A
 504 copy of any ordinance adopted pursuant to this subsection shall
 505 be provided to the Department of Revenue not less than 14 days
 506 prior to its effective date.

507 Section 13. Section 189.033, Florida Statutes, is amended
 508 to read:

509 189.033 Independent special district services in
 510 disproportionally affected county; rate reduction for providers
 511 providing economic benefits.—If the governing body of an
 512 independent special district that provides water, wastewater,
 513 and sanitation services in a disproportionally affected county,
 514 ~~as defined in s. 288.106(8),~~ determines that a new user or the
 515 expansion of an existing user of one or more of its utility
 516 systems will provide a significant benefit to the community in
 517 terms of increased job opportunities, economies of scale, or
 518 economic development in the area, the governing body may
 519 authorize a reduction of its rates, fees, or charges for that
 520 user for a specified period of time. A governing body that
 521 exercises this power must do so by resolution that states the
 522 anticipated economic benefit justifying the reduction as well as
 523 the period of time that the reduction will remain in place. As
 524 used in this section, the term "disproportionally affected
 525 county" means Bay County, Escambia County, Franklin County, Gulf

526 County, Okaloosa County, Santa Rosa County, Walton County, or
 527 Wakulla County.

528 Section 14. Subsections (11) through (19) of section
 529 196.012, Florida Statutes, are renumbered as subsections (12)
 530 through (20), respectively, paragraph (a) of present subsection
 531 (14), paragraph (a) of present subsection (15), and present
 532 subsection (16) of that section are amended, and a new
 533 subsection (11) is added to that section, to read:

534 196.012 Definitions.—For the purpose of this chapter, the
 535 following terms are defined as follows, except where the context
 536 clearly indicates otherwise:

537 (11) "Target industry business" means a corporate
 538 headquarters business or any business that is engaged in one of
 539 the target industries identified pursuant to the following
 540 criteria developed by the Department of Economic Opportunity:

541 (a) Future growth.—The industry forecast indicates strong
 542 expectation for future growth in employment and output,
 543 according to the most recent available data. Special
 544 consideration should be given to businesses that export goods
 545 to, or provide services in, international markets and businesses
 546 that onshore business operations to replace domestic and
 547 international imports of goods or services.

548 (b) Stability.—The industry is not subject to periodic
 549 layoffs, whether due to seasonality or sensitivity to volatile
 550 economic variables such as weather. The industry is also

551 relatively resistant to recession, so that the demand for
552 products of this industry is not typically subject to decline
553 during an economic downturn.

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

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

560 (e) Industrial base diversification and strengthening.—The
561 industry contributes toward expanding or diversifying the
562 state's or area's economic base, as indicated by analysis of
563 employment and output shares compared to national and regional
564 trends. Special consideration should be given to industries that
565 strengthen regional economies by adding value to basic products
566 or building regional industrial clusters as indicated by
567 industry analysis. Special consideration should also be given to
568 the development of strong industrial clusters that include
569 defense and homeland security businesses.

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

575

576 The term does not include any business engaged in retail
577 industry activities; any electrical utility company as defined
578 in s. 366.02(4); any phosphate or other solid minerals
579 severance, mining, or processing operation; any oil or gas
580 exploration or production operation; or any business subject to
581 regulation by the Division of Hotels and Restaurants of the
582 Department of Business and Professional Regulation. Any business
583 within NAICS code 5611 or 5614, office administrative services
584 and business support services, respectively, may be considered a
585 target industry business only after the local governing body and
586 the Department of Economic Opportunity determine that the
587 community in which the business may locate has conditions
588 affecting the fiscal and economic viability of the local
589 community or area, including, but not limited to, low per capita
590 income, high unemployment, high underemployment, and a lack of
591 year-round stable employment opportunities, and such conditions
592 may be improved by the business locating in such community. By
593 January 1 of every 3rd year, beginning January 1, 2011, the
594 Department of Economic Opportunity, in consultation with
595 economic development organizations, the State University System,
596 local governments, employee and employer organizations, market
597 analysts, and economists, shall review and, as appropriate,
598 revise the list of target industries and submit the list to the
599 Governor, the President of the Senate, and the Speaker of the
600 House of Representatives.

601 ~~(15)-(14)~~ "New business" means:

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

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

611 b. Is a target industry business as defined in subsection
612 (11) ~~s. 288.106(2)(q)~~;

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

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

626 (16)~~(15)~~ "Expansion of an existing business" means:
 627 (a)1. A business or organization establishing 10 or more
 628 new jobs to employ 10 or more full-time employees in this state,
 629 paying an average wage for such new jobs that is above the
 630 average wage in the area, which principally engages in any of
 631 the operations referred to in subparagraph (15) (a) 1. ~~(14) (a) 1.~~;
 632 or

633 2. A business or organization establishing 25 or more new
 634 jobs to employ 25 or more full-time employees in this state, the
 635 sales factor of which, as defined by s. 220.15(5), for the
 636 facility with respect to which it requests an economic
 637 development ad valorem tax exemption is less than 0.50 for each
 638 year the exemption is claimed; provided that such business
 639 increases operations on a site located within the same county,
 640 municipality, or both colocated with a commercial or industrial
 641 operation owned by the same business or organization under
 642 common control with the same business or organization, resulting
 643 in a net increase in employment of not less than 10 percent or
 644 an increase in productive output or sales of not less than 10
 645 percent.

646 (17)~~(16)~~ "Permanent resident" means a person who has
 647 established a permanent residence as defined in subsection (18)
 648 ~~(17)~~.

649 Section 15. Subsection (2) of section 196.101, Florida
 650 Statutes, is amended to read:

651 196.101 Exemption for totally and permanently disabled
652 persons.—

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

658 Section 16. Subsection (2) of section 196.121, Florida
659 Statutes, is amended to read:

660 196.121 Homestead exemptions; forms.—

661 (2) The forms shall require the taxpayer to furnish
662 certain information to the property appraiser for the purpose of
663 determining that the taxpayer is a permanent resident as defined
664 in s. 196.012(17) ~~s. 196.012(16)~~. Such information may include,
665 but need not be limited to, the factors enumerated in s.
666 196.015.

667 Section 17. Section 196.198, Florida Statutes, is amended
668 to read:

669 196.198 Educational property exemption.—Educational
670 institutions within this state and their property used by them
671 or by any other exempt entity or educational institution
672 exclusively for educational purposes are exempt from taxation.
673 Sheltered workshops providing rehabilitation and retraining of
674 individuals who have disabilities and exempted by a certificate
675 under s. (d) of the federal Fair Labor Standards Act of 1938, as

676 amended, are declared wholly educational in purpose and are
 677 exempt from certification, accreditation, and membership
 678 requirements set forth in s. 196.012. Those portions of property
 679 of college fraternities and sororities certified by the
 680 president of the college or university to the appropriate
 681 property appraiser as being essential to the educational process
 682 are exempt from ad valorem taxation. The use of property by
 683 public fairs and expositions chartered by chapter 616 is
 684 presumed to be an educational use of such property and is exempt
 685 from ad valorem taxation to the extent of such use. Property
 686 used exclusively for educational purposes shall be deemed owned
 687 by an educational institution if the entity owning 100 percent
 688 of the educational institution is owned by the identical persons
 689 who own the property, or if the entity owning 100 percent of the
 690 educational institution and the entity owning the property are
 691 owned by the identical natural persons. Land, buildings, and
 692 other improvements to real property used exclusively for
 693 educational purposes shall be deemed owned by an educational
 694 institution if the entity owning 100 percent of the land is a
 695 nonprofit entity and the land is used, under a ground lease or
 696 other contractual arrangement, by an educational institution
 697 that owns the buildings and other improvements to the real
 698 property, is a nonprofit entity under s. 501(c)(3) of the
 699 Internal Revenue Code, and provides education limited to
 700 students in prekindergarten through grade 8. ~~Land, buildings,~~

701 ~~and other improvements to real property used exclusively for~~
 702 ~~educational purposes are deemed owned by an educational~~
 703 ~~institution if the educational institution that currently uses~~
 704 ~~the land, buildings, and other improvements for educational~~
 705 ~~purposes is an educational institution described in s. 212.0602,~~
 706 ~~and, under a lease, the educational institution is responsible~~
 707 ~~for any taxes owed and for ongoing maintenance and operational~~
 708 ~~expenses for the land, buildings, and other improvements. For~~
 709 ~~such leasehold properties, the educational institution shall~~
 710 ~~receive the full benefit of the exemption. The owner of the~~
 711 ~~property shall disclose to the educational institution the full~~
 712 ~~amount of the benefit derived from the exemption and the method~~
 713 ~~for ensuring that the educational institution receives the~~
 714 ~~benefit.~~ Notwithstanding ss. 196.195 and 196.196, property owned
 715 by a house of public worship and used by an educational
 716 institution for educational purposes limited to students in
 717 preschool through grade 8 shall be exempt from ad valorem taxes.
 718 If legal title to property is held by a governmental agency that
 719 leases the property to a lessee, the property shall be deemed to
 720 be owned by the governmental agency and used exclusively for
 721 educational purposes if the governmental agency continues to use
 722 such property exclusively for educational purposes pursuant to a
 723 sublease or other contractual agreement with that lessee. If the
 724 title to land is held by the trustee of an irrevocable inter
 725 vivos trust and if the trust grantor owns 100 percent of the

726 entity that owns an educational institution that is using the
727 land exclusively for educational purposes, the land is deemed to
728 be property owned by the educational institution for purposes of
729 this exemption. Property owned by an educational institution
730 shall be deemed to be used for an educational purpose if the
731 institution has taken affirmative steps to prepare the property
732 for educational use. The term "affirmative steps" means
733 environmental or land use permitting activities, creation of
734 architectural plans or schematic drawings, land clearing or site
735 preparation, construction or renovation activities, or other
736 similar activities that demonstrate commitment of the property
737 to an educational use.

738 Section 18. Subsections (6) and (11) of section 196.1995,
739 Florida Statutes, are amended to read:

740 196.1995 Economic development ad valorem tax exemption.—

741 (6) With respect to a new business as defined in s.
742 196.012(15)(c) ~~by s. 196.012(14)(e)~~, the municipality annexing
743 the property on which the business is situated may grant an
744 economic development ad valorem tax exemption under this section
745 to that business for a period that will expire upon the
746 expiration of the exemption granted by the county. If the county
747 renews the exemption under subsection (7), the municipality may
748 also extend its exemption. A municipal economic development ad
749 valorem tax exemption granted under this subsection may not
750 extend beyond the duration of the county exemption.

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

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

756 (b) The total amount of revenue available to the county or
 757 municipality from ad valorem tax sources for the current fiscal
 758 year, the total amount of revenue lost to the county or
 759 municipality for the current fiscal year by virtue of economic
 760 development ad valorem tax exemptions currently in effect, and
 761 the estimated revenue loss to the county or municipality for the
 762 current fiscal year attributable to the exemption of the
 763 business named in the ordinance;

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

768 (d) A finding that the business named in the ordinance
 769 meets the requirements of s. 196.012(15) or (16) ~~s. 196.012(14)~~
 770 ~~or (15)~~.

771 Section 19. Paragraph (e) of subsection (1) of section
 772 197.3181, Florida Statutes, is amended to read:

773 197.3181 Refund of taxes for residential improvements
 774 rendered uninhabitable by Hurricane Ian or Hurricane Nicole.—

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

776 (e) "Residential improvement" means a residential dwelling
 777 or house on real estate used and owned as a homestead as defined
 778 in s. 196.012(14) ~~s. 196.012(13)~~ or used as nonhomestead
 779 residential property as defined in s. 193.1554(1). A residential
 780 improvement does not include a structure that is not essential
 781 to the use and occupancy of the residential dwelling or house,
 782 including, but not limited to, a detached utility building,
 783 detached carport, detached garage, bulkhead, fence, or swimming
 784 pool, and does not include land.

785 Section 20. Paragraph (f) of subsection (1) of section
 786 197.319, Florida Statutes, is amended to read:

787 197.319 Refund of taxes for residential improvements
 788 rendered uninhabitable by a catastrophic event.—

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

790 (f) "Residential improvement" means real estate used and
 791 owned as a homestead as defined in s. 196.012(14) ~~s. 196.012(13)~~
 792 or nonhomestead residential property as defined in s.
 793 193.1554(1). A residential improvement does not include a
 794 structure that is not essential to the use and occupancy of the
 795 residential dwelling or house, including, but not limited to, a
 796 detached utility building, detached carport, detached garage,
 797 bulkhead, fence, or swimming pool, and does not include land.

798 Section 21. Paragraph (a) of subsection (14) of section
 799 212.02, Florida Statutes, is amended to read:

800 212.02 Definitions.—The following terms and phrases when

801 used in this chapter have the meanings ascribed to them in this
 802 section, except where the context clearly indicates a different
 803 meaning:

804 (14) (a) "Retail sale" or a "sale at retail" means a sale
 805 to a consumer or to any person for any purpose other than for
 806 resale in the form of tangible personal property or services
 807 taxable under this chapter, and includes all such transactions
 808 that may be made in lieu of retail sales or sales at retail. A
 809 sale for resale includes a sale of qualifying property. As used
 810 in this paragraph, the term "qualifying property" means tangible
 811 personal property, other than electricity, which is used or
 812 consumed by a government contractor in the performance of a
 813 qualifying contract as defined in s. 212.08(16)(c) ~~s.~~
 814 ~~212.08(17)(e)~~, to the extent that the cost of the property is
 815 allocated or charged as a direct item of cost to such contract,
 816 title to which property vests in or passes to the government
 817 under the contract. The term "government contractor" includes
 818 prime contractors and subcontractors. As used in this paragraph,
 819 a cost is a "direct item of cost" if it is a "direct cost" as
 820 defined in 48 C.F.R. s. 9904.418-30(a)(2), or similar successor
 821 provisions, including costs identified specifically with a
 822 particular contract.

823 Section 22. Paragraph (a) of subsection (1) of section
 824 212.031, Florida Statutes, is amended to read:

825 212.031 Tax on rental or license fee for use of real

826 | property.—

827 | (1)(a) It is declared to be the legislative intent that
828 | every person is exercising a taxable privilege who engages in
829 | the business of renting, leasing, letting, or granting a license
830 | for the use of any real property unless such property is:

831 | 1. Assessed as agricultural property under s. 193.461.

832 | 2. Used exclusively as dwelling units.

833 | 3. Property subject to tax on parking, docking, or storage
834 | spaces under s. 212.03(6).

835 | 4. Recreational property or the common elements of a
836 | condominium when subject to a lease between the developer or
837 | owner thereof and the condominium association in its own right
838 | or as agent for the owners of individual condominium units or
839 | the owners of individual condominium units. However, only the
840 | lease payments on such property shall be exempt from the tax
841 | imposed by this chapter, and any other use made by the owner or
842 | the condominium association shall be fully taxable under this
843 | chapter.

844 | 5. A public or private street or right-of-way and poles,
845 | conduits, fixtures, and similar improvements located on such
846 | streets or rights-of-way, occupied or used by a utility or
847 | provider of communications services, as defined by s. 202.11,
848 | for utility or communications or television purposes. For
849 | purposes of this subparagraph, the term "utility" means any
850 | person providing utility services as defined in s. 203.012. This

851 exception also applies to property, wherever located, on which
 852 the following are placed: towers, antennas, cables, accessory
 853 structures, or equipment, not including switching equipment,
 854 used in the provision of mobile communications services as
 855 defined in s. 202.11. For purposes of this chapter, towers used
 856 in the provision of mobile communications services, as defined
 857 in s. 202.11, are considered to be fixtures.

858 6. A public street or road which is used for
 859 transportation purposes.

860 7. Property used at an airport exclusively for the purpose
 861 of aircraft landing or aircraft taxiing or property used by an
 862 airline for the purpose of loading or unloading passengers or
 863 property onto or from aircraft or for fueling aircraft.

864 8.a. Property used at a port authority, as defined in s.
 865 315.02(2), exclusively for the purpose of oceangoing vessels or
 866 tugs docking, or such vessels mooring on property used by a port
 867 authority for the purpose of loading or unloading passengers or
 868 cargo onto or from such a vessel, or property used at a port
 869 authority for fueling such vessels, or to the extent that the
 870 amount paid for the use of any property at the port is based on
 871 the charge for the amount of tonnage actually imported or
 872 exported through the port by a tenant.

873 b. The amount charged for the use of any property at the
 874 port in excess of the amount charged for tonnage actually
 875 imported or exported shall remain subject to tax except as

876 provided in sub-subparagraph a.

877 ~~9. Property used as an integral part of the performance of~~
878 ~~qualified production services. As used in this subparagraph, the~~
879 ~~term "qualified production services" means any activity or~~
880 ~~service performed directly in connection with the production of~~
881 ~~a qualified motion picture, as defined in s. 212.06(1)(b), and~~
882 ~~includes:~~

883 ~~a. Photography, sound and recording, casting, location~~
884 ~~managing and scouting, shooting, creation of special and optical~~
885 ~~effects, animation, adaptation (language, media, electronic, or~~
886 ~~otherwise), technological modifications, computer graphics, set~~
887 ~~and stage support (such as electricians, lighting designers and~~
888 ~~operators, greensmen, prop managers and assistants, and grips),~~
889 ~~wardrobe (design, preparation, and management), hair and makeup~~
890 ~~(design, production, and application), performing (such as~~
891 ~~acting, dancing, and playing), designing and executing stunts,~~
892 ~~coaching, consulting, writing, scoring, composing,~~
893 ~~choreographing, script supervising, directing, producing,~~
894 ~~transmitting dailies, dubbing, mixing, editing, cutting,~~
895 ~~looping, printing, processing, duplicating, storing, and~~
896 ~~distributing;~~

897 ~~b. The design, planning, engineering, construction,~~
898 ~~alteration, repair, and maintenance of real or personal property~~
899 ~~including stages, sets, props, models, paintings, and facilities~~
900 ~~principally required for the performance of those services~~

901 ~~listed in sub-subparagraph a.; and~~
 902 ~~e. Property management services directly related to~~
 903 ~~property used in connection with the services described in sub-~~
 904 ~~subparagraphs a. and b.~~

905
 906 ~~This exemption will inure to the taxpayer upon presentation of~~
 907 ~~the certificate of exemption issued to the taxpayer under the~~
 908 ~~provisions of s. 288.1258.~~

909 9.10. Leased, subleased, licensed, or rented to a person
 910 providing food and drink concessionaire services within the
 911 premises of a convention hall, exhibition hall, auditorium,
 912 stadium, theater, arena, civic center, performing arts center,
 913 publicly owned recreational facility, or any business operated
 914 under a permit issued pursuant to chapter 550. A person
 915 providing retail concessionaire services involving the sale of
 916 food and drink or other tangible personal property within the
 917 premises of an airport shall be subject to tax on the rental of
 918 real property used for that purpose, but shall not be subject to
 919 the tax on any license to use the property. For purposes of this
 920 subparagraph, the term "sale" shall not include the leasing of
 921 tangible personal property.

922 10.11. Property occupied pursuant to an instrument calling
 923 for payments which the department has declared, in a Technical
 924 Assistance Advisement issued on or before March 15, 1993, to be
 925 nontaxable pursuant to rule 12A-1.070(19)(c), Florida

926 Administrative Code; provided that this subparagraph shall only
927 apply to property occupied by the same person before and after
928 the execution of the subject instrument and only to those
929 payments made pursuant to such instrument, exclusive of renewals
930 and extensions thereof occurring after March 15, 1993.

931 11.12. Property used or occupied predominantly for space
932 flight business purposes. As used in this subparagraph, "space
933 flight business" means the manufacturing, processing, or
934 assembly of a space facility, space propulsion system, space
935 vehicle, satellite, or station of any kind possessing the
936 capacity for space flight, as defined by s. 212.02(23), or
937 components thereof, and also means the following activities
938 supporting space flight: vehicle launch activities, flight
939 operations, ground control or ground support, and all
940 administrative activities directly related thereto. Property
941 shall be deemed to be used or occupied predominantly for space
942 flight business purposes if more than 50 percent of the
943 property, or improvements thereon, is used for one or more space
944 flight business purposes. Possession by a landlord, lessor, or
945 licensor of a signed written statement from the tenant, lessee,
946 or licensee claiming the exemption shall relieve the landlord,
947 lessor, or licensor from the responsibility of collecting the
948 tax, and the department shall look solely to the tenant, lessee,
949 or licensee for recovery of such tax if it determines that the
950 exemption was not applicable.

951 ~~12.13.~~ Rented, leased, subleased, or licensed to a person
 952 providing telecommunications, data systems management, or
 953 Internet services at a publicly or privately owned convention
 954 hall, civic center, or meeting space at a public lodging
 955 establishment as defined in s. 509.013. This subparagraph
 956 applies only to that portion of the rental, lease, or license
 957 payment that is based upon a percentage of sales, revenue
 958 sharing, or royalty payments and not based upon a fixed price.
 959 This subparagraph is intended to be clarifying and remedial in
 960 nature and shall apply retroactively. This subparagraph does not
 961 provide a basis for an assessment of any tax not paid, or create
 962 a right to a refund of any tax paid, pursuant to this section
 963 before July 1, 2010.

964 Section 23. Paragraph (b) of subsection (1) of section
 965 212.06, Florida Statutes, is amended to read:

966 212.06 Sales, storage, use tax; collectible from dealers;
 967 "dealer" defined; dealers to collect from purchasers;
 968 legislative intent as to scope of tax.—

969 (1)

970 (b) Except as otherwise provided, any person who
 971 manufactures, produces, compounds, processes, or fabricates in
 972 any manner tangible personal property for his or her own use
 973 shall pay a tax upon the cost of the product manufactured,
 974 produced, compounded, processed, or fabricated without any
 975 deduction therefrom on account of the cost of material used,

976 labor or service costs, or transportation charges,
 977 notwithstanding the provisions of s. 212.02 defining "cost
 978 price." However, the tax levied under this paragraph shall not
 979 be imposed upon any person who manufactures or produces
 980 electrical power or energy, steam energy, or other energy at a
 981 single location, when such power or energy is used directly and
 982 exclusively at such location, or at other locations if the
 983 energy is transferred through facilities of the owner in the
 984 operation of machinery or equipment that is used to manufacture,
 985 process, compound, produce, fabricate, or prepare for shipment
 986 tangible personal property for sale or to operate pollution
 987 control equipment, maintenance equipment, or monitoring or
 988 control equipment used in such operations. The manufacture or
 989 production of electrical power or energy that is used for space
 990 heating, lighting, office equipment, or air-conditioning or any
 991 other, nonprocessing, noncompounding, nonproducing,
 992 nonfabricating, or nonshipping activity is taxable. Electrical
 993 power or energy consumed or dissipated in the transmission or
 994 distribution of electrical power or energy for resale is also
 995 not taxable. ~~Fabrication labor shall not be taxable when a~~
 996 ~~person is using his or her own equipment and personnel, for his~~
 997 ~~or her own account, as a producer, subproducer, or coproducer of~~
 998 ~~a qualified motion picture. For purposes of this chapter, the~~
 999 ~~term "qualified motion picture" means all or any part of a~~
 1000 ~~series of related images, either on film, tape, or other~~

1001 ~~embodiment, including, but not limited to, all items comprising~~
1002 ~~part of the original work and film-related products derived~~
1003 ~~therefrom as well as duplicates and prints thereof and all sound~~
1004 ~~recordings created to accompany a motion picture, which is~~
1005 ~~produced, adapted, or altered for exploitation in, on, or~~
1006 ~~through any medium or device and at any location, primarily for~~
1007 ~~entertainment, commercial, industrial, or educational purposes.~~
1008 ~~This exemption for fabrication labor associated with production~~
1009 ~~of a qualified motion picture will inure to the taxpayer upon~~
1010 ~~presentation of the certificate of exemption issued to the~~
1011 ~~taxpayer under the provisions of s. 288.1258. A person who~~
1012 manufactures factory-built buildings for his or her own use in
1013 the performance of contracts for the construction or improvement
1014 of real property shall pay a tax only upon the person's cost
1015 price of items used in the manufacture of such buildings.

1016 Section 24. Section 212.0602, Florida Statutes, is
1017 repealed.

1018 Section 25. Paragraphs (g) through (p) and (r) through (u)
1019 of subsection (5) of section 212.08, Florida Statutes, are
1020 redesignated as paragraphs (f) through (o) and (p) through (s),
1021 respectively, subsections (13) through (18) are renumbered as
1022 subsections (12) through (17), respectively, and paragraph (f)
1023 and present paragraphs (h), (j), and (q) of subsection (5),
1024 present subsection (12), and paragraph (f) of present subsection
1025 (15) of that section are amended to read:

1026 212.08 Sales, rental, use, consumption, distribution, and
 1027 storage tax; specified exemptions.—The sale at retail, the
 1028 rental, the use, the consumption, the distribution, and the
 1029 storage to be used or consumed in this state of the following
 1030 are hereby specifically exempt from the tax imposed by this
 1031 chapter.

1032 (5) EXEMPTIONS; ACCOUNT OF USE.—

1033 ~~(f) Motion picture or video equipment used in motion
 1034 picture or television production activities and sound recording
 1035 equipment used in the production of master tapes and master
 1036 records.—~~

1037 ~~1. Motion picture or video equipment and sound recording
 1038 equipment purchased or leased for use in this state in
 1039 production activities is exempt from the tax imposed by this
 1040 chapter. The exemption provided by this paragraph shall inure to
 1041 the taxpayer upon presentation of the certificate of exemption
 1042 issued to the taxpayer under the provisions of s. 288.1258.~~

1043 ~~2. For the purpose of the exemption provided in
 1044 subparagraph 1.:~~

1045 ~~a. "Motion picture or video equipment" and "sound
 1046 recording equipment" includes only tangible personal property or
 1047 other property that has a depreciable life of 3 years or more
 1048 and that is used by the lessee or purchaser exclusively as an
 1049 integral part of production activities; however, motion picture
 1050 or video equipment and sound recording equipment does not~~

1051 ~~include supplies, tape, records, film, or video tape used in~~
1052 ~~productions or other similar items; vehicles or vessels; or~~
1053 ~~general office equipment not specifically suited to production~~
1054 ~~activities. In addition, the term does not include equipment~~
1055 ~~purchased or leased by television or radio broadcasting or cable~~
1056 ~~companies licensed by the Federal Communications Commission.~~
1057 ~~Furthermore, a building and its structural components are not~~
1058 ~~motion picture or video equipment and sound recording equipment~~
1059 ~~unless the building or structural component is so closely~~
1060 ~~related to the motion picture or video equipment and sound~~
1061 ~~recording equipment that it houses or supports that the building~~
1062 ~~or structural component can be expected to be replaced when the~~
1063 ~~motion picture or video equipment and sound recording equipment~~
1064 ~~are replaced. Heating and air-conditioning systems are not~~
1065 ~~motion picture or video equipment and sound recording equipment~~
1066 ~~unless the sole justification for their installation is to meet~~
1067 ~~the requirements of the production activities, even though the~~
1068 ~~system may provide incidental comfort to employees or serve, to~~
1069 ~~an insubstantial degree, nonproduction activities.~~

1070 ~~b. "Production activities" means activities directed~~
1071 ~~toward the preparation of a:~~

1072 ~~(I) Master tape or master record embodying sound; or~~

1073 ~~(II) Motion picture or television production which is~~
1074 ~~produced for theatrical, commercial, advertising, or educational~~
1075 ~~purposes and utilizes live or animated actions or a combination~~

1076 ~~of live and animated actions. The motion picture or television~~
 1077 ~~production shall be commercially produced for sale or for~~
 1078 ~~showing on screens or broadcasting on television and may be on~~
 1079 ~~film or video tape.~~

1080 (g)~~(h)~~ Business property used in an enterprise zone.—

1081 1. Business property purchased for use by businesses
 1082 located in an enterprise zone which is subsequently used in an
 1083 enterprise zone shall be exempt from the tax imposed by this
 1084 chapter. This exemption inures to the business only through a
 1085 refund of previously paid taxes. A refund shall be authorized
 1086 upon an affirmative showing by the taxpayer to the satisfaction
 1087 of the department that the requirements of this paragraph have
 1088 been met.

1089 2. To receive a refund, the business must file under oath
 1090 with the governing body or enterprise zone development agency
 1091 having jurisdiction over the enterprise zone where the business
 1092 is located, as applicable, an application which includes:

1093 a. The name and address of the business claiming the
 1094 refund.

1095 b. The identifying number assigned pursuant to s. 290.0065
 1096 to the enterprise zone in which the business is located.

1097 c. A specific description of the property for which a
 1098 refund is sought, including its serial number or other permanent
 1099 identification number.

1100 d. The location of the property.

1101 e. The sales invoice or other proof of purchase of the
1102 property, showing the amount of sales tax paid, the date of
1103 purchase, and the name and address of the sales tax dealer from
1104 whom the property was purchased.

1105 f. Whether the business is a small business as defined by
1106 s. 288.703.

1107 g. If applicable, the name and address of each permanent
1108 employee of the business, including, for each employee who is a
1109 resident of an enterprise zone, the identifying number assigned
1110 pursuant to s. 290.0065 to the enterprise zone in which the
1111 employee resides.

1112 3. Within 10 working days after receipt of an application,
1113 the governing body or enterprise zone development agency shall
1114 review the application to determine if it contains all the
1115 information required pursuant to subparagraph 2. and meets the
1116 criteria set out in this paragraph. The governing body or agency
1117 shall certify all applications that contain the information
1118 required pursuant to subparagraph 2. and meet the criteria set
1119 out in this paragraph as eligible to receive a refund. If
1120 applicable, the governing body or agency shall also certify if
1121 20 percent of the employees of the business are residents of an
1122 enterprise zone, excluding temporary and part-time employees.
1123 The certification shall be in writing, and a copy of the
1124 certification shall be transmitted to the executive director of
1125 the Department of Revenue. The business shall be responsible for

1126 forwarding a certified application to the department within the
1127 time specified in subparagraph 4.

1128 4. An application for a refund pursuant to this paragraph
1129 must be submitted to the department within 6 months after the
1130 tax is due on the business property that is purchased.

1131 5. The amount refunded on purchases of business property
1132 under this paragraph shall be the lesser of 97 percent of the
1133 sales tax paid on such business property or \$5,000, or, if no
1134 less than 20 percent of the employees of the business are
1135 residents of an enterprise zone, excluding temporary and part-
1136 time employees, the amount refunded on purchases of business
1137 property under this paragraph shall be the lesser of 97 percent
1138 of the sales tax paid on such business property or \$10,000. A
1139 refund approved pursuant to this paragraph shall be made within
1140 30 days after formal approval by the department of the
1141 application for the refund. A refund may not be granted under
1142 this paragraph unless the amount to be refunded exceeds \$100 in
1143 sales tax paid on purchases made within a 60-day time period.

1144 6. The department shall adopt rules governing the manner
1145 and form of refund applications and may establish guidelines as
1146 to the requisites for an affirmative showing of qualification
1147 for exemption under this paragraph.

1148 7. If the department determines that the business property
1149 is used outside an enterprise zone within 3 years from the date
1150 of purchase, the amount of taxes refunded to the business

1151 purchasing such business property shall immediately be due and
 1152 payable to the department by the business, together with the
 1153 appropriate interest and penalty, computed from the date of
 1154 purchase, in the manner provided by this chapter.

1155 Notwithstanding this subparagraph, business property used
 1156 exclusively in:

- 1157 a. Licensed commercial fishing vessels,
- 1158 b. Fishing guide boats, or
- 1159 c. Ecotourism guide boats

1160
 1161 that leave and return to a fixed location within an area
 1162 designated under s. 379.2353, Florida Statutes 2010, are
 1163 eligible for the exemption provided under this paragraph if all
 1164 requirements of this paragraph are met. Such vessels and boats
 1165 must be owned by a business that is eligible to receive the
 1166 exemption provided under this paragraph. This exemption does not
 1167 apply to the purchase of a vessel or boat.

1168 8. The department shall deduct an amount equal to 10
 1169 percent of each refund granted under this paragraph from the
 1170 amount transferred into the Local Government Half-cent Sales Tax
 1171 Clearing Trust Fund pursuant to s. 212.20 for the county area in
 1172 which the business property is located and shall transfer that
 1173 amount to the General Revenue Fund.

1174 9. For the purposes of this exemption, "business property"
 1175 means new or used property defined as "recovery property" in s.

1176 | 168(c) of the Internal Revenue Code of 1954, as amended, except:
 1177 | a. Property classified as 3-year property under s.
 1178 | 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;
 1179 | b. Industrial machinery and equipment as defined in sub-
 1180 | subparagraph (b)6.a. and eligible for exemption under paragraph
 1181 | (b);
 1182 | c. Building materials as defined in sub-subparagraph
 1183 | (f)8.a. ~~sub-subparagraph (g)8.a.~~; and
 1184 | d. Business property having a sales price of under \$5,000
 1185 | per unit.
 1186 | 10. This paragraph expires on the date specified in s.
 1187 | 290.016 for the expiration of the Florida Enterprise Zone Act.
 1188 | (i)~~(j)~~ Machinery and equipment used in semiconductor,
 1189 | defense, or space technology production.—
 1190 | 1.a. Industrial machinery and equipment used in
 1191 | semiconductor technology facilities certified under subparagraph
 1192 | 5. to manufacture, process, compound, or produce semiconductor
 1193 | technology products for sale or for use by these facilities are
 1194 | exempt from the tax imposed by this chapter. For purposes of
 1195 | this paragraph, industrial machinery and equipment includes
 1196 | molds, dies, machine tooling, other appurtenances or accessories
 1197 | to machinery and equipment, testing equipment, test beds,
 1198 | computers, and software, whether purchased or self-fabricated,
 1199 | and, if self-fabricated, includes materials and labor for
 1200 | design, fabrication, and assembly.

1201 b. Industrial machinery and equipment used in defense or
 1202 space technology facilities certified under subparagraph 5. to
 1203 design, manufacture, assemble, process, compound, or produce
 1204 defense technology products or space technology products for
 1205 sale or for use by these facilities are exempt from the tax
 1206 imposed by this chapter.

1207 2. Building materials purchased for use in manufacturing
 1208 or expanding clean rooms in semiconductor-manufacturing
 1209 facilities are exempt from the tax imposed by this chapter.

1210 3. In addition to meeting the criteria mandated by
 1211 subparagraph 1. or subparagraph 2., a business must be certified
 1212 by the Department of Economic Opportunity in order to qualify
 1213 for exemption under this paragraph.

1214 4. For items purchased tax-exempt pursuant to this
 1215 paragraph, possession of a written certification from the
 1216 purchaser, certifying the purchaser's entitlement to the
 1217 exemption, relieves the seller of the responsibility of
 1218 collecting the tax on the sale of such items, and the department
 1219 shall look solely to the purchaser for recovery of the tax if it
 1220 determines that the purchaser was not entitled to the exemption.

1221 5.a. To be eligible to receive the exemption provided by
 1222 subparagraph 1. or subparagraph 2., a qualifying business entity
 1223 shall initially apply to the Department of Economic Opportunity
 1224 ~~Enterprise Florida, Inc.~~ The original certification is valid for
 1225 a period of 2 years. In lieu of submitting a new application,

1226 | the original certification may be renewed biennially by
 1227 | submitting to the Department of Economic Opportunity a
 1228 | statement, certified under oath, that there has not been a
 1229 | material change in the conditions or circumstances entitling the
 1230 | business entity to the original certification. The initial
 1231 | application and the certification renewal statement shall be
 1232 | developed by the Department of Economic Opportunity.

1233 | b. ~~The Division of Strategic Business Development of the~~
 1234 | Department of Economic Opportunity shall review each submitted
 1235 | initial application and determine whether or not the application
 1236 | is complete within 5 working days. Once complete, the division
 1237 | shall, within 10 working days, evaluate the application and
 1238 | recommend approval or disapproval to the Department of Economic
 1239 | Opportunity.

1240 | c. Upon receipt of the initial application and
 1241 | recommendation from the division or upon receipt of a
 1242 | certification renewal statement, the Department of Economic
 1243 | Opportunity shall certify within 5 working days those applicants
 1244 | who are found to meet the requirements of this section and
 1245 | notify the applicant of the original certification or
 1246 | certification renewal. If the Department of Economic Opportunity
 1247 | finds that the applicant does not meet the requirements, it
 1248 | shall notify the applicant ~~and Enterprise Florida, Inc.,~~ within
 1249 | 10 working days that the application for certification has been
 1250 | denied and the reasons for denial. The Department of Economic

1251 Opportunity has final approval authority for certification under
 1252 this section.

1253 d. The initial application and certification renewal
 1254 statement must indicate, for program evaluation purposes only,
 1255 the average number of full-time equivalent employees at the
 1256 facility over the preceding calendar year, the average wage and
 1257 benefits paid to those employees over the preceding calendar
 1258 year, the total investment made in real and tangible personal
 1259 property over the preceding calendar year, and the total value
 1260 of tax-exempt purchases and taxes exempted during the previous
 1261 year. The department shall assist the Department of Economic
 1262 Opportunity in evaluating and verifying information provided in
 1263 the application for exemption.

1264 e. The Department of Economic Opportunity may use the
 1265 information reported on the initial application and
 1266 certification renewal statement for evaluation purposes only.

1267 6. A business certified to receive this exemption may
 1268 elect to designate one or more state universities or community
 1269 colleges as recipients of up to 100 percent of the amount of the
 1270 exemption. To receive these funds, the institution must agree to
 1271 match the funds with equivalent cash, programs, services, or
 1272 other in-kind support on a one-to-one basis for research and
 1273 development projects requested by the certified business. The
 1274 rights to any patents, royalties, or real or intellectual
 1275 property must be vested in the business unless otherwise agreed

1276 to by the business and the university or community college.

1277 7. As used in this paragraph, the term:

1278 a. "Semiconductor technology products" means raw
1279 semiconductor wafers or semiconductor thin films that are
1280 transformed into semiconductor memory or logic wafers, including
1281 wafers containing mixed memory and logic circuits; related
1282 assembly and test operations; active-matrix flat panel displays;
1283 semiconductor chips; semiconductor lasers; optoelectronic
1284 elements; and related semiconductor technology products as
1285 determined by the Department of Economic Opportunity.

1286 b. "Clean rooms" means manufacturing facilities enclosed
1287 in a manner that meets the clean manufacturing requirements
1288 necessary for high-technology semiconductor-manufacturing
1289 environments.

1290 c. "Defense technology products" means products that have
1291 a military application, including, but not limited to, weapons,
1292 weapons systems, guidance systems, surveillance systems,
1293 communications or information systems, munitions, aircraft,
1294 vessels, or boats, or components thereof, which are intended for
1295 military use and manufactured in performance of a contract with
1296 the United States Department of Defense or the military branch
1297 of a recognized foreign government or a subcontract thereunder
1298 which relates to matters of national defense.

1299 d. "Space technology products" means products that are
1300 specifically designed or manufactured for application in space

1301 activities, including, but not limited to, space launch
 1302 vehicles, space flight vehicles, missiles, satellites or
 1303 research payloads, avionics, and associated control systems and
 1304 processing systems and components of any of the foregoing. The
 1305 term does not include products that are designed or manufactured
 1306 for general commercial aviation or other uses even though those
 1307 products may also serve an incidental use in space applications.

1308 ~~(g) Entertainment industry tax credit; authorization;~~
 1309 ~~eligibility for credits. The credits against the state sales tax~~
 1310 ~~authorized pursuant to s. 288.1254 shall be deducted from any~~
 1311 ~~sales and use tax remitted by the dealer to the department by~~
 1312 ~~electronic funds transfer and may only be deducted on a sales~~
 1313 ~~and use tax return initiated through electronic data~~
 1314 ~~interchange. The dealer shall separately state the credit on the~~
 1315 ~~electronic return. The net amount of tax due and payable must be~~
 1316 ~~remitted by electronic funds transfer. If the credit for the~~
 1317 ~~qualified expenditures is larger than the amount owed on the~~
 1318 ~~sales and use tax return that is eligible for the credit, the~~
 1319 ~~unused amount of the credit may be carried forward to a~~
 1320 ~~succeeding reporting period as provided in s. 288.1254(4)(e). A~~
 1321 ~~dealer may only obtain a credit using the method described in~~
 1322 ~~this subparagraph. A dealer is not authorized to obtain a credit~~
 1323 ~~by applying for a refund.~~

1324 ~~(12) PARTIAL EXEMPTION; MASTER TAPES, RECORDS, FILMS, OR~~
 1325 ~~VIDEO TAPES.—~~

1326 ~~(a) There are exempt from the taxes imposed by this~~
1327 ~~chapter the gross receipts from the sale or lease of, and the~~
1328 ~~storage, use, or other consumption in this state of, master~~
1329 ~~tapes or master records embodying sound, or master films or~~
1330 ~~master video tapes; except that amounts paid to recording~~
1331 ~~studios or motion picture or television studios for the tangible~~
1332 ~~elements of such master tapes, records, films, or video tapes~~
1333 ~~are taxable as otherwise provided in this chapter. This~~
1334 ~~exemption will inure to the taxpayer upon presentation of the~~
1335 ~~certificate of exemption issued to the taxpayer under the~~
1336 ~~provisions of s. 288.1258.~~

1337 ~~(b) For the purposes of this subsection, the term:~~

1338 ~~1. "Amounts paid for the tangible elements" does not~~
1339 ~~include any amounts paid for the copyrightable, artistic, or~~
1340 ~~other intangible elements of such master tapes, records, films,~~
1341 ~~or video tapes, whether designated as royalties or otherwise,~~
1342 ~~including, but not limited to, services rendered in producing,~~
1343 ~~fabricating, processing, or imprinting tangible personal~~
1344 ~~property or any other services or production expenses in~~
1345 ~~connection therewith which may otherwise be construed as~~
1346 ~~constituting a "sale" under s. 212.02.~~

1347 ~~2. "Master films or master video tapes" means films or~~
1348 ~~video tapes utilized by the motion picture and television~~
1349 ~~production industries in making visual images for reproduction.~~

1350 ~~3. "Master tapes or master records embodying sound" means~~

1351 ~~tapes, records, and other devices utilized by the recording~~
 1352 ~~industry in making recordings embodying sound.~~

1353 ~~4. "Motion picture or television studio" means a facility~~
 1354 ~~in which film or video tape productions or parts of productions~~
 1355 ~~are made and which contains the necessary equipment and~~
 1356 ~~personnel for this purpose and includes a mobile unit or vehicle~~
 1357 ~~that is equipped in much the same manner as a stationary studio~~
 1358 ~~and used in the making of film or video tape productions.~~

1359 ~~5. "Recording studio" means a place where, by means of~~
 1360 ~~mechanical or electronic devices, voices, music, or other sounds~~
 1361 ~~are transmitted to tapes, records, or other devices capable of~~
 1362 ~~reproducing sound.~~

1363 ~~6. "Recording industry" means any person engaged in an~~
 1364 ~~occupation or business of making recordings embodying sound for~~
 1365 ~~a livelihood or for a profit.~~

1366 ~~7. "Motion picture or television production industry"~~
 1367 ~~means any person engaged in an occupation or business for a~~
 1368 ~~livelihood or for profit of making visual motion picture or~~
 1369 ~~television visual images for showing on screen or television for~~
 1370 ~~theatrical, commercial, advertising, or educational purposes.~~

1371 (14) ~~(15)~~ ELECTRICAL ENERGY USED IN AN ENTERPRISE ZONE.—

1372 (f) For the purpose of the exemption provided in this
 1373 subsection, the term "qualified business" means a business which
 1374 is:

1375 1. First occupying a new structure to which electrical

1376 service, other than that used for construction purposes, has not
 1377 been previously provided or furnished;

1378 2. Newly occupying an existing, remodeled, renovated, or
 1379 rehabilitated structure to which electrical service, other than
 1380 that used for remodeling, renovation, or rehabilitation of the
 1381 structure, has not been provided or furnished in the three
 1382 preceding billing periods; or

1383 3. Occupying a new, remodeled, rebuilt, renovated, or
 1384 rehabilitated structure for which a refund has been granted
 1385 pursuant to paragraph (5) (f) ~~(5) (g)~~.

1386 Section 26. Section 212.097, Florida Statutes, is
 1387 repealed.

1388 Section 27. Paragraph (a) of subsection (1) of section
 1389 212.098, Florida Statutes, is amended to read:

1390 212.098 Rural Job Tax Credit Program.—

1391 (1) As used in this section, the term:

1392 (a) "Eligible business" means any sole proprietorship,
 1393 firm, partnership, or corporation that is located in a qualified
 1394 county and is predominantly engaged in, or is headquarters for a
 1395 business predominantly engaged in, activities usually provided
 1396 for consideration by firms classified within the following
 1397 standard industrial classifications: SIC 01-SIC 09 (agriculture,
 1398 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
 1399 (public warehousing and storage); SIC 70 (hotels and other
 1400 lodging places); SIC 7391 (research and development); SIC 781

1401 (motion picture production and allied services); SIC 7992
 1402 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
 1403 ~~targeted industry eligible for the qualified target industry~~
 1404 ~~business tax refund under s. 288.106.~~ A call center or similar
 1405 customer service operation that services a multistate market or
 1406 an international market is also an eligible business. In
 1407 addition, the Department of Economic Opportunity may, as part of
 1408 its final budget request submitted pursuant to s. 216.023,
 1409 recommend additions to or deletions from the list of standard
 1410 industrial classifications used to determine an eligible
 1411 business, and the Legislature may implement such
 1412 recommendations. Excluded from eligible receipts are receipts
 1413 from retail sales, except such receipts for hotels and other
 1414 lodging places classified in SIC 70, public golf courses in SIC
 1415 7992, and amusement parks in SIC 7996. For purposes of this
 1416 paragraph, the term "predominantly" means that more than 50
 1417 percent of the business's gross receipts from all sources is
 1418 generated by those activities usually provided for consideration
 1419 by firms in the specified standard industrial classification.
 1420 The determination of whether the business is located in a
 1421 qualified county and the tier ranking of that county must be
 1422 based on the date of application for the credit under this
 1423 section. Commonly owned and controlled entities are to be
 1424 considered a single business entity.

1425 Section 28. Paragraph (d) of subsection (6) of section

1426 | 212.20, Florida Statutes, is amended to read:

1427 | 212.20 Funds collected, disposition; additional powers of
1428 | department; operational expense; refund of taxes adjudicated
1429 | unconstitutionally collected.—

1430 | (6) Distribution of all proceeds under this chapter and
1431 | ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1432 | (d) The proceeds of all other taxes and fees imposed
1433 | pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
1434 | and (2)(b) shall be distributed as follows:

1435 | 1. In any fiscal year, the greater of \$500 million, minus
1436 | an amount equal to 4.6 percent of the proceeds of the taxes
1437 | collected pursuant to chapter 201, or 5.2 percent of all other
1438 | taxes and fees imposed pursuant to this chapter or remitted
1439 | pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
1440 | monthly installments into the General Revenue Fund.

1441 | 2. After the distribution under subparagraph 1., 8.9744
1442 | percent of the amount remitted by a sales tax dealer located
1443 | within a participating county pursuant to s. 218.61 shall be
1444 | transferred into the Local Government Half-cent Sales Tax
1445 | Clearing Trust Fund. Beginning July 1, 2003, the amount to be
1446 | transferred shall be reduced by 0.1 percent, and the department
1447 | shall distribute this amount to the Public Employees Relations
1448 | Commission Trust Fund less \$5,000 each month, which shall be
1449 | added to the amount calculated in subparagraph 3. and
1450 | distributed accordingly.

1451 3. After the distribution under subparagraphs 1. and 2.,
 1452 0.0966 percent shall be transferred to the Local Government
 1453 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
 1454 to s. 218.65.

1455 4. After the distributions under subparagraphs 1., 2., and
 1456 3., 2.0810 percent of the available proceeds shall be
 1457 transferred monthly to the Revenue Sharing Trust Fund for
 1458 Counties pursuant to s. 218.215.

1459 5. After the distributions under subparagraphs 1., 2., and
 1460 3., 1.3653 percent of the available proceeds shall be
 1461 transferred monthly to the Revenue Sharing Trust Fund for
 1462 Municipalities pursuant to s. 218.215. If the total revenue to
 1463 be distributed pursuant to this subparagraph is at least as
 1464 great as the amount due from the Revenue Sharing Trust Fund for
 1465 Municipalities and the former Municipal Financial Assistance
 1466 Trust Fund in state fiscal year 1999-2000, no municipality shall
 1467 receive less than the amount due from the Revenue Sharing Trust
 1468 Fund for Municipalities and the former Municipal Financial
 1469 Assistance Trust Fund in state fiscal year 1999-2000. If the
 1470 total proceeds to be distributed are less than the amount
 1471 received in combination from the Revenue Sharing Trust Fund for
 1472 Municipalities and the former Municipal Financial Assistance
 1473 Trust Fund in state fiscal year 1999-2000, each municipality
 1474 shall receive an amount proportionate to the amount it was due
 1475 in state fiscal year 1999-2000.

1476 6. Of the remaining proceeds:

1477 a. In each fiscal year, the sum of \$29,915,500 shall be

1478 divided into as many equal parts as there are counties in the

1479 state, and one part shall be distributed to each county. The

1480 distribution among the several counties must begin each fiscal

1481 year on or before January 5th and continue monthly for a total

1482 of 4 months. If a local or special law required that any moneys

1483 accruing to a county in fiscal year 1999-2000 under the then-

1484 existing provisions of s. 550.135 be paid directly to the

1485 district school board, special district, or a municipal

1486 government, such payment must continue until the local or

1487 special law is amended or repealed. The state covenants with

1488 holders of bonds or other instruments of indebtedness issued by

1489 local governments, special districts, or district school boards

1490 before July 1, 2000, that it is not the intent of this

1491 subparagraph to adversely affect the rights of those holders or

1492 relieve local governments, special districts, or district school

1493 boards of the duty to meet their obligations as a result of

1494 previous pledges or assignments or trusts entered into which

1495 obligated funds received from the distribution to county

1496 governments under then-existing s. 550.135. This distribution

1497 specifically is in lieu of funds distributed under s. 550.135

1498 before July 1, 2000.

1499 b. The department shall distribute \$166,667 monthly to

1500 each applicant certified as a facility for a new or retained

1501 professional sports franchise pursuant to former s. 288.1162. Up
1502 to \$41,667 shall be distributed monthly by the department to
1503 each certified applicant as defined in former s. 288.11621 for a
1504 facility for a spring training franchise. However, not more than
1505 \$416,670 may be distributed monthly in the aggregate to all
1506 certified applicants for facilities for spring training
1507 franchises. Distributions begin 60 days after such certification
1508 and continue for not more than 30 years, except as otherwise
1509 provided in former s. 288.11621. A certified applicant
1510 identified in this sub-subparagraph may not receive more in
1511 distributions than expended by the applicant for the public
1512 purposes provided in former s. 288.1162(5) or former s.
1513 288.11621(3).

1514 c. Beginning 30 days after notice by the Department of
1515 Economic Opportunity to the Department of Revenue that an
1516 applicant has been certified as the professional golf hall of
1517 fame pursuant to s. 288.1168 and is open to the public, \$166,667
1518 shall be distributed monthly, for up to 300 months, to the
1519 applicant.

1520 ~~d. Beginning 30 days after notice by the Department of~~
1521 ~~Economic Opportunity to the Department of Revenue that the~~
1522 ~~applicant has been certified as the International Game Fish~~
1523 ~~Association World Center facility pursuant to s. 288.1169, and~~
1524 ~~the facility is open to the public, \$83,333 shall be distributed~~
1525 ~~monthly, for up to 168 months, to the applicant. This~~

1526 ~~distribution is subject to reduction pursuant to s. 288.1169.~~
 1527 d.e. The department shall distribute up to \$83,333 monthly
 1528 to each certified applicant as defined in former s. 288.11631
 1529 for a facility used by a single spring training franchise, or up
 1530 to \$166,667 monthly to each certified applicant as defined in
 1531 former s. 288.11631 for a facility used by more than one spring
 1532 training franchise. Monthly distributions begin 60 days after
 1533 such certification or July 1, 2016, whichever is later, and
 1534 continue for not more than 20 years to each certified applicant
 1535 as defined in former s. 288.11631 for a facility used by a
 1536 single spring training franchise or not more than 25 years to
 1537 each certified applicant as defined in former s. 288.11631 for a
 1538 facility used by more than one spring training franchise. A
 1539 certified applicant identified in this sub-subparagraph may not
 1540 receive more in distributions than expended by the applicant for
 1541 the public purposes provided in former s. 288.11631(3).
 1542 e.f. The Department shall distribute \$15,333 monthly to the
 1543 State Transportation Trust Fund.
 1544 f.g.(I) On or before July 25, 2021, August 25, 2021, and
 1545 September 25, 2021, the department shall distribute \$324,533,334
 1546 in each of those months to the Unemployment Compensation Trust
 1547 Fund, less an adjustment for refunds issued from the General
 1548 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
 1549 distribution. The adjustments made by the department to the
 1550 total distributions shall be equal to the total refunds made

1551 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
 1552 subtracted from any single distribution exceeds the
 1553 distribution, the department may not make that distribution and
 1554 must subtract the remaining balance from the next distribution.

1555 (II) Beginning July 2022, and on or before the 25th day of
 1556 each month, the department shall distribute \$90 million monthly
 1557 to the Unemployment Compensation Trust Fund.

1558 (III) If the ending balance of the Unemployment
 1559 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
 1560 of any month, as determined from United States Department of the
 1561 Treasury data, the Office of Economic and Demographic Research
 1562 shall certify to the department that the ending balance of the
 1563 trust fund exceeds such amount.

1564 (IV) This sub-subparagraph is repealed, and the department
 1565 shall end monthly distributions under sub-sub-subparagraph (II),
 1566 on the date the department receives certification under sub-sub-
 1567 subparagraph (III).

1568 7. All other proceeds must remain in the General Revenue
 1569 Fund.

1570 Section 29. Subsection (2) of section 218.61, Florida
 1571 Statutes, is amended to read:

1572 218.61 Local government half-cent sales tax; designated
 1573 proceeds; trust fund.—

1574 (2) Money remitted by a sales tax dealer located within
 1575 the county and transferred into the Local Government Half-cent

1576 Sales Tax Clearing Trust Fund shall be earmarked for
 1577 distribution to the governing body of that county and of each
 1578 municipality within that county. ~~Such distributions shall be~~
 1579 ~~made after funding is provided pursuant to s. 218.64(3), if~~
 1580 ~~applicable.~~ Such moneys shall be known as the "local government
 1581 half-cent sales tax."

1582 Section 30. Subsection (3) of section 218.64, Florida
 1583 Statutes, is amended to read:

1584 218.64 Local government half-cent sales tax; uses;
 1585 limitations.-

1586 (3) Subject to ordinances enacted by the majority of the
 1587 members of the county governing authority and by the majority of
 1588 the members of the governing authorities of municipalities
 1589 representing at least 50 percent of the municipal population of
 1590 such county, counties may use up to \$3 million annually of the
 1591 local government half-cent sales tax allocated to that county
 1592 for any of the following purposes:

1593 (a) Funding a certified applicant as a facility for a new
 1594 or retained professional sports franchise under former s.
 1595 288.1162 or a certified applicant as defined in former s.
 1596 288.11621 for a facility for a spring training franchise. ~~It is~~
 1597 ~~the Legislature's intent that the provisions of s. 288.1162,~~
 1598 ~~including, but not limited to, the evaluation process by the~~
 1599 ~~Department of Economic Opportunity except for the limitation on~~
 1600 ~~the number of certified applicants or facilities as provided in~~

1601 ~~that section and the restrictions set forth in s. 288.1162(8),~~
 1602 ~~shall apply to an applicant's facility to be funded by local~~
 1603 ~~government as provided in this subsection.~~

1604 (b) Funding a certified applicant as a "motorsport
 1605 entertainment complex," as provided for in former s. 288.1171.
 1606 Funding for each franchise or motorsport complex shall begin 60
 1607 days after certification and shall continue for not more than 30
 1608 years.

1609 Section 31. Subsection (8) of section 220.02, Florida
 1610 Statutes, is amended to read:

1611 220.02 Legislative intent.—

1612 (8) It is the intent of the Legislature that credits
 1613 against either the corporate income tax or the franchise tax be
 1614 applied in the following order: those enumerated in s. 631.828,
 1615 those enumerated in former s. 220.191, those enumerated in s.
 1616 220.181, those enumerated in s. 220.183, those enumerated in s.
 1617 220.182, those enumerated in s. 220.1895, those enumerated in s.
 1618 220.195, those enumerated in s. 220.184, those enumerated in s.
 1619 220.186, those enumerated in s. 220.1845, those enumerated in s.
 1620 220.19, those enumerated in s. 220.185, those enumerated in s.
 1621 220.1875, those enumerated in s. 220.1876, those enumerated in
 1622 s. 220.1877, those enumerated in s. 220.193, those enumerated in
 1623 former s. 288.9916, those enumerated in former s. 220.1899,
 1624 those enumerated in s. 220.194, those enumerated in s. 220.196,
 1625 those enumerated in s. 220.198, and those enumerated in s.

1626 | 220.1915.

1627 | Section 32. Paragraph (a) of subsection (1) of section
 1628 | 220.13, Florida Statutes, is amended to read:

1629 | 220.13 "Adjusted federal income" defined.—

1630 | (1) The term "adjusted federal income" means an amount
 1631 | equal to the taxpayer's taxable income as defined in subsection
 1632 | (2), or such taxable income of more than one taxpayer as
 1633 | provided in s. 220.131, for the taxable year, adjusted as
 1634 | follows:

1635 | (a) Additions.—There shall be added to such taxable
 1636 | income:

1637 | 1.a. The amount of any tax upon or measured by income,
 1638 | excluding taxes based on gross receipts or revenues, paid or
 1639 | accrued as a liability to the District of Columbia or any state
 1640 | of the United States which is deductible from gross income in
 1641 | the computation of taxable income for the taxable year.

1642 | b. Notwithstanding sub-subparagraph a., if a credit taken
 1643 | under s. 220.1875, s. 220.1876, or s. 220.1877 is added to
 1644 | taxable income in a previous taxable year under subparagraph 11.
 1645 | and is taken as a deduction for federal tax purposes in the
 1646 | current taxable year, the amount of the deduction allowed shall
 1647 | not be added to taxable income in the current year. The
 1648 | exception in this sub-subparagraph is intended to ensure that
 1649 | the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is
 1650 | added in the applicable taxable year and does not result in a

1651 duplicate addition in a subsequent year.

1652 2. The amount of interest which is excluded from taxable
 1653 income under s. 103(a) of the Internal Revenue Code or any other
 1654 federal law, less the associated expenses disallowed in the
 1655 computation of taxable income under s. 265 of the Internal
 1656 Revenue Code or any other law, excluding 60 percent of any
 1657 amounts included in alternative minimum taxable income, as
 1658 defined in s. 55(b)(2) of the Internal Revenue Code, if the
 1659 taxpayer pays tax under s. 220.11(3).

1660 3. In the case of a regulated investment company or real
 1661 estate investment trust, an amount equal to the excess of the
 1662 net long-term capital gain for the taxable year over the amount
 1663 of the capital gain dividends attributable to the taxable year.

1664 4. That portion of the wages or salaries paid or incurred
 1665 for the taxable year which is equal to the amount of the credit
 1666 allowable for the taxable year under s. 220.181. This
 1667 subparagraph shall expire on the date specified in s. 290.016
 1668 for the expiration of the Florida Enterprise Zone Act.

1669 5. That portion of the ad valorem school taxes paid or
 1670 incurred for the taxable year which is equal to the amount of
 1671 the credit allowable for the taxable year under s. 220.182. This
 1672 subparagraph shall expire on the date specified in s. 290.016
 1673 for the expiration of the Florida Enterprise Zone Act.

1674 6. The amount taken as a credit under s. 220.195 which is
 1675 deductible from gross income in the computation of taxable

1676 income for the taxable year.

1677 7. That portion of assessments to fund a guaranty
 1678 association incurred for the taxable year which is equal to the
 1679 amount of the credit allowable for the taxable year.

1680 8. In the case of a nonprofit corporation which holds a
 1681 pari-mutuel permit and which is exempt from federal income tax
 1682 as a farmers' cooperative, an amount equal to the excess of the
 1683 gross income attributable to the pari-mutuel operations over the
 1684 attributable expenses for the taxable year.

1685 9. The amount taken as a credit for the taxable year under
 1686 s. 220.1895.

1687 10. Up to nine percent of the eligible basis of any
 1688 designated project which is equal to the credit allowable for
 1689 the taxable year under s. 220.185.

1690 11. Any amount taken as a credit for the taxable year under
 1691 s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this
 1692 subparagraph is intended to ensure that the same amount is not
 1693 allowed for the tax purposes of this state as both a deduction
 1694 from income and a credit against the tax. This addition is not
 1695 intended to result in adding the same expense back to income
 1696 more than once.

1697 12. The amount taken as a credit for the taxable year
 1698 under s. 220.193.

1699 ~~13. Any portion of a qualified investment, as defined in~~
 1700 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~

1701 ~~taken as a credit against income tax pursuant to s. 288.9916.~~
 1702 ~~14. The costs to acquire a tax credit pursuant to s.~~
 1703 ~~288.1254(5) that are deducted from or otherwise reduce federal~~
 1704 ~~taxable income for the taxable year.~~

1705 13.15. The amount taken as a credit for the taxable year
 1706 pursuant to s. 220.194.

1707 14.16. The amount taken as a credit for the taxable year
 1708 under s. 220.196. The addition in this subparagraph is intended
 1709 to ensure that the same amount is not allowed for the tax
 1710 purposes of this state as both a deduction from income and a
 1711 credit against the tax. The addition is not intended to result
 1712 in adding the same expense back to income more than once.

1713 15.17. The amount taken as a credit for the taxable year
 1714 pursuant to s. 220.198.

1715 16.18. The amount taken as a credit for the taxable year
 1716 pursuant to s. 220.1915.

1717 Section 33. Paragraph (c) of subsection (1) of section
 1718 220.183, Florida Statutes, is amended to read:

1719 220.183 Community contribution tax credit.—

1720 (1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX
 1721 CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM
 1722 SPENDING.—

1723 (c) The total amount of tax credit which may be granted
 1724 for all programs approved under this section and ss.
 1725 212.08(5)(o) and 624.5105 ~~ss. 212.08(5)(p) and 624.5105~~ is \$14.5

1726 million in the 2022-2023 fiscal year and in each fiscal year
 1727 thereafter for projects that provide housing opportunities for
 1728 persons with special needs as defined in s. 420.0004 and
 1729 homeownership opportunities for low-income households or very-
 1730 low-income households as defined in s. 420.9071 and \$4.5 million
 1731 in the 2022-2023 fiscal year and in each fiscal year thereafter
 1732 for all other projects.

1733 Section 34. Section 220.1895, Florida Statutes, is amended
 1734 to read:

1735 220.1895 Rural Job Tax Credit ~~and Urban High-Crime Area~~
 1736 ~~Job Tax Credit.~~—There shall be allowed a credit against the tax
 1737 imposed by this chapter amounts approved by the Department of
 1738 Economic Opportunity pursuant to the Rural Job Tax Credit
 1739 Program in s. 212.098 ~~and the Urban High-Crime Area Job Tax~~
 1740 ~~Credit Program in s. 212.097.~~ A corporation that uses its credit
 1741 against the tax imposed by this chapter may not take the credit
 1742 against the tax imposed by chapter 212. If any credit granted
 1743 under this section is not fully used in the first year for which
 1744 it becomes available, the unused amount may be carried forward
 1745 for a period not to exceed 5 years. The carryover may be used in
 1746 a subsequent year when the tax imposed by this chapter for such
 1747 year exceeds the credit for such year under this section after
 1748 applying the other credits and unused credit carryovers in the
 1749 order provided in s. 220.02(8).

1750 Section 35. Section 220.1899, Florida Statutes, is

1751 repealed.

1752 Section 36. Section 220.191, Florida Statutes, is
 1753 repealed.

1754 Section 37. Subsection (9) of section 220.194, Florida
 1755 Statutes, is amended to read:

1756 220.194 Corporate income tax credits for spaceflight
 1757 projects.—

1758 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
 1759 Economic Opportunity, in cooperation with Space Florida and the
 1760 department, shall include in the annual incentives report
 1761 required under s. 288.0065 ~~s. 288.907~~ a summary of activities
 1762 relating to the Florida Space Business Incentives Act
 1763 established under this section.

1764 Section 38. Subsection (1) and paragraph (a) of subsection
 1765 (2) of section 220.196, Florida Statutes, are amended to read:

1766 220.196 Research and development tax credit.—

1767 (1) DEFINITIONS.—As used in this section, the term:

1768 (a) "Base amount" means the average of the business
 1769 enterprise's qualified research expenses in this state allowed
 1770 under 26 U.S.C. s. 41 for the 4 taxable years preceding the
 1771 taxable year for which the credit is determined. The qualified
 1772 research expenses taken into account in computing the base
 1773 amount shall be determined on a basis consistent with the
 1774 determination of qualified research expenses for the taxable
 1775 year.

1776 (b) "Business enterprise" means any corporation as defined
1777 in s. 220.03 which meets the definition of a target industry
1778 business as defined in paragraph (c) ~~s. 288.106~~.

1779 (c) "Target industry business" means a corporate
1780 headquarters business or any business that is engaged in one of
1781 the target industries identified pursuant to the following
1782 criteria developed by the Department of Economic Opportunity:

1783 1. Future growth.—The industry forecast indicates strong
1784 expectation for future growth in employment and output,
1785 according to the most recent available data. Special
1786 consideration shall be given to businesses that export goods to,
1787 or provide services in, international markets and businesses
1788 that replace domestic and international imports of goods or
1789 services.

1790 2. Stability.—The industry is not subject to periodic
1791 layoffs, whether due to seasonality or sensitivity to volatile
1792 economic variables such as weather. The industry is also
1793 relatively resistant to recession, so that the demand for
1794 products of this industry is not typically subject to decline
1795 during an economic downturn.

1796 3. High wage.—The industry pays relatively high wages
1797 compared to statewide or area averages.

1798 4. Market and resource independent.—The industry business
1799 location is not dependent on markets or resources in the state
1800 as indicated by industry analysis, except for businesses in the

1801 renewable energy industry.

1802 5. Industrial base diversification and strengthening.—The
1803 industry contributes toward expanding or diversifying the
1804 state's or area's economic base, as indicated by analysis of
1805 employment and output shares compared to national and regional
1806 trends. Special consideration shall be given to industries that
1807 strengthen regional economies by adding value to basic products
1808 or building regional industrial clusters as indicated by
1809 industry analysis. Special consideration shall also be given to
1810 the development of strong industrial clusters that include
1811 defense and homeland security businesses.

1812 6. Positive economic impact.—The industry has strong
1813 positive economic impacts on or benefits to the state or
1814 regional economies. Special consideration shall be given to
1815 industries that facilitate the development of the state as a hub
1816 for domestic and global trade and logistics.

1817
1818 The term does not include any business engaged in retail
1819 industry activities; any electrical utility company as defined
1820 in s. 366.02(4); any phosphate or other solid minerals
1821 severance, mining, or processing operation; any oil or gas
1822 exploration or production operation; or any business subject to
1823 regulation by the Division of Hotels and Restaurants of the
1824 Department of Business and Professional Regulation. Any business
1825 within NAICS code 5611 or 5614, office administrative services

1826 and business support services, respectively, may be considered a
 1827 target industry business only after the local governing body and
 1828 the Department of Economic Opportunity determine that the
 1829 community in which the business may locate has conditions
 1830 affecting the fiscal and economic viability of the local
 1831 community or area, including, but not limited to, low per capita
 1832 income, high unemployment, high underemployment, and a lack of
 1833 year-round stable employment opportunities, and such conditions
 1834 may be improved by the business locating in such community. By
 1835 January 1 of every 3rd year, beginning January 1, 2011, the
 1836 Department of Economic Opportunity, in consultation with
 1837 economic development organizations, the State University System,
 1838 local governments, employee and employer organizations, market
 1839 analysts, and economists, shall review and, as appropriate,
 1840 revise the list of target industries and submit the list to the
 1841 Governor, the President of the Senate, and the Speaker of the
 1842 House of Representatives.

1843 (d)-(e) "Qualified research expenses" means research
 1844 expenses qualifying for the credit under 26 U.S.C. s. 41 for in-
 1845 house research expenses incurred in this state or contract
 1846 research expenses incurred in this state. The term does not
 1847 include research conducted outside this state or research
 1848 expenses that do not qualify for a credit under 26 U.S.C. s. 41.

1849 (2) TAX CREDIT.—

1850 (a) As provided in this section, a business enterprise is

1851 eligible for a credit against the tax imposed by this chapter if
 1852 it:

1853 1. Has qualified research expenses in this state in the
 1854 taxable year exceeding the base amount;

1855 2. Claims and is allowed a research credit for such
 1856 qualified research expenses under 26 U.S.C. s. 41 for the same
 1857 taxable year as subparagraph 1.; and

1858 3. Is a ~~qualified~~ target industry business as defined in
 1859 paragraph (c) s. 288.106(2)(n). Only ~~qualified~~ target industry
 1860 businesses in the manufacturing, life sciences, information
 1861 technology, aviation and aerospace, homeland security and
 1862 defense, cloud information technology, marine sciences,
 1863 materials science, and nanotechnology industries may qualify for
 1864 a tax credit under this section. A business applying for a
 1865 credit pursuant to this section shall include a letter from the
 1866 Department of Economic Opportunity certifying whether the
 1867 business meets the requirements of this subparagraph with its
 1868 application for credit. The Department of Economic Opportunity
 1869 shall provide such a letter upon receiving a request.

1870 Section 39. Section 272.11, Florida Statutes, is amended
 1871 to read:

1872 272.11 Capitol information center.—The Department of
 1873 Economic Opportunity ~~Enterprise Florida, Inc.~~, shall establish,
 1874 maintain, and operate a Capitol information center somewhere
 1875 within the area of the Capitol Center and employ personnel or

1876 | enter into contracts to maintain same.

1877 | Section 40. Paragraph (f) of subsection (1) of section
1878 | 287.0947, Florida Statutes, is amended to read:

1879 | 287.0947 Florida Advisory Council on Small and Minority
1880 | Business Development; creation; membership; duties.—

1881 | (1) The Secretary of Management Services may create the
1882 | Florida Advisory Council on Small and Minority Business
1883 | Development with the purpose of advising and assisting the
1884 | secretary in carrying out the secretary's duties with respect to
1885 | minority businesses and economic and business development. It is
1886 | the intent of the Legislature that the membership of such
1887 | council include practitioners, laypersons, financiers, and
1888 | others with business development experience who can provide
1889 | invaluable insight and expertise for this state in the
1890 | diversification of its markets and networking of business
1891 | opportunities. The council shall initially consist of 19
1892 | persons, each of whom is or has been actively engaged in small
1893 | and minority business development, either in private industry,
1894 | in governmental service, or as a scholar of recognized
1895 | achievement in the study of such matters. Initially, the council
1896 | shall consist of members representing all regions of the state
1897 | and shall include at least one member from each group identified
1898 | within the definition of "minority person" in s. 288.703(4),
1899 | considering also gender and nationality subgroups, and shall
1900 | consist of the following:

1901 (f) A member from the Department of Economic Opportunity
 1902 ~~board of directors of Enterprise Florida, Inc.~~

1903
 1904 A candidate for appointment may be considered if eligible to be
 1905 certified as an owner of a minority business enterprise, or if
 1906 otherwise qualified under the criteria above. Vacancies may be
 1907 filled by appointment of the secretary, in the manner of the
 1908 original appointment.

1909 Section 41. Paragraph (e) of subsection (1) of section
 1910 287.137, Florida Statutes, is amended to read:

1911 287.137 Antitrust violations; denial or revocation of the
 1912 right to transact business with public entities; denial of
 1913 economic benefits.—

1914 (1) As used in this section, the term:

1915 (e) "Economic incentives" means state grants, cash grants,
 1916 tax exemptions, tax refunds, tax credits, state funds, and other
 1917 state incentives under chapter 288 or administered by the
 1918 Department of Economic Opportunity ~~Enterprise Florida, Inc.~~

1919 Section 42. Subsections (2) and (4) of section 288.0001,
 1920 Florida Statutes, are amended to read:

1921 288.0001 Economic Development Programs Evaluation.—The
 1922 Office of Economic and Demographic Research and the Office of
 1923 Program Policy Analysis and Government Accountability (OPPAGA)
 1924 shall develop and present to the Governor, the President of the
 1925 Senate, the Speaker of the House of Representatives, and the

1926 chairs of the legislative appropriations committees the Economic
 1927 Development Programs Evaluation.

1928 (2) The Office of Economic and Demographic Research and
 1929 OPPAGA shall provide a detailed analysis of economic development
 1930 programs as provided in the following schedule:

1931 (a) By January 1, 2014, and every 3 years thereafter, an
 1932 analysis of the following:

1933 ~~1. The capital investment tax credit established under s.~~
 1934 ~~220.191.~~

1935 ~~2. The qualified target industry tax refund established~~
 1936 ~~under s. 288.106.~~

1937 ~~3. The brownfield redevelopment bonus refund established~~
 1938 ~~under s. 288.107.~~

1939 ~~4. High-impact business performance grants established~~
 1940 ~~under s. 288.108.~~

1941 ~~5. The Quick Action Closing Fund established under s.~~
 1942 ~~288.1088.~~

1943 ~~6. The Innovation Incentive Program established under s.~~
 1944 ~~288.1089.~~

1945 1.7. Enterprise Zone Program incentives established under
 1946 ss. 212.08(5) and (14) ~~(15)~~, 212.096, 220.181, and 220.182.

1947 2.8. The New Markets Development Program established under
 1948 ss. 288.991-288.9922.

1949 (b) By January 1, 2015, and every 3 years thereafter, an
 1950 analysis of ~~the following:~~

1951 ~~1. The entertainment industry financial incentive program~~
 1952 ~~established under s. 288.1254.~~

1953 ~~2. The entertainment industry sales tax exemption program~~
 1954 ~~established under s. 288.1258.~~

1955 1.3. VISIT Florida and its programs established or funded
 1956 under ss. 288.122, 288.1226, 288.12265, and 288.124.

1957 2.4. The Florida Sports Foundation and related programs
 1958 established under ss. ~~288.1162, 288.11621,~~ 288.1166, 288.1167,
 1959 and 288.1168, ~~288.1169,~~ and 288.1171.

1960 (c) By January 1, 2016, and every 3 years thereafter, an
 1961 analysis of the following:

1962 ~~1. The qualified defense contractor and space flight~~
 1963 ~~business tax refund program established under s. 288.1045.~~

1964 1.2. The tax exemption for semiconductor, defense, or
 1965 space technology sales established under s. 212.08(5)(i) ~~s.~~
 1966 ~~212.08(5)(j).~~

1967 2.3. The Military Base Protection Program established
 1968 under s. 288.980.

1969 3.4. The Quick Response Training Program established under
 1970 s. 288.047.

1971 4.5. The Incumbent Worker Training Program established
 1972 under s. 445.003.

1973 5.6. International trade and business development programs
 1974 established or funded under s. 288.826.

1975 (d) By January 1, 2019, and every 3 years thereafter, an

1976 analysis of the grant and entrepreneur initiative programs
 1977 established under s. 295.22(3)(d) and (e).

1978 (4) Pursuant to the schedule established in subsection
 1979 (2), OPPAGA shall evaluate each program over the previous 3
 1980 years for its effectiveness and value to the taxpayers of this
 1981 state and include recommendations on each program for
 1982 consideration by the Legislature. The analysis may include
 1983 relevant economic development reports or analyses prepared by
 1984 the department ~~of Economic Opportunity, Enterprise Florida,~~
 1985 ~~Inc.,~~ or local or regional economic development organizations, +
 1986 interviews with the parties involved, + or any other relevant
 1987 data.

1988 Section 43. Section 288.001, Florida Statutes, is
 1989 repealed.

1990 Section 44. Subsections (3) and (6) of section 288.012,
 1991 Florida Statutes, are amended to read:

1992 288.012 State of Florida international offices.—The
 1993 Legislature finds that the expansion of international trade and
 1994 tourism is vital to the overall health and growth of the economy
 1995 of this state. This expansion is hampered by the lack of
 1996 technical and business assistance, financial assistance, and
 1997 information services for businesses in this state. The
 1998 Legislature finds that these businesses could be assisted by
 1999 providing these services at State of Florida international
 2000 offices. The Legislature further finds that the accessibility

2001 and provision of services at these offices can be enhanced
 2002 through cooperative agreements or strategic alliances between
 2003 private businesses and state, local, and international
 2004 governmental entities.

2005 (3) Each international office shall annually submit to the
 2006 department ~~Enterprise Florida, Inc.~~, a complete and detailed
 2007 report on its activities and accomplishments during the previous
 2008 fiscal year. ~~for inclusion in the annual report required under~~
 2009 ~~s. 288.906. In the format and by the annual date prescribed by~~
 2010 ~~Enterprise Florida, Inc.~~, The report must set forth information
 2011 on:

- 2012 (a) The number of Florida companies assisted.
- 2013 (b) The number of inquiries received about investment
 2014 opportunities in this state.
- 2015 (c) The number of trade leads generated.
- 2016 (d) The number of investment projects announced.
- 2017 (e) The estimated U.S. dollar value of sales
 2018 confirmations.
- 2019 (f) The number of representation agreements.
- 2020 (g) The number of company consultations.
- 2021 (h) Barriers or other issues affecting the effective
 2022 operation of the office.
- 2023 (i) Changes in office operations which are planned for the
 2024 current fiscal year.
- 2025 (j) Marketing activities conducted.

2026 (k) Strategic alliances formed with organizations in the
 2027 country in which the office is located.

2028 (l) Activities conducted with Florida's other
 2029 international offices.

2030 (m) Any other information that the office believes would
 2031 contribute to an understanding of its activities.

2032 ~~(6) The department is authorized to make and to enter into~~
 2033 ~~contracts with Enterprise Florida, Inc., to carry out the~~
 2034 ~~provisions of this section. The authority, duties, and~~
 2035 ~~exemptions provided in this section apply to Enterprise Florida,~~
 2036 ~~Inc., to the same degree and subject to the same conditions as~~
 2037 ~~applied to the department. To the greatest extent possible, such~~
 2038 ~~contracts shall include provisions for cooperative agreements or~~
 2039 ~~strategic alliances between private businesses and state,~~
 2040 ~~international, and local governmental entities to operate~~
 2041 ~~international offices.~~

2042 Section 45. Section 288.017, Florida Statutes, is
 2043 repealed.

2044 Section 46. Subsection (4) of section 288.018, Florida
 2045 Statutes, is amended to read:

2046 288.018 Regional Rural Development Grants Program.—

2047 (4) The department may expend up to \$750,000 each fiscal
 2048 year from funds appropriated to the Rural Community Development
 2049 Revolving Loan Fund for the purposes outlined in this section.

2050 ~~The department may contract with Enterprise Florida, Inc., for~~

2051 ~~the administration of the purposes specified in this section.~~
 2052 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
 2053 ~~shall be released quarterly and shall be calculated based on the~~
 2054 ~~applications in process.~~

2055 Section 47. Subsections (1), (9), and (10) of section
 2056 288.047, Florida Statutes, are amended, to read:

2057 288.047 Quick-response training for economic development.—

2058 (1) The Quick-Response Training Program is created to meet
 2059 the workforce-skill needs of existing, new, and expanding
 2060 industries. The program shall be administered by CareerSource
 2061 Florida, Inc., in conjunction with ~~Enterprise Florida, Inc., and~~
 2062 the Department of Education. CareerSource Florida, Inc., shall
 2063 adopt guidelines for the administration of this program, shall
 2064 provide technical services, and shall identify businesses that
 2065 seek services through the program. ~~CareerSource Florida, Inc.,~~
 2066 ~~may contract with Enterprise Florida, Inc., or administer this~~
 2067 ~~program directly, if it is determined that such an arrangement~~
 2068 ~~maximizes the amount of the Quick Response grant going to direct~~
 2069 ~~services.~~

2070 ~~(9) Notwithstanding any other provision of law, eligible~~
 2071 ~~matching contributions received under this section from the~~
 2072 ~~Quick-Response Training Program may be counted toward the~~
 2073 ~~private sector support of Enterprise Florida, Inc., under s.~~
 2074 ~~288.904.~~

2075 ~~(10) CareerSource Florida, Inc., and Enterprise Florida,~~

2076 ~~Inc., shall coordinate and cooperate in administering this~~
2077 ~~section so that any division of responsibility between the two~~
2078 ~~organizations which relates to marketing or administering the~~
2079 ~~Quick-Response Training Program is not apparent to a business~~
2080 ~~that inquires about or applies for funding under this section. A~~
2081 ~~business shall be provided with a single point of contact for~~
2082 ~~information and assistance.~~

2083 Section 48. Subsections (1) and (4) of section 288.061,
2084 Florida Statutes, are amended to read:

2085 288.061 Economic development incentive application
2086 process.—

2087 (1) Upon receiving a submitted economic development
2088 incentive application, ~~the Division of Strategic Business~~
2089 ~~Development of the department of Economic Opportunity and~~
2090 ~~designated staff of Enterprise Florida, Inc.,~~ shall review the
2091 application to ensure that the application is complete, whether
2092 and what type of state and local permits may be necessary for
2093 the applicant's project, whether it is possible to waive such
2094 permits, and what state incentives and amounts of such
2095 incentives may be available to the applicant. The department
2096 shall recommend to the Secretary of Economic Opportunity to
2097 approve or disapprove an applicant business. If review of the
2098 application demonstrates that the application is incomplete, the
2099 secretary shall notify the applicant business within the first 5
2100 business days after receiving the application.

2101 (4) The department shall validate contractor performance
 2102 and report such validation in the annual incentives report
 2103 required under s. 288.0065 ~~s. 288.907~~.

2104 Section 49. Subsection (5) of section 288.0655, Florida
 2105 Statutes, is renumbered as subsection (4), and paragraph (e) of
 2106 subsection (2) and subsection (3) and present subsection (4) of
 2107 that section are amended, to read:

2108 288.0655 Rural Infrastructure Fund.—

2109 (2)

2110 (e) To enable local governments to access the resources
 2111 available pursuant to s. 403.973(17) ~~s. 403.973(18)~~, the
 2112 department may award grants for surveys, feasibility studies,
 2113 and other activities related to the identification and
 2114 preclearance review of land which is suitable for preclearance
 2115 review. Authorized grants under this paragraph may not exceed
 2116 \$75,000 each, except in the case of a project in a rural area of
 2117 opportunity, in which case the grant may not exceed \$300,000.
 2118 Any funds awarded under this paragraph must be matched at a
 2119 level of 50 percent with local funds, except that any funds
 2120 awarded for a project in a rural area of opportunity must be
 2121 matched at a level of 33 percent with local funds. If an
 2122 application for funding is for a catalyst site, as defined in s.
 2123 288.0656, the requirement for local match may be waived pursuant
 2124 to the process in s. 288.06561. In evaluating applications under
 2125 this paragraph, the department shall consider the extent to

2126 | which the application seeks to minimize administrative and
 2127 | consultant expenses.

2128 | (3) The department, in consultation with ~~Enterprise~~
 2129 | ~~Florida, Inc.,~~ the Florida Tourism Industry Marketing
 2130 | Corporation, the Department of Environmental Protection, and the
 2131 | Florida Fish and Wildlife Conservation Commission, as
 2132 | appropriate, shall review and certify applications pursuant to
 2133 | s. 288.061. The review shall include an evaluation of the
 2134 | economic benefit of the projects and their long-term viability.
 2135 | The department shall have final approval for any grant under
 2136 | this section.

2137 | ~~(4) By September 1, 2021, the department shall, in~~
 2138 | ~~consultation with the organizations listed in subsection (3),~~
 2139 | ~~and other organizations, reevaluate existing guidelines and~~
 2140 | ~~criteria governing submission of applications for funding,~~
 2141 | ~~review and evaluation of such applications, and approval of~~
 2142 | ~~funding under this section. The department shall consider~~
 2143 | ~~factors including, but not limited to, the project's potential~~
 2144 | ~~for enhanced job creation or increased capital investment, the~~
 2145 | ~~demonstration and level of local public and private commitment,~~
 2146 | ~~whether the project is located in a community development~~
 2147 | ~~corporation service area, or in an urban high-crime area as~~
 2148 | ~~designated under s. 212.097, the unemployment rate of the county~~
 2149 | ~~in which the project would be located, and the poverty rate of~~
 2150 | ~~the community.~~

2151 Section 50. Paragraph (a) of subsection (6) and paragraphs
 2152 (a) and (c) of subsection (7) of section 288.0656, Florida
 2153 Statutes, are amended to read:

2154 288.0656 Rural Economic Development Initiative.—

2155 (6)(a) By August 1 of each year, the head of each of the
 2156 following agencies and organizations shall designate a deputy
 2157 secretary or higher-level staff person from within the agency or
 2158 organization to serve as the REDI representative for the agency
 2159 or organization:

- 2160 1. The Department of Transportation.
- 2161 2. The Department of Environmental Protection.
- 2162 3. The Department of Agriculture and Consumer Services.
- 2163 4. The Department of State.
- 2164 5. The Department of Health.
- 2165 6. The Department of Children and Families.
- 2166 7. The Department of Corrections.
- 2167 8. The Department of Education.
- 2168 9. The Department of Juvenile Justice.
- 2169 10. The Fish and Wildlife Conservation Commission.
- 2170 11. Each water management district.
- 2171 ~~12. Enterprise Florida, Inc.~~
- 2172 12.13. CareerSource Florida, Inc.
- 2173 13.14. VISIT Florida.
- 2174 14.15. The Florida Regional Planning Council Association.
- 2175 15.16. The Agency for Health Care Administration.

2176 16.17. The Institute of Food and Agricultural Sciences
 2177 (IFAS).

2178
 2179 An alternate for each designee shall also be chosen, and the
 2180 names of the designees and alternates shall be sent to the
 2181 Secretary of Economic Opportunity.

2182 (7)

2183 (a) REDI may recommend to the Governor up to three rural
 2184 areas of opportunity. The Governor may by executive order
 2185 designate up to three rural areas of opportunity which will
 2186 establish these areas as priority assignments for REDI as well
 2187 as to allow the Governor, acting through REDI, to waive
 2188 criteria, requirements, or similar provisions of any economic
 2189 development incentive. Such incentives shall include, but are
 2190 not limited to, ~~the Qualified Target Industry Tax Refund Program~~
 2191 ~~under s. 288.106,~~ the Quick Response Training Program under s.
 2192 288.047, the Quick Response Training Program for participants in
 2193 the welfare transition program under s. 288.047(8),
 2194 ~~transportation projects under s. 339.2821, the brownfield~~
 2195 ~~redevelopment bonus refund under s. 288.107,~~ and the rural job
 2196 tax credit program under ss. 212.098 and 220.1895.

2197 (c) Each rural area of opportunity may designate catalyst
 2198 projects, provided that each catalyst project is specifically
 2199 recommended by REDI, ~~identified as a catalyst project by~~
 2200 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by

2201 the department. All state agencies and departments shall use all
 2202 available tools and resources to the extent permissible by law
 2203 to promote the creation and development of each catalyst project
 2204 and the development of catalyst sites.

2205 Section 51. Section 288.0658, Florida Statutes, is amended
 2206 to read:

2207 288.0658 Nature-based recreation; promotion and other
 2208 assistance by Fish and Wildlife Conservation Commission.—The
 2209 Florida Fish and Wildlife Conservation Commission is directed to
 2210 assist ~~Enterprise Florida, Inc.;~~ the Florida Tourism Industry
 2211 Marketing Corporation, doing business as VISIT Florida;
 2212 convention and visitor bureaus, ; tourist development councils, ;
 2213 economic development organizations, ; and local governments
 2214 through the provision of marketing advice, technical expertise,
 2215 promotional support, and product development related to nature-
 2216 based recreation and sustainable use of natural resources. In
 2217 carrying out this responsibility, the Florida Fish and Wildlife
 2218 Conservation Commission shall focus its efforts on fostering
 2219 nature-based recreation in rural communities and regions
 2220 encompassing rural communities. As used in this section, the
 2221 term "nature-based recreation" means leisure activities related
 2222 to the state's lands, waters, and fish and wildlife resources,
 2223 including, but not limited to, wildlife viewing, fishing,
 2224 hiking, canoeing, kayaking, camping, hunting, backpacking, and
 2225 nature photography.

2226 Section 52. Subsection (6) of section 288.075, Florida
 2227 Statutes, is amended to read:
 2228 288.075 Confidentiality of records.—
 2229 (6) ECONOMIC INCENTIVE PROGRAMS.—
 2230 (a) The following information held by an economic
 2231 development agency pursuant to the administration of an economic
 2232 incentive program for qualified businesses is confidential and
 2233 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 2234 Constitution for a period not to exceed the duration of the
 2235 incentive agreement, including an agreement authorizing a tax
 2236 refund or tax credit, or upon termination of the incentive
 2237 agreement:
 2238 1. The percentage of the business's sales occurring
 2239 outside this state ~~and, for businesses applying under s.~~
 2240 ~~288.1045, the percentage of the business's gross receipts~~
 2241 ~~derived from Department of Defense contracts during the 5 years~~
 2242 ~~immediately preceding the date the business's application is~~
 2243 ~~submitted.~~
 2244 2. An individual employee's personal identifying
 2245 information that is held as evidence of the achievement or
 2246 nonachievement of the wage requirements of the tax refund, tax
 2247 credit, or incentive agreement programs or of the job creation
 2248 requirements of such programs.
 2249 3. The amount of:
 2250 a. Taxes on sales, use, and other transactions paid

- 2251 pursuant to chapter 212;
- 2252 b. Corporate income taxes paid pursuant to chapter 220;
- 2253 c. Intangible personal property taxes paid pursuant to
- 2254 chapter 199;
- 2255 d. Insurance premium taxes paid pursuant to chapter 624;
- 2256 e. Excise taxes paid on documents pursuant to chapter 201;
- 2257 f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2258 g. State communications services taxes paid pursuant to
- 2259 chapter 202.

2260

2261 However, an economic development agency may disclose in the

2262 annual incentives report required under s. 288.0065 ~~s. 288.907~~

2263 the aggregate amount of each tax identified in this subparagraph

2264 and paid by all businesses participating in each economic

2265 incentive program.

2266 (b)~~1.~~ The following information held by an economic

2267 development agency relating to a specific business participating

2268 in an economic incentive program is no longer confidential or

2269 exempt 180 days after a final project order for an economic

2270 incentive agreement is issued, until a date specified in the

2271 final project order, or if the information is otherwise

2272 disclosed, whichever occurs first:

- 2273 ~~1.a.~~ The name of the qualified business.
- 2274 ~~2.b.~~ The total number of jobs the business committed to
- 2275 create or retain.

2276 ~~3.e.~~ The total number of jobs created or retained by the
 2277 business.

2278 ~~4.d.~~ Notwithstanding s. 213.053(2), the amount of tax
 2279 refunds, tax credits, or incentives awarded to, claimed by, or,
 2280 if applicable, refunded to the state by the business.

2281 ~~5.e.~~ The anticipated total annual wages of employees the
 2282 business committed to hire or retain.

2283 ~~2. For a business applying for certification under s.~~
 2284 ~~288.1045 which is based on obtaining a new Department of Defense~~
 2285 ~~contract, the total number of jobs expected and the amount of~~
 2286 ~~tax refunds claimed may not be released until the new Department~~
 2287 ~~of Defense contract is awarded.~~

2288 Section 53. Subsections (7) through (10) of section
 2289 288.076, Florida Statutes, are renumbered as subsections (6)
 2290 through (9), respectively, and paragraphs (a), (c), and (e) of
 2291 subsection (1) and present subsections (6) and (7) of that
 2292 section are amended, to read:

2293 288.076 Return on investment reporting for economic
 2294 development programs.—

2295 (1) As used in this section, the term:

2296 (a) "Jobs" means full-time equivalent positions,
 2297 including, but not limited to, positions obtained from a
 2298 temporary employment agency or employee leasing company or
 2299 through a union agreement or coemployment under a professional
 2300 employer organization agreement that result directly from a

2301 project in this state. The term does not include temporary
 2302 construction jobs involved with the construction of facilities
 2303 for the project or any jobs previously included in any
 2304 application for tax refunds ~~has the same meaning as provided in~~
 2305 ~~s. 288.106(2)(i).~~

2306 (c) "Project" means the creation of a new business or
 2307 expansion of an existing business ~~has the same meaning as~~
 2308 ~~provided in s. 288.106(2)(m).~~

2309 (e) "State investment" means any state grants, tax
 2310 exemptions, tax refunds, tax credits, or other state incentives
 2311 provided to a business under a program administered by the
 2312 department, ~~including the capital investment tax credit under s.~~
 2313 ~~220.191.~~

2314 ~~(6) Annually, the department shall publish information~~
 2315 ~~relating to the progress of Quick Action Closing Fund projects,~~
 2316 ~~including the average number of days between the date the~~
 2317 ~~department receives a completed application and the date on~~
 2318 ~~which the application is approved.~~

2319 ~~(6)(7)(a)~~ Within 48 hours after expiration of the period
 2320 of confidentiality provided under s. 288.075, the department
 2321 shall publish the contract or agreement described in s. 288.061,
 2322 redacted to protect the participant business from disclosure of
 2323 information that remains confidential or exempt by law.

2324 ~~(b) Within 48 hours after submitting any report of~~
 2325 ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~

2326 ~~concerning a business's failure to complete a tax refund~~
 2327 ~~agreement pursuant to the tax refund program for qualified~~
 2328 ~~target industry businesses, the department shall publish such~~
 2329 ~~report.~~

2330 Section 54. Section 288.095, Florida Statutes, is amended
 2331 to read:

2332 288.095 Economic Development Trust Fund.—

2333 (1) The Economic Development Trust Fund is created within
 2334 the department ~~of Economic Opportunity~~. Moneys deposited into
 2335 the fund must be used only to support the authorized activities
 2336 and operations of the department.

2337 (2) There is created, within the Economic Development
 2338 Trust Fund, the Economic Development Incentives Account. The
 2339 Economic Development Incentives Account consists of moneys
 2340 appropriated to the account for purposes of the tax incentives
 2341 programs formerly authorized under ss. 288.1045 and 288.106, and
 2342 local financial support provided under former ss. 288.1045 and
 2343 288.106. Moneys in the Economic Development Incentives Account
 2344 shall be subject to the provisions of s. 216.301(1) (a).

2345 (3) (a) ~~The department may approve applications for~~
 2346 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
 2347 The total state share of tax refund payments may not exceed \$35
 2348 million.

2349 (b) The total amount of tax refund claims approved for
 2350 payment by the department based on actual project performance

2351 | may not exceed the amount appropriated to the Economic
 2352 | Development Incentives Account for such purposes for the fiscal
 2353 | year. Claims for tax refunds under former ss. 288.1045 and
 2354 | 288.106 shall be paid in the order the claims are approved by
 2355 | the department. In the event the Legislature does not
 2356 | appropriate an amount sufficient to satisfy the tax refunds
 2357 | under former ss. 288.1045 and 288.106 in a fiscal year, the
 2358 | department shall pay the tax refunds from the appropriation for
 2359 | the following fiscal year. By March 1 of each year, the
 2360 | department shall notify the legislative appropriations
 2361 | committees of the Senate and House of Representatives of any
 2362 | anticipated shortfall in the amount of funds needed to satisfy
 2363 | claims for tax refunds from the appropriation for the current
 2364 | fiscal year.

2365 | (c) Moneys in the Economic Development Incentives Account
 2366 | may be used only to pay tax refunds and make other payments on
 2367 | agreements executed prior to July 1, 2023, authorized under
 2368 | former s. 288.1045, s. 288.106, or s. 288.107.

2369 | (d) The department may adopt rules necessary to carry out
 2370 | ~~the provisions of~~ this subsection, including rules providing for
 2371 | the use of moneys in the Economic Development Incentives Account
 2372 | and for the administration of the Economic Development
 2373 | Incentives Account.

2374 | Section 55. Subsection (2) and paragraph (c) of subsection
 2375 | (3) of section 288.101, Florida Statutes, are amended to read:

2376 | 288.101 Florida Job Growth Grant Fund.—

2377 | (2) The department ~~and Enterprise Florida, Inc.,~~ may
 2378 | identify projects, solicit proposals, and make funding
 2379 | recommendations to the Governor, who is authorized to approve:

2380 | (a) State or local public infrastructure projects to
 2381 | promote economic recovery in specific regions of the state,
 2382 | economic diversification, ~~or~~ economic enhancement in a targeted
 2383 | industry.

2384 | ~~(b) Infrastructure funding to accelerate the~~
 2385 | ~~rehabilitation of the Herbert Hoover Dike. The department or the~~
 2386 | ~~South Florida Water Management District may enter into~~
 2387 | ~~agreements, as necessary, with the United States Army Corps of~~
 2388 | ~~Engineers to implement this paragraph.~~

2389 | (b)(e) Workforce training grants to support programs at
 2390 | state colleges and state technical centers that provide
 2391 | participants with transferable, sustainable workforce skills
 2392 | applicable to more than a single employer, and for equipment
 2393 | associated with these programs. The department shall work with
 2394 | CareerSource Florida, Inc., to ensure programs are offered to
 2395 | the public based on criteria established by the state college or
 2396 | state technical center and do not exclude applicants who are
 2397 | unemployed or underemployed.

2398 | (3) For purposes of this section:

2399 | (c) "Targeted industry" means any industry identified in
 2400 | the most recent list provided to the Governor, the President of

2401 the Senate, and the Speaker of the House of Representatives in
 2402 accordance with s. 196.012(11) ~~s. 288.106(2)(g)~~.

2403 Section 56. Section 288.1045, Florida Statutes, is
 2404 repealed.

2405 Section 57. Section 288.106, Florida Statutes, is
 2406 repealed.

2407 Section 58. Section 288.107, Florida Statutes, is
 2408 repealed.

2409 Section 59. Section 288.108, Florida Statutes, is
 2410 repealed.

2411 Section 60. Section 288.1081, Florida Statutes, is
 2412 repealed.

2413 Section 61. Section 288.1082, Florida Statutes, is
 2414 repealed.

2415 Section 62. Section 288.1088, Florida Statutes, is
 2416 repealed.

2417 Section 63. Section 288.1089, Florida Statutes, is
 2418 repealed.

2419 Section 64. Section 288.111, Florida Statutes, is amended
 2420 to read:

2421 288.111 Information concerning local manufacturing
 2422 development programs.—The department shall develop materials
 2423 that identify each local government that establishes a local
 2424 manufacturing development program under s. 163.3252. The
 2425 materials, which the department may elect to develop and

2426 maintain in electronic format or in any other format deemed by
 2427 the department to provide public access, must be updated at
 2428 least annually. ~~Enterprise Florida, Inc., shall, and other~~ State
 2429 agencies may, distribute the materials to prospective, new,
 2430 expanding, and relocating businesses seeking to conduct business
 2431 in this state.

2432 Section 65. Section 288.1162, Florida Statutes, is
 2433 repealed.

2434 Section 66. Section 288.11621, Florida Statutes, is
 2435 repealed.

2436 Section 67. Section 288.11631, Florida Statutes, is
 2437 repealed.

2438 Section 68. Section 288.1169, Florida Statutes, is
 2439 repealed.

2440 Section 69. Section 288.1171, Florida Statutes, is
 2441 repealed.

2442 Section 70. Section 288.122, Florida Statutes, is amended
 2443 to read:

2444 288.122 Tourism Promotional Trust Fund.—There is created
 2445 within the department the Tourism Promotional Trust Fund. Moneys
 2446 deposited in the Tourism Promotional Trust Fund shall only be
 2447 used to support the authorized activities and operations and the
 2448 tourism promotion and marketing activities, services, functions,
 2449 and programs administered by the department ~~Enterprise Florida,~~
 2450 ~~Inc.,~~ through a contract with the direct-support organization

2451 created under s. 288.1226.

2452 Section 71. Subsections (2), (3), and (4), paragraphs (a),
 2453 (c), (g), (h), (i), and (k) of subsection (5), and subsections
 2454 (7) and (8) of section 288.1226, Florida Statutes, are amended
 2455 to read:

2456 288.1226 Florida Tourism Industry Marketing Corporation;
 2457 use of property; board of directors; duties; audit.—

2458 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
 2459 Corporation is a direct-support organization of the department
 2460 ~~Enterprise Florida, Inc.~~

2461 (a) The Florida Tourism Industry Marketing Corporation is
 2462 a corporation not for profit, as defined in s. 501(c)(6) of the
 2463 Internal Revenue Code of 1986, as amended, that is incorporated
 2464 under the provisions of chapter 617 and approved by the
 2465 Department of State.

2466 (b) The corporation is organized and operated exclusively
 2467 to request, receive, hold, invest, and administer property and
 2468 to manage and make expenditures for the operation of the
 2469 activities, services, functions, and programs of this state
 2470 which relate to the statewide, national, and international
 2471 promotion and marketing of tourism.

2472 (c)1. The corporation is not an agency for the purposes of
 2473 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,
 2474 relating to leasing of buildings; ss. 283.33 and 283.35,
 2475 relating to bids for printing; s. 215.31; and parts I, II, and

2476 IV-VIII of chapter 112. However, the corporation shall comply
 2477 with the per diem and travel expense provisions of s. 112.061.

2478 2. It is not a violation of s. 112.3143(2) or (4) for the
 2479 officers or members of the board of directors of the corporation
 2480 to:

2481 a. Vote on the 4-year marketing plan required under s.
 2482 288.923 or vote on any individual component of or amendment to
 2483 the plan.

2484 b. Participate in the establishment or calculation of
 2485 payments related to the private match requirements of subsection
 2486 (6). The officer or member must file an annual disclosure
 2487 describing the nature of his or her interests or the interests
 2488 of his or her principals, including corporate parents and
 2489 subsidiaries of his or her principal, in the private match
 2490 requirements. This annual disclosure requirement satisfies the
 2491 disclosure requirement of s. 112.3143(4). This disclosure must
 2492 be placed on the corporation's website or included in the
 2493 minutes of each meeting of the corporation's board of directors
 2494 at which the private match requirements are discussed or voted
 2495 upon.

2496 (d) The corporation is subject to the provisions of
 2497 chapter 119, relating to public meetings, and those provisions
 2498 of chapter 286 relating to public meetings and records.

2499 (3) USE OF PROPERTY.—The department ~~Enterprise Florida,~~
 2500 ~~Inc.:~~

2501 (a) Is authorized to permit the use of property and
 2502 facilities of the department ~~Enterprise Florida, Inc.~~, by the
 2503 corporation, subject to the provisions of this section.

2504 (b) Shall prescribe conditions with which the corporation
 2505 must comply in order to use property and facilities of the
 2506 department ~~Enterprise Florida, Inc.~~. Such conditions shall
 2507 provide for budget and audit review and for oversight by the
 2508 department ~~Enterprise Florida, Inc.~~.

2509 (c) May not permit the use of property and facilities of
 2510 the department ~~Enterprise Florida, Inc.~~, if the corporation does
 2511 not provide equal employment opportunities to all persons,
 2512 regardless of race, color, national origin, sex, age, or
 2513 religion.

2514 (4) BOARD OF DIRECTORS.—The board of directors of the
 2515 corporation shall be composed of 31 tourism-industry-related
 2516 members, appointed by ~~Enterprise Florida, Inc.~~, in conjunction
 2517 ~~with~~ the department. Board members shall serve without
 2518 compensation, but are entitled to receive reimbursement for per
 2519 diem and travel expenses pursuant to s. 112.061. Such expenses
 2520 must be paid out of funds of the corporation.

2521 (a) The board shall consist of 16 members, appointed in
 2522 such a manner as to equitably represent all geographic areas of
 2523 the state, with no fewer than two members from any of the
 2524 following regions:

- 2525 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,

2526 Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
 2527 Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2528 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
 2529 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
 2530 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
 2531 Taylor, and Union Counties.

2532 3. Region 3, composed of Brevard, Indian River, Lake,
 2533 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
 2534 Volusia Counties.

2535 4. Region 4, composed of Citrus, Hernando, Hillsborough,
 2536 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2537 5. Region 5, composed of Charlotte, Collier, DeSoto,
 2538 Glades, Hardee, Hendry, Highlands, and Lee Counties.

2539 6. Region 6, composed of Broward, Martin, Miami-Dade,
 2540 Monroe, and Palm Beach Counties.

2541 (b) The 15 additional tourism-industry-related members
 2542 shall include 1 representative from the statewide rental car
 2543 industry; 7 representatives from tourist-related statewide
 2544 associations, including those that represent hotels,
 2545 campgrounds, county destination marketing organizations,
 2546 museums, restaurants, retail, and attractions; 3 representatives
 2547 from county destination marketing organizations; 1
 2548 representative from the cruise industry; 1 representative from
 2549 an automobile and travel services membership organization that
 2550 has at least 2.8 million members in Florida; 1 representative

2551 from the airline industry; and 1 representative from the space
 2552 tourism industry, who will each serve for a term of 2 years.

2553 (5) POWERS AND DUTIES.—The corporation, in the performance
 2554 of its duties:

2555 (a) May make and enter into contracts and assume such
 2556 other functions as are necessary to carry out the provisions of
 2557 the 4-year marketing plan required by s. 288.923~~7~~ and the
 2558 corporation's contract with the department ~~Enterprise Florida,~~
 2559 ~~Inc.~~~~7~~ which are not inconsistent with this or any other
 2560 provision of law. A proposed contract with a total cost of
 2561 \$750,000 or more is subject to the notice and review procedures
 2562 of s. 216.177. If the chair and vice chair of the Legislative
 2563 Budget Commission, or the President of the Senate and the
 2564 Speaker of the House of Representatives, timely advise the
 2565 corporation in writing that such proposed contract is contrary
 2566 to legislative policy and intent, the corporation may not
 2567 execute such proposed contract. The corporation may not enter
 2568 into multiple related contracts to avoid the requirements of
 2569 this paragraph.

2570 (c) May establish a cooperative marketing program with
 2571 other public and private entities which allows the use of the
 2572 VISIT Florida logo in tourism promotion campaigns which meet the
 2573 standards of the department ~~Enterprise Florida,~~ ~~Inc.~~, for which
 2574 the corporation may charge a reasonable fee.

2575 (g) Shall hire and establish salaries and personnel and

2576 employee benefit programs for such permanent and temporary
2577 employees as are necessary to carry out the provisions of the 4-
2578 year marketing plan and the corporation's contract with the
2579 department ~~Enterprise Florida, Inc.~~, which are not inconsistent
2580 with this or any other provision of law. However, an employee
2581 may not receive public compensation for employment that exceeds
2582 the salary and benefits authorized to be paid to the Governor.
2583 Any public payments of performance bonuses or severance pay to
2584 employees of the corporation are prohibited unless specifically
2585 authorized by law.

2586 (h) May adopt, change, amend, and repeal bylaws, not
2587 inconsistent with law or its articles of incorporation, for the
2588 administration of the provisions of the 4-year marketing plan
2589 and the corporation's contract with the department ~~Enterprise~~
2590 ~~Florida, Inc.~~

2591 (i) May conduct its affairs, carry on its operations, and
2592 have offices and exercise the powers granted by this act in any
2593 state, territory, district, or possession of the United States
2594 or any foreign country. Where feasible, appropriate, and
2595 recommended by the 4-year marketing plan developed by the
2596 Division of Tourism Marketing Promotion of the department
2597 ~~Enterprise Florida, Inc.~~, the corporation may collocate the
2598 programs of foreign tourism offices in cooperation with any
2599 foreign office operated by any agency of this state.

2600 (k) May request or accept any grant, payment, or gift, of

2601 funds or property made by this state or by the United States or
 2602 any department or agency thereof or by any individual, firm,
 2603 corporation, municipality, county, or organization for any or
 2604 all of the purposes of the 4-year marketing plan and the
 2605 corporation's contract with the department ~~Enterprise Florida,~~
 2606 ~~Inc.~~, that are not inconsistent with this or any other provision
 2607 of law. Such funds shall be deposited in a bank account
 2608 established by the corporation's board of directors. The
 2609 corporation may expend such funds in accordance with the terms
 2610 and conditions of any such grant, payment, or gift, in the
 2611 pursuit of its administration or in support of the programs it
 2612 administers. The corporation shall separately account for the
 2613 public funds and the private funds deposited into the
 2614 corporation's bank account.

2615 (7) ANNUAL AUDIT.—The corporation shall provide for an
 2616 annual financial audit in accordance with s. 215.981. The annual
 2617 audit report shall be submitted to the Auditor General; the
 2618 Office of Program Policy Analysis and Government Accountability;
 2619 ~~Enterprise Florida, Inc.~~; and the department for review. The
 2620 Office of Program Policy Analysis and Government Accountability;
 2621 ~~Enterprise Florida, Inc.~~; the department; and the Auditor
 2622 General have the authority to require and receive from the
 2623 corporation or from its independent auditor any detail or
 2624 supplemental data relative to the operation of the corporation.
 2625 The department shall annually certify whether the corporation is

2626 | operating in a manner and achieving the objectives that are
 2627 | consistent with the policies and goals of the department
 2628 | ~~Enterprise Florida, Inc.~~, and its long-range marketing plan. The
 2629 | identity of a donor or prospective donor to the corporation who
 2630 | desires to remain anonymous and all information identifying such
 2631 | donor or prospective donor are confidential and exempt from the
 2632 | provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 2633 | Constitution. Such anonymity shall be maintained in the
 2634 | auditor's report.

2635 | (8) REPORT.—The corporation shall provide to the
 2636 | department a quarterly report that ~~to Enterprise Florida, Inc.~~,
 2637 | ~~which shall:~~

2638 | (a) Measures ~~Measure~~ the current vitality of the visitor
 2639 | industry of this state as compared to the vitality of such
 2640 | industry for the year to date and for comparable quarters of
 2641 | past years. Indicators of vitality shall be determined by the
 2642 | department ~~Enterprise Florida, Inc.~~, and shall include, but not
 2643 | be limited to, estimated visitor count and party size, length of
 2644 | stay, average expenditure per party, and visitor origin and
 2645 | destination.

2646 | (b) Provides ~~Provide~~ detailed, unaudited financial
 2647 | statements of sources and uses of public and private funds.

2648 | (c) Measures ~~Measure~~ progress towards annual goals and
 2649 | objectives set forth in the 4-year marketing plan.

2650 | (d) Reviews ~~Review~~ all pertinent research findings.

2651 (e) Provides ~~Provide~~ other measures of accountability as
 2652 requested by the department ~~Enterprise Florida, Inc.~~

2653
 2654 The corporation must take all steps necessary to provide all
 2655 data that is used to develop the report, including source data,
 2656 to the Office of Economic and Demographic Research.

2657 Section 72. Section 288.12265, Florida Statutes, is
 2658 amended to read:

2659 288.12265 Welcome centers.—

2660 (1) Responsibility for the welcome centers is assigned to
 2661 ~~Enterprise Florida, Inc., which shall contract with the Florida~~
 2662 ~~Tourism Industry Marketing Corporation to employ all welcome~~
 2663 ~~center staff.~~

2664 (2) The Florida Tourism Industry Marketing Corporation
 2665 ~~Enterprise Florida, Inc.,~~ shall administer and operate the
 2666 welcome centers and, ~~—~~ pursuant to a contract with the Department
 2667 of Transportation, ~~Enterprise Florida, Inc.,~~ shall be
 2668 responsible for routine repair, replacement, or improvement and
 2669 the day-to-day management of interior areas occupied by the
 2670 welcome centers. All other repairs, replacements, or
 2671 improvements to the welcome centers shall be the responsibility
 2672 of the Department of Transportation. ~~Enterprise Florida, Inc.,~~
 2673 ~~may contract with the Florida Tourism Industry Marketing~~
 2674 ~~Corporation for the management and operation of the welcome~~
 2675 ~~centers.~~

2676 Section 73. Section 288.125, Florida Statutes, is
 2677 repealed.

2678 Section 74. Section 288.1251, Florida Statutes, is
 2679 repealed.

2680 Section 75. Section 288.1252, Florida Statutes, is
 2681 repealed.

2682 Section 76. Section 288.1253, Florida Statutes, is
 2683 repealed.

2684 Section 77. Section 288.1254, Florida Statutes, is
 2685 repealed.

2686 Section 78. Section 288.1258, Florida Statutes, is
 2687 repealed.

2688 Section 79. Section 288.7015, Florida Statutes, is amended
 2689 to read:

2690 288.7015 Appointment of rules ombudsman; duties.—The
 2691 Governor shall appoint a rules ombudsman, as defined in s.
 2692 288.703, in the Executive Office of the Governor, for
 2693 considering the impact of agency rules on the state's citizens
 2694 and businesses. ~~In carrying out duties as provided by law, the~~
 2695 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
 2696 ~~point the department may recommend to improve the regulatory~~
 2697 ~~environment of this state.~~ The duties of the rules ombudsman are
 2698 to:

2699 (1) Carry out the responsibility provided in s.
 2700 120.54(3) (b), with respect to small businesses.

2701 (2) Review state agency rules that adversely or
2702 disproportionately impact businesses, particularly those
2703 relating to small and minority businesses.

2704 (3) Make recommendations on any existing or proposed rules
2705 to alleviate unnecessary or disproportionate adverse effects to
2706 businesses.

2707 (4) Each state agency shall cooperate fully with the rules
2708 ombudsman in identifying such rules. Further, each agency shall
2709 take the necessary steps to waive, modify, or otherwise minimize
2710 such adverse effects of any such rules. However, nothing in this
2711 section authorizes any state agency to waive, modify, provide
2712 exceptions to, or otherwise alter any rule that is:

2713 (a) Expressly required to implement or enforce any
2714 statutory provision or the express legislative intent thereof;

2715 (b) Designed to protect persons against discrimination on
2716 the basis of race, color, national origin, religion, sex, age,
2717 handicap, or marital status; or

2718 (c) Likely to prevent a significant risk or danger to the
2719 public health, the public safety, or the environment of the
2720 state.

2721 (5) The modification or waiver of any such rule pursuant
2722 to this section must be accomplished in accordance with the
2723 provisions of chapter 120.

2724 Section 80. Subsection (11) of section 288.706, Florida
2725 Statutes, is amended to read:

2726 288.706 Florida Minority Business Loan Mobilization
2727 Program.—

2728 (11) The Department of Management Services shall
2729 collaborate with ~~Enterprise Florida, Inc.,~~ and the department to
2730 assist in the development and enhancement of black business
2731 enterprises.

2732 Section 81. Subsection (1) of section 288.773, Florida
2733 Statutes, is amended to read:

2734 288.773 Florida Export Finance Corporation.—The Florida
2735 Export Finance Corporation is hereby created as a corporation
2736 not for profit, to be incorporated under the provisions of
2737 chapter 617 and approved by the Department of State. The
2738 corporation is organized on a nonstock basis. The purpose of the
2739 corporation is to expand employment and income opportunities for
2740 residents of this state through increased exports of goods and
2741 services, by providing businesses domiciled in this state
2742 information and technical assistance on export opportunities,
2743 exporting techniques, and financial assistance through
2744 guarantees and direct loan originations for sale in support of
2745 export transactions. The corporation shall have the power and
2746 authority to carry out the following functions:

2747 (1) To coordinate the efforts of the corporation with
2748 programs and goals of the United States Export-Import Bank, the
2749 International Trade Administration of the United States
2750 Department of Commerce, the Foreign Credit Insurance

2751 Association, the department ~~Enterprise Florida, Inc.~~, and other
 2752 private and public programs and organizations, domestic and
 2753 foreign, designed to provide export assistance and export-
 2754 related financing.

2755 Section 82. Paragraph (a) of subsection (1) and paragraphs
 2756 (a), (c), and (g) of subsection (3) of section 288.776, Florida
 2757 Statutes, are amended to read:

2758 288.776 Board of directors; powers and duties.—

2759 (1)(a) The corporation shall have a board of directors
 2760 consisting of 15 members representing all geographic areas of
 2761 the state. Minority and gender representation must be considered
 2762 when making appointments to the board. The board membership must
 2763 include:

2764 1. A representative of the following businesses, all of
 2765 which must be registered to do business in this state: a foreign
 2766 bank, a state bank, a federal bank, an insurance company
 2767 involved in covering trade financing risks, and a small or
 2768 medium-sized exporter.

2769 2. The following persons or their designee: ~~the President~~
 2770 ~~of Enterprise Florida, Inc.~~, the Chief Financial Officer, the
 2771 Secretary of State, and a senior official of the United States
 2772 Department of Commerce.

2773 (3) The board shall:

2774 (a) Prior to the expenditure of funds from the export
 2775 finance account, adopt bylaws and policies which are necessary

2776 to carry out the responsibilities under this part, particularly
2777 with respect to the implementation of the corporation's programs
2778 to insure, coinsure, lend, provide loan guarantees, and make
2779 direct, guaranteed, or collateralized loans by the corporation
2780 to support export transactions. The corporation's bylaws and
2781 policies shall be reviewed and approved by the department
2782 ~~Enterprise Florida, Inc.~~, prior to final adoption by the board.

2783 (c) Issue an annual report to the department ~~Enterprise~~
2784 ~~Florida, Inc.~~, on the activities of the corporation, including
2785 an evaluation of activities and recommendations for change. The
2786 evaluation shall include the corporation's impact on the
2787 following:

2788 1. Participation of private banks and other private
2789 organizations and individuals in the corporation's export
2790 financing programs.

2791 2. Access of small and medium-sized businesses in this
2792 state to federal export financing programs.

2793 3. Export volume of the small and medium-sized businesses
2794 in this state accessing the corporation's programs.

2795 4. Other economic and social benefits to international
2796 programs in this state.

2797 (g) Consult with the department ~~Enterprise Florida, Inc.~~,
2798 or any state or federal agency, to ensure that the respective
2799 loan guarantee or working capital loan origination programs are
2800 not duplicative and that each program makes full use of, to the

2801 extent practicable, the resources of the other.

2802 Section 83. Section 288.7771, Florida Statutes, is amended
 2803 to read:

2804 288.7771 Annual report of Florida Export Finance
 2805 Corporation.—The corporation shall annually prepare and submit
 2806 to the department ~~Enterprise Florida, Inc., for inclusion in its~~
 2807 ~~annual report required under s. 288.906,~~ a complete and detailed
 2808 report setting forth:

2809 (1) The report required in s. 288.776(3).

2810 (2) Its assets and liabilities at the end of its most
 2811 recent fiscal year.

2812 Section 84. Subsections (4) and (6) of section 288.816,
 2813 Florida Statutes, are amended to read:

2814 288.816 Intergovernmental relations.—

2815 (4) The state protocol officer shall serve as a contact
 2816 for the state with the Florida Washington Office, the Florida
 2817 Congressional Delegation, and United States Government agencies
 2818 with respect to laws or policies which may affect the interests
 2819 of the state in the area of international relations. All
 2820 inquiries received regarding international economic trade
 2821 development or reverse investment opportunities shall be
 2822 referred to the department ~~Enterprise Florida, Inc.~~ In addition,
 2823 the state protocol officer shall serve as liaison with other
 2824 states with respect to international programs of interest to
 2825 Florida. The state protocol officer shall also investigate and

2826 | make suggestions regarding possible areas of joint action or
 2827 | regional cooperation with these states.

2828 | (6) The department ~~and Enterprise Florida, Inc.,~~ shall
 2829 | help to contribute an international perspective to the state's
 2830 | development efforts.

2831 | Section 85. Section 288.826, Florida Statutes, is amended
 2832 | to read:

2833 | 288.826 Florida International Trade and Promotion Trust
 2834 | Fund.—There is hereby established in the State Treasury the
 2835 | Florida International Trade and Promotion Trust Fund. The moneys
 2836 | deposited into this trust fund shall be administered by the
 2837 | department ~~for the operation of Enterprise Florida, Inc., and~~
 2838 | for the operation of Florida international offices under s.
 2839 | 288.012.

2840 | Section 86. Section 288.901, Florida Statutes, is
 2841 | repealed.

2842 | Section 87. Section 288.9015, Florida Statutes, is
 2843 | repealed.

2844 | Section 88. Section 288.903, Florida Statutes, is
 2845 | repealed.

2846 | Section 89. Section 288.904, Florida Statutes, is
 2847 | repealed.

2848 | Section 90. Section 288.905, Florida Statutes, is
 2849 | repealed.

2850 | Section 91. Section 288.906, Florida Statutes, is

2851 repealed.

2852 Section 92. Section 288.907, Florida Statutes, is
 2853 transferred, renumbered as section 288.0065, Florida Statutes,
 2854 and amended to read:

2855 288.0065 ~~288.907~~ Annual incentives report.—By December 30
 2856 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~
 2857 ~~department,~~ shall provide the Governor, the President of the
 2858 Senate, and the Speaker of the House of Representatives a
 2859 detailed incentives report quantifying the economic benefits for
 2860 all of the economic development incentive programs offered by
 2861 the state ~~marketed by Enterprise Florida, Inc.~~ The annual
 2862 incentives report must include:

2863 (1) For each incentive program:

2864 (a) A brief description of the incentive program.

2865 (b) The amount of awards granted, by year, since inception
 2866 and the annual amount actually transferred from the state
 2867 treasury to businesses or for the benefit of businesses for each
 2868 of the previous 3 years.

2869 ~~(c) The actual amount of private capital invested, actual~~
 2870 ~~number of jobs created, and actual wages paid for incentive~~
 2871 ~~agreements completed during the previous 3 years for each target~~
 2872 ~~industry sector.~~

2873 (2) For projects completed during the previous state
 2874 fiscal year:

2875 (a) The number of economic development incentive

2876 applications received.

2877 ~~(b) The number of recommendations made to the department~~
 2878 ~~by Enterprise Florida, Inc., including the number recommended~~
 2879 ~~for approval and the number recommended for denial.~~

2880 (b)~~(e)~~ The number of final decisions issued by the
 2881 department for approval and for denial.

2882 (c)~~(d)~~ The projects for which a tax refund, tax credit, or
 2883 cash grant agreement was executed, identifying for each project:

- 2884 1. The number of jobs committed to be created.
- 2885 2. The amount of capital investments committed to be made.
- 2886 3. The annual average wage committed to be paid.
- 2887 4. The amount of state economic development incentives
 2888 committed to the project from each incentive program under the
 2889 project's terms of agreement with the Department of Economic
 2890 Opportunity.
- 2891 5. The amount and type of local matching funds committed
 2892 to the project.

2893 ~~(e) Tax refunds paid or other payments made funded out of~~
 2894 ~~the Economic Development Incentives Account for each project.~~

2895 (d)~~(f)~~ The types of projects supported.

2896 (3) For economic development projects that received tax
 2897 refunds, tax credits, or cash grants under the terms of an
 2898 agreement for incentives:

2899 (a) The number of jobs actually created.

2900 (b) The amount of capital investments actually made.

2901 (c) The annual average wage paid.

2902 (4) For a project receiving economic development
 2903 incentives approved by the department and receiving federal or
 2904 local incentives, a description of the federal or local
 2905 incentives, if available.

2906 (5) The number of withdrawn or terminated projects that
 2907 did not fulfill the terms of their agreements with the
 2908 department and, consequently, are not receiving incentives.

2909 ~~(6) For any agreements signed after July 1, 2010, findings~~
 2910 ~~and recommendations on the efforts of the department to~~
 2911 ~~ascertain the causes of any business's inability to complete its~~
 2912 ~~agreement made under s. 288.106.~~

2913 (6)~~(7)~~ The amount of tax refunds, tax credits, or other
 2914 payments made to projects locating or expanding in state
 2915 enterprise zones, rural communities, brownfield areas, or
 2916 distressed urban communities. The report must include a separate
 2917 analysis of the impact of such tax refunds on state enterprise
 2918 zones designated under s. 290.0065, rural communities,
 2919 brownfield areas, and distressed urban communities.

2920 ~~(8) The name of and tax refund amount for each business~~
 2921 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
 2922 ~~during the preceding fiscal year.~~

2923 (7)~~(9)~~ An identification of the ~~target industry businesses~~
 2924 ~~and~~ high-impact businesses.

2925 (8)~~(10)~~ A description of the trends relating to business

2926 interest in, and usage of, the various incentives, and the
 2927 number of minority-owned or woman-owned businesses receiving
 2928 incentives.

2929 (9)~~(11)~~ An identification of incentive programs not used
 2930 and recommendations for program changes or program elimination.

2931 (10)~~(12)~~ Information related to the validation of
 2932 contractor performance required under s. 288.061.

2933 (11)~~(13)~~ ~~Beginning in 2014,~~ A summation of the activities
 2934 related to the Florida Space Business Incentives Act.

2935 Section 93. Section 288.911, Florida Statutes, is
 2936 repealed.

2937 Section 94. Section 288.912, Florida Statutes, is
 2938 transferred, renumbered as section 288.007, Florida Statutes,
 2939 and amended to read:

2940 288.007 ~~288.912~~ Inventory of communities seeking to
 2941 recruit businesses.—By September 30 of each year, a county or
 2942 municipality that has a population of at least 25,000 or its
 2943 local economic development organization must submit to the
 2944 department ~~Enterprise Florida, Inc.,~~ a brief overview of the
 2945 strengths, services, and economic development incentives that
 2946 its community offers. The local government or its local economic
 2947 development organization also must identify any industries that
 2948 it is encouraging to locate or relocate to its area. A county or
 2949 municipality having a population of 25,000 or fewer or its local
 2950 economic development organization seeking to recruit businesses

2951 may submit information as required in this section and may
 2952 participate in any activity or initiative resulting from the
 2953 collection, analysis, and reporting of the information to the
 2954 department ~~Enterprise Florida, Inc.~~, pursuant to this section.

2955 Section 95. Section 288.92, Florida Statutes, is repealed.

2956 Section 96. Subsection (1), paragraph (d) of subsection
 2957 (2), subsection (3), paragraphs (b), (c), and (d) of subsection
 2958 (4), and subsection (5) of section 288.923, Florida Statutes,
 2959 are amended to read:

2960 288.923 Division of Tourism Marketing; definitions;
 2961 responsibilities.—

2962 (1) There is created within the Department of Economic
 2963 Opportunity ~~Enterprise Florida, Inc.~~, the Division of Tourism
 2964 Marketing.

2965 (2) As used in this section, the term:

2966 (d) "Direct-support organization" means the Florida
 2967 Tourism Industry Marketing Corporation, doing business as VISIT
 2968 Florida.

2969 (3) The department ~~Enterprise Florida, Inc.~~ shall
 2970 contract with the Florida Tourism Industry Marketing
 2971 Corporation, a direct-support organization established in s.
 2972 288.1226, to execute tourism promotion and marketing services,
 2973 functions, and programs for the state, including, but not
 2974 limited to, the activities prescribed by the 4-year marketing
 2975 plan. The division shall assist to maintain and implement the

2976 | contract.

2977 | (4) The division's responsibilities and duties include,

2978 | but are not limited to:

2979 | (b) Advising the department ~~and Enterprise Florida, Inc.,~~

2980 | on development of domestic and international tourism marketing

2981 | campaigns featuring Florida.

2982 | (c) Developing a 4-year marketing plan.

2983 | 1. At a minimum, the marketing plan shall discuss the

2984 | following:

2985 | a. Continuation of overall tourism growth in this state.

2986 | b. Expansion to new or under-represented tourist markets.

2987 | c. Maintenance of traditional and loyal tourist markets.

2988 | d. Coordination of efforts with county destination

2989 | marketing organizations, other local government marketing

2990 | groups, privately owned attractions and destinations, and other

2991 | private sector partners to create a seamless, four-season

2992 | advertising campaign for the state and its regions.

2993 | e. Development of innovative techniques or promotions to

2994 | build repeat visitation by targeted segments of the tourist

2995 | population.

2996 | f. Consideration of innovative sources of state funding

2997 | for tourism marketing.

2998 | g. Promotion of nature-based tourism and heritage tourism.

2999 | h. Development of a component to address emergency

3000 | response to natural and manmade disasters from a marketing

3001 standpoint.

3002 2. The plan shall be annual in construction and ongoing in
 3003 nature. Any annual revisions of the plan shall carry forward the
 3004 concepts of the remaining 3-year portion of the plan and
 3005 consider a continuum portion to preserve the 4-year timeframe of
 3006 the plan. The plan also shall include recommendations for
 3007 specific performance standards and measurable outcomes for the
 3008 division and direct-support organization. The department, ~~in~~
 3009 ~~consultation with the board of directors of Enterprise Florida,~~
 3010 ~~Inc.,~~ shall base the actual performance metrics on these
 3011 recommendations.

3012 3. The 4-year marketing plan shall be developed in
 3013 collaboration with the Florida Tourism Industry Marketing
 3014 Corporation. The plan shall be annually reviewed and approved by
 3015 the department ~~board of directors of Enterprise Florida, Inc.~~

3016 (d) Drafting and submitting to the department an annual
 3017 report ~~required by s. 288.92~~. The annual report shall set forth
 3018 for the division and the direct-support organization:

3019 1. Operations and accomplishments during the fiscal year,
 3020 including the economic benefit of the state's investment and
 3021 effectiveness of the marketing plan.

3022 2. The 4-year marketing plan, including recommendations on
 3023 methods for implementing and funding the plan.

3024 3. The assets and liabilities of the direct-support
 3025 organization at the end of its most recent fiscal year.

3026 4. A copy of the annual financial and compliance audit
 3027 conducted under s. 288.1226(7).

3028 (5) ~~Notwithstanding s. 288.92,~~ The division shall be
 3029 staffed by the Florida Tourism Industry Marketing Corporation.
 3030 Such staff shall not be considered to be employees of the
 3031 division and shall remain employees of the Florida Tourism
 3032 Industry Marketing Corporation. ~~Section 288.905 does not apply~~
 3033 ~~to the Florida Tourism Industry Marketing Corporation.~~

3034 Section 97. Section 288.95155, Florida Statutes, is
 3035 repealed.

3036 Section 98. Section 288.9519, Florida Statutes, is
 3037 repealed.

3038 Section 99. Section 288.9520, Florida Statutes, is
 3039 repealed.

3040 Section 100. Section 288.955, Florida Statutes, is
 3041 repealed.

3042 Section 101. Subsection (10) of section 288.9603, Florida
 3043 Statutes, is amended to read:

3044 288.9603 Definitions.—

3045 (10) "Partnership" means the department ~~Enterprise~~
 3046 ~~Florida, Inc.~~

3047 Section 102. Paragraph (v) of subsection (2) of section
 3048 288.9605, Florida Statutes, is amended to read:

3049 288.9605 Corporation powers.—

3050 (2) The corporation is authorized and empowered to:

3051 (v) Enter into investment agreements with the department
 3052 ~~Enterprise Florida, Inc.,~~ concerning the issuance of bonds and
 3053 other forms of indebtedness and capital.

3054 Section 103. Section 288.9614, Florida Statutes, is
 3055 amended to read:

3056 288.9614 Authorized programs.—The department ~~Enterprise~~
 3057 ~~Florida, Inc.,~~ may take any action that it deems necessary to
 3058 achieve the purposes of this act in partnership with private
 3059 enterprises, public agencies, and other organizations,
 3060 including, but not limited to, efforts to address the long-term
 3061 debt needs of small-sized and medium-sized firms, to address the
 3062 needs of microenterprises, to expand availability of venture
 3063 capital, and to increase international trade and export finance
 3064 opportunities for firms critical to achieving the purposes of
 3065 this act.

3066 Section 104. Paragraphs (a) and (b) of subsection (1) of
 3067 section 288.9624, Florida Statutes, are amended to read:

3068 288.9624 Florida Opportunity Fund; creation; duties.—

3069 (1) (a) ~~Enterprise Florida, Inc., shall facilitate the~~
 3070 ~~creation of~~ The Florida Opportunity Fund is, a private, not-for-
 3071 profit corporation organized and operated under chapter 617.
 3072 ~~Enterprise Florida, Inc., shall be the fund's sole shareholder~~
 3073 ~~or member.~~ The fund is not a public corporation or
 3074 instrumentality of the state. The fund shall manage its business
 3075 affairs and conduct business consistent with its organizational

3076 documents and the purposes set forth in this section.
 3077 Notwithstanding the powers granted under chapter 617, the
 3078 corporation may not amend, modify, or repeal a bylaw or article
 3079 of incorporation without the express written consent of the
 3080 department ~~Enterprise Florida, Inc.~~

3081 (b) The board of directors of the Florida Opportunity Fund
 3082 shall have five members, appointed by the Governor ~~vote of the~~
 3083 ~~board of directors of Enterprise Florida, Inc.~~ Board members
 3084 shall serve terms as provided in the fund's organizational
 3085 documents. Within 90 days before an anticipated vacancy by
 3086 expiration of the term of a board member, the board of directors
 3087 of the fund shall submit a list of three eligible nominees,
 3088 which may include the incumbent, to the Governor. The Governor
 3089 ~~board of directors of Enterprise Florida, Inc. The board of~~
 3090 ~~directors of Enterprise Florida, Inc.,~~ may appoint a board
 3091 member from the nominee list or may request and appoint from a
 3092 new list of three nominees not included on the previous list.

3093 Section 105. Paragraph (c) of subsection (4) of section
 3094 288.96255, Florida Statutes, is amended to read:

3095 288.96255 Florida Technology Seed Capital Fund; creation;
 3096 duties.-

3097 (4) The private fund manager shall use a thorough and
 3098 detailed process that is modeled after investment industry
 3099 practices to evaluate a proposal. In order to approve a company
 3100 for investment, the private fund manager, on behalf of the

3101 institute, must consider if:

3102 (c) The company is a target industry business as defined
 3103 in s. 196.012(11) ~~s. 288.106(2)~~; and

3104 Section 106. Paragraph (b) of subsection (1) of section
 3105 288.980, Florida Statutes, is amended to read:

3106 288.980 Military base retention; legislative intent;
 3107 grants program.—

3108 (1)

3109 (b) The Florida Defense Alliance, an organization within
 3110 the department ~~Enterprise Florida, Inc.~~, is designated as the
 3111 organization to ensure that Florida, its resident military bases
 3112 and missions, and its military host communities are in
 3113 competitive positions as the United States continues its defense
 3114 realignment and downsizing. The defense alliance shall serve as
 3115 an overall advisory body for defense-related activity of the
 3116 department ~~Enterprise Florida, Inc.~~ The Florida Defense Alliance
 3117 may receive funding from appropriations made for that purpose
 3118 administered by the department.

3119 Section 107. Section 288.991, Florida Statutes, is
 3120 repealed.

3121 Section 108. Section 288.9912, Florida Statutes, is
 3122 repealed.

3123 Section 109. Section 288.9913, Florida Statutes, is
 3124 repealed.

3125 Section 110. Section 288.9914, Florida Statutes, is

3126 repealed.

3127 Section 111. Section 288.9915, Florida Statutes, is

3128 repealed.

3129 Section 112. Section 288.9916, Florida Statutes, is

3130 repealed.

3131 Section 113. Section 288.9917, Florida Statutes, is

3132 repealed.

3133 Section 114. Section 288.9918, Florida Statutes, is

3134 repealed.

3135 Section 115. Section 288.9919, Florida Statutes, is

3136 repealed.

3137 Section 116. Section 288.9920, Florida Statutes, is

3138 repealed.

3139 Section 117. Section 288.9921, Florida Statutes, is

3140 repealed.

3141 Section 118. Section 288.9922, Florida Statutes, is

3142 repealed.

3143 Section 119. Section 288.993, Florida Statutes, is

3144 repealed.

3145 Section 120. Section 288.9931, Florida Statutes, is

3146 repealed.

3147 Section 121. Section 288.9932, Florida Statutes, is

3148 repealed.

3149 Section 122. Section 288.9933, Florida Statutes, is

3150 repealed.

3151 Section 123. Section 288.9934, Florida Statutes, is
 3152 repealed.

3153 Section 124. Section 288.9935, Florida Statutes, is
 3154 repealed.

3155 Section 125. Section 288.9936, Florida Statutes, is
 3156 repealed.

3157 Section 126. Section 288.9937, Florida Statutes, is
 3158 repealed.

3159 Section 127. Subsection (3) of section 288.9961, Florida
 3160 Statutes, is amended to read:

3161 288.9961 Promotion of broadband adoption; Florida Office
 3162 of Broadband.—

3163 (3) STATE AGENCY.—The department is designated as the lead
 3164 state agency to facilitate the expansion of broadband Internet
 3165 service in this state. The department shall work collaboratively
 3166 with private businesses and receive staffing support and other
 3167 resources from ~~Enterprise Florida, Inc.~~, state agencies, local
 3168 governments, and community organizations.

3169 Section 128. Paragraph (h) of subsection (8) and paragraph
 3170 (a) of subsection (9) of section 290.0056, Florida Statutes, are
 3171 amended to read:

3172 290.0056 Enterprise zone development agency.—

3173 (8) The enterprise zone development agency shall have the
 3174 following powers and responsibilities:

3175 (h) To work with the department ~~and Enterprise Florida,~~

3176 ~~Inc.,~~ to ensure that the enterprise zone coordinator receives
 3177 training on an annual basis.

3178 (9) The following powers and responsibilities shall be
 3179 performed by the governing body creating the enterprise zone
 3180 development agency acting as the managing agent of the
 3181 enterprise zone development agency, or, contingent upon approval
 3182 by such governing body, such powers and responsibilities shall
 3183 be performed by the enterprise zone development agency:

3184 (a) To review, process, and certify applications for state
 3185 enterprise zone tax incentives pursuant to ss. 212.08(5)(f) and
 3186 (g) and (14); 212.096; 220.181; and 220.182 ~~ss. 212.08(5)(g),~~
 3187 ~~(h), and (15); 212.096; 220.181; and 220.182.~~

3188 Section 129. Paragraph (b) of subsection (4) and
 3189 subsection (7) of section 290.0065, Florida Statutes, are
 3190 amended to read:

3191 290.0065 State designation of enterprise zones.—

3192 (4)

3193 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The
 3194 department shall, based on the enterprise zone profile and the
 3195 grounds for redesignation expressed in the resolution, determine
 3196 whether the enterprise zone merits redesignation. The department
 3197 may also examine and consider the following:

3198 1. Progress made, if any, in the enterprise zone's
 3199 strategic plan.

3200 2. Use of enterprise zone incentives during the life of

3201 the enterprise zone.

3202

3203 If the department determines that the enterprise zone merits
 3204 redesignation, the department shall notify the governing body in
 3205 writing of its approval of redesignation.

3206 (7) Upon approval by the department of a resolution
 3207 authorizing an area to be an enterprise zone pursuant to this
 3208 section, the department shall assign a unique identifying number
 3209 to that resolution. The department shall provide the Department
 3210 of Revenue ~~and Enterprise Florida, Inc.,~~ with a copy of each
 3211 resolution approved, together with its identifying number.

3212 Section 130. Section 290.00677, Florida Statutes, is
 3213 amended to read:

3214 290.00677 Rural enterprise zones; special qualifications.—

3215 (1) Notwithstanding the enterprise zone residency
 3216 requirements set out in s. 212.096(1)(c), eligible businesses as
 3217 defined in s. 212.096(1)(a) located in rural enterprise zones as
 3218 defined in s. 290.004 may receive the basic minimum credit
 3219 provided under s. 212.096 for creating a new job and hiring a
 3220 person residing within the jurisdiction of a rural community ~~as~~
 3221 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,
 3222 including, but not limited to, those relating to the award of
 3223 enhanced credits, apply to such businesses.

3224 (2) Notwithstanding the enterprise zone residency
 3225 requirements set out in s. 220.03(1)(q), businesses as defined

3226 in s. 220.03(1)(c) located in rural enterprise zones as defined
 3227 in s. 290.004 may receive the basic minimum credit provided
 3228 under s. 220.181 for creating a new job and hiring a person
 3229 residing within the jurisdiction of a rural community ~~as defined~~
 3230 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,
 3231 but not limited to, those relating to the award of enhanced
 3232 credits, apply to such businesses.

3233 (3) As used in this section, the term "rural community"
 3234 means:

3235 (a) A county having a population of 75,000 or fewer.

3236 (b) A county having a population of 125,000 or fewer that
 3237 is contiguous to a county having a population of 75,000 or
 3238 fewer.

3239 (c) A municipality within a county described in paragraph
 3240 (a) or paragraph (b).

3241
 3242 For purposes of this subsection, population shall be determined
 3243 in accordance with the most recent official estimate pursuant to
 3244 s. 186.901.

3245 Section 131. Subsections (4), (5), and (6) of section
 3246 290.007, Florida Statutes, are amended to read:

3247 290.007 State incentives available in enterprise zones.—
 3248 The following incentives are provided by the state to encourage
 3249 the revitalization of enterprise zones:

3250 (4) The sales tax exemption for building materials used in

3251 the rehabilitation of real property in enterprise zones provided
 3252 in s. 212.08(5)(f) ~~s. 212.08(5)(g)~~.

3253 (5) The sales tax exemption for business equipment used in
 3254 an enterprise zone provided in s. 212.08(5)(g) ~~s. 212.08(5)(h)~~.

3255 (6) The sales tax exemption for electrical energy used in
 3256 an enterprise zone provided in s. 212.08(14) ~~s. 212.08(15)~~.

3257 Section 132. Subsections (3) and (4) of section 290.053,
 3258 Florida Statutes, are amended to read:

3259 290.053 Response to economic emergencies in small
 3260 communities.—

3261 (3) A local government entity shall notify the Governor
 3262 and, ~~the Department of Economic Opportunity, and Enterprise~~
 3263 ~~Florida, Inc.,~~ when one or more of the conditions specified in
 3264 subsection (2) have occurred or will occur if action is not
 3265 taken to assist the local governmental entity or the affected
 3266 community.

3267 (4) Upon notification that one or more of the conditions
 3268 described in subsection (2) exist, the Governor or his or her
 3269 designee shall contact the local governmental entity to
 3270 determine what actions have been taken by the local governmental
 3271 entity or the affected community to resolve the economic
 3272 emergency. The Governor may waive the eligibility criteria of
 3273 any program or activity administered by the Department of
 3274 Economic Opportunity ~~or Enterprise Florida, Inc.,~~ to provide
 3275 economic relief to the affected community by granting

3276 participation in such programs or activities. The Governor shall
3277 consult with the President of the Senate and the Speaker of the
3278 House of Representatives and shall take other action, as
3279 necessary, to resolve the economic emergency in the most
3280 expedient manner possible. All actions taken pursuant to this
3281 section shall be within current appropriations and shall have no
3282 annualized impact beyond normal growth.

3283 Section 133. Paragraph (d) of subsection (3) and
3284 subsection (4) of section 295.22, Florida Statutes, are amended
3285 to read:

3286 295.22 Veterans Employment and Training Services Program.—

3287 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
3288 administer the Veterans Employment and Training Services Program
3289 and perform all of the following functions:

3290 (d) Create a grant program to provide funding to assist
3291 veterans in meeting the workforce-skill needs of businesses
3292 seeking to hire, promote, or generally improve specialized
3293 skills of veterans, establish criteria for approval of requests
3294 for funding, and maximize the use of funding for this program.
3295 Grant funds may be used only in the absence of available
3296 veteran-specific federally funded programs. Grants may fund
3297 specialized training specific to a particular business.

3298 1. If grant funds are used to provide a technical
3299 certificate, a licensure, or a degree, funds may be allocated
3300 only upon a review that includes, but is not limited to,

3301 documentation of accreditation and licensure. Instruction funded
 3302 through the program terminates when participants demonstrate
 3303 competence at the level specified in the request but may not
 3304 exceed 12 months. Preference shall be given to ~~target industry~~
 3305 ~~businesses, as defined in s. 288.106,~~ and to businesses in the
 3306 defense supply, cloud virtualization, or commercial aviation
 3307 manufacturing industries.

3308 2. Costs and expenditures shall be limited to \$8,000 per
 3309 veteran trainee. Qualified businesses must cover the entire cost
 3310 for all of the training provided before receiving reimbursement
 3311 from the corporation equal to 50 percent of the cost to train a
 3312 veteran who is a permanent, full-time employee. Eligible costs
 3313 and expenditures include:

- 3314 a. Tuition and fees.
- 3315 b. Books and classroom materials.
- 3316 c. Rental fees for facilities.

3317 3. Before funds are allocated for a request pursuant to
 3318 this section, the corporation shall prepare a grant agreement
 3319 between the business requesting funds and the corporation. Such
 3320 agreement must include, but need not be limited to:

- 3321 a. Identification of the personnel necessary to conduct
 3322 the instructional program, instructional program description,
 3323 and any vendors used to conduct the instructional program.
- 3324 b. Identification of the estimated duration of the
 3325 instructional program.

3326 c. Identification of all direct, training-related costs.
 3327 d. Identification of special program requirements that are
 3328 not otherwise addressed in the agreement.

3329 e. Permission to access aggregate information specific to
 3330 the wages and performance of participants upon the completion of
 3331 instruction for evaluation purposes. The agreement must specify
 3332 that any evaluation published subsequent to the instruction may
 3333 not identify the employer or any individual participant.

3334 4. A business may receive a grant under the Quick-Response
 3335 Training Program created under s. 288.047 and a grant under this
 3336 section for the same veteran trainee. If a business receives
 3337 funds under both programs, one grant agreement may be entered
 3338 into with CareerSource Florida, Inc., as the grant
 3339 administrator.

3340 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~
 3341 ~~Inc., shall provide information about the corporation and its~~
 3342 ~~services to prospective, new, expanding, and relocating~~
 3343 ~~businesses seeking to conduct business in this state. Enterprise~~
 3344 ~~Florida, Inc., shall, to the greatest extent possible,~~
 3345 ~~collaborate with the corporation to meet the employment needs,~~
 3346 ~~including meeting the job-creation requirements, of any business~~
 3347 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3348 Section 134. Paragraph (a) of subsection (6), paragraph
 3349 (b) of subsection (9), paragraph (a) of subsection (34),
 3350 subsection (57), and paragraph (b) of subsection (61) of section

3351 320.08058, Florida Statutes, are amended to read:

3352 320.08058 Specialty license plates.—

3353 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
 3354 PLATES.—

3355 (a) Because the United States Olympic Committee has
 3356 selected this state to participate in a combined fundraising
 3357 program that provides for one-half of all money raised through
 3358 volunteer giving to stay in this state ~~and be administered by~~
 3359 ~~Enterprise Florida, Inc.,~~ to support amateur sports, ~~and~~ because
 3360 the United States Olympic Committee is a ~~and Enterprise Florida,~~
 3361 ~~Inc.,~~ are nonprofit organization ~~organizations~~ dedicated to
 3362 providing athletes with support and training and preparing
 3363 athletes of all ages and skill levels for sports competition,
 3364 and because ~~Enterprise Florida, Inc.,~~ ~~assists in the bidding for~~
 3365 ~~sports competitions that provide significant impact to the~~
 3366 ~~economy of this state,~~ and the Legislature supports the efforts
 3367 of the United States Olympic Committee ~~and Enterprise Florida,~~
 3368 ~~Inc.,~~ the Legislature establishes a Florida United States
 3369 Olympic Committee license plate for the purpose of providing a
 3370 continuous funding source to support this worthwhile effort.
 3371 Florida United States Olympic Committee license plates must
 3372 contain the official United States Olympic Committee logo and
 3373 must bear a design and colors that are approved by the
 3374 department. The word "Florida" must be centered at the top of
 3375 the plate.

3376 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—
 3377 (b) The license plate annual use fees are to be annually
 3378 distributed as follows:
 3379 1. Fifty-five percent of the proceeds from the Florida
 3380 Professional Sports Team plate must be deposited into the
 3381 Professional Sports Development Trust Fund within the Department
 3382 of Economic Opportunity. These funds must be used
 3383 solely to attract and support major sports events in this state.
 3384 As used in this subparagraph, the term "major sports events"
 3385 means, but is not limited to, championship or all-star contests
 3386 of Major League Baseball, the National Basketball Association,
 3387 the National Football League, the National Hockey League, Major
 3388 League Soccer, the men's and women's National Collegiate
 3389 Athletic Association Final Four basketball championship, or a
 3390 horseracing or dogracing Breeders' Cup. All funds must be used
 3391 to support and promote major sporting events, and the uses must
 3392 be approved by the Department of Economic Opportunity.
 3393 2. The remaining proceeds of the Florida Professional
 3394 Sports Team license plate must be allocated to the Florida
 3395 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
 3396 deposited into the Professional Sports Development Trust Fund
 3397 within the Department of Economic Opportunity. These funds must
 3398 be used by the Florida Sports Foundation ~~Enterprise Florida,~~
 3399 ~~Inc.~~ to promote the economic development of the sports
 3400 industry; to distribute licensing and royalty fees to

3401 participating professional sports teams; to promote education
3402 programs in Florida schools that provide an awareness of the
3403 benefits of physical activity and nutrition standards; to
3404 partner with the Department of Education and the Department of
3405 Health to develop a program that recognizes schools whose
3406 students demonstrate excellent physical fitness or fitness
3407 improvement; to institute a grant program for communities
3408 bidding on minor sporting events that create an economic impact
3409 for the state; to distribute funds to Florida-based charities
3410 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
3411 ~~Inc.~~ and the participating professional sports teams; and to
3412 fulfill the sports promotion responsibilities of the Department
3413 of Economic Opportunity.

3414 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.~~
3415 shall provide an annual financial audit in accordance with s.
3416 215.981 of its financial accounts and records by an independent
3417 certified public accountant pursuant to the contract established
3418 by the Department of Economic Opportunity. The auditor shall
3419 submit the audit report to the Department of Economic
3420 Opportunity for review and approval. If the audit report is
3421 approved, the Department of Economic Opportunity shall certify
3422 the audit report to the Auditor General for review.

3423 4. Notwithstanding the provisions of subparagraphs 1. and
3424 2., proceeds from the Professional Sports Development Trust Fund
3425 may also be used for operational expenses of the Florida Sports

3426 Foundation ~~Enterprise Florida, Inc.~~, and financial support of
 3427 the Sunshine State Games.

3428 (34) FLORIDA GOLF LICENSE PLATES.—

3429 (a) The Department of Highway Safety and Motor Vehicles
 3430 shall develop a Florida Golf license plate as provided in this
 3431 section. The word "Florida" must appear at the bottom of the
 3432 plate. The Dade Amateur Golf Association, following consultation
 3433 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~
 3434 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a
 3435 revised sample plate for consideration by the department.

3436 (57) FLORIDA NASCAR LICENSE PLATES.—

3437 (a) The department shall develop a Florida NASCAR license
 3438 plate as provided in this section. Florida NASCAR license plates
 3439 must bear the colors and design approved by the department. The
 3440 word "Florida" must appear at the top of the plate, and the term
 3441 "NASCAR" must appear at the bottom of the plate. The National
 3442 Association for Stock Car Auto Racing, following consultation
 3443 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
 3444 submit a sample plate for consideration by the department.

3445 (b) The license plate annual use fees shall be distributed
 3446 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The
 3447 license plate annual use fees shall be annually allocated as
 3448 follows:

3449 1. Up to 5 percent of the proceeds from the annual use
 3450 fees may be used by the Department of Economic Opportunity

3451 ~~Enterprise Florida, Inc.,~~ for the administration of the NASCAR
 3452 license plate program.

3453 2. The National Association for Stock Car Auto Racing
 3454 shall receive up to \$60,000 in proceeds from the annual use fees
 3455 to be used to pay startup costs, including costs incurred in
 3456 developing and issuing the plates. Thereafter, 10 percent of the
 3457 proceeds from the annual use fees shall be provided to the
 3458 association for the royalty rights for the use of its marks.

3459 3. The remaining proceeds from the annual use fees shall
 3460 be distributed to the Florida Sports Foundation ~~Enterprise~~
 3461 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~
 3462 ~~Inc.,~~ will retain 15 percent to support its regional grant
 3463 program, attracting sporting events to Florida; 20 percent to
 3464 support the marketing of motorsports-related tourism in the
 3465 state; and 50 percent to be paid to the NASCAR Foundation, a s.
 3466 501(c)(3) charitable organization, to support Florida-based
 3467 charitable organizations.

3468 (c) The Florida Sports Foundation ~~Enterprise Florida,~~
 3469 ~~Inc.,~~ shall provide an annual financial audit in accordance with
 3470 s. 215.981 of its financial accounts and records by an
 3471 independent certified public accountant pursuant to the contract
 3472 established by the Department of Economic Opportunity. The
 3473 auditor shall submit the audit report to the Department of
 3474 Economic Opportunity for review and approval. If the audit
 3475 report is approved, the Department of Economic Opportunity shall

3476 certify the audit report to the Auditor General for review.

3477 (61) FLORIDA TENNIS LICENSE PLATES.—

3478 (b) The department shall distribute the annual use fees to
 3479 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
 3480 license plate annual use fees shall be annually allocated as
 3481 follows:

3482 1. Up to 5 percent of the proceeds from the annual use
 3483 fees may be used by the Florida Sports Foundation ~~Enterprise~~
 3484 ~~Florida, Inc.~~, to administer the license plate program.

3485 2. The United States Tennis Association Florida Section
 3486 Foundation shall receive the first \$60,000 in proceeds from the
 3487 annual use fees to reimburse it for startup costs,
 3488 administrative costs, and other costs it incurs in the
 3489 development and approval process.

3490 3. Up to 5 percent of the proceeds from the annual use
 3491 fees may be used for promoting and marketing the license plates.
 3492 The remaining proceeds shall be available for grants by the
 3493 United States Tennis Association Florida Section Foundation to
 3494 nonprofit organizations to operate youth tennis programs and
 3495 adaptive tennis programs for special populations of all ages,
 3496 and for building, renovating, and maintaining public tennis
 3497 courts.

3498 Section 135. Subsections (2), (3), and (6) of section
 3499 331.3051, Florida Statutes, are amended to read:

3500 331.3051 Duties of Space Florida.—Space Florida shall:

3501 (2) Enter into agreement with the Department of Education,
 3502 the Department of Transportation, ~~Enterprise Florida, Inc.,~~ and
 3503 CareerSource Florida, Inc., for the purpose of implementing this
 3504 act.

3505 (3) ~~In cooperation with Enterprise Florida, Inc.,~~ Develop
 3506 a plan to retain, expand, attract, and create aerospace industry
 3507 entities, public or private, which results in the creation of
 3508 high-value-added businesses and jobs in this state.

3509 (6) ~~Develop, in cooperation with Enterprise Florida, Inc.,~~
 3510 a plan to provide financing assistance to aerospace businesses.
 3511 The plan may include the following activities:

3512 (a) Assembling, publishing, and disseminating information
 3513 concerning financing opportunities and techniques for aerospace
 3514 projects, programs, and activities; sources of public and
 3515 private aerospace financing assistance; and sources of
 3516 aerospace-related financing.

3517 (b) Organizing, hosting, and participating in seminars and
 3518 other forums designed to disseminate information and technical
 3519 assistance regarding aerospace-related financing.

3520 (c) Coordinating with programs and goals of the Department
 3521 of Defense, the National Aeronautics and Space Administration,
 3522 the Export-Import Bank of the United States, the International
 3523 Trade Administration of the United States Department of
 3524 Commerce, the Foreign Credit Insurance Association, and other
 3525 private and public programs and organizations, domestic and

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3526 foreign.

3527 (d) Establishing a network of contacts among those
3528 domestic and foreign public and private organizations that
3529 provide information, technical assistance, and financial support
3530 to the aerospace industry.

3531 (e) Financing aerospace business development projects or
3532 initiatives using funds provided by the Legislature.

3533 Section 136. Section 331.3081, Florida Statutes, is
3534 amended to read:

3535 331.3081 Board of directors.—Space Florida shall be
3536 governed by a 13-member independent board of directors. The
3537 Governor, or his or her designee, shall serve as an ex officio
3538 voting member and chair of the board. The other 12 members shall
3539 be appointed from the private sector, six of whom shall be
3540 appointed by the Governor, three of whom shall be appointed by
3541 the President of the Senate, and three of whom shall be
3542 appointed by the Speaker of the House of Representatives that
3543 ~~consists of the members appointed to the board of directors of~~
3544 ~~Enterprise Florida, Inc., by the Governor, the President of the~~
3545 ~~Senate, and the Speaker of the House of Representatives pursuant~~
3546 ~~to s. 288.901(5)(a)8. and the Governor, who shall serve ex~~
3547 ~~officio, or who may appoint a designee to serve, as the chair~~
3548 ~~and a voting member of the board.~~

3549 Section 137. Paragraph (f) of subsection (1) of section
3550 339.08, Florida Statutes, is amended to read:

3551 339.08 Use of moneys in State Transportation Trust Fund.—

3552 (1) The department shall expend moneys in the State
 3553 Transportation Trust Fund accruing to the department, in
 3554 accordance with its annual budget. The use of such moneys shall
 3555 be restricted to the following purposes:

3556 ~~(f) To pay the cost of economic development transportation~~
 3557 ~~projects in accordance with s. 339.2821.~~

3558 Section 138. Section 339.2821, Florida Statutes, is
 3559 repealed.

3560 Section 139. Paragraph (d) of subsection (1) of section
 3561 376.82, Florida Statutes, is amended to read:

3562 376.82 Eligibility criteria and liability protection.—

3563 (1) ELIGIBILITY.—Any person who has not caused or
 3564 contributed to the contamination of a brownfield site on or
 3565 after July 1, 1997, is eligible to participate in the brownfield
 3566 program established in ss. 376.77-376.85, subject to the
 3567 following:

3568 (d) After July 1, 1997, petroleum and drycleaning
 3569 contamination sites shall not receive both restoration funding
 3570 assistance available for the discharge under this chapter ~~and~~
 3571 ~~any state assistance available under s. 288.107.~~ Nothing in this
 3572 act shall affect the cleanup criteria, priority ranking, and
 3573 other rights and obligations inherent in petroleum contamination
 3574 and drycleaning contamination site rehabilitation under ss.
 3575 376.30-376.317, or the availability of economic incentives

3576 otherwise provided for by law.

3577 Section 140. Paragraph (h) of subsection (2) of section
3578 377.703, Florida Statutes, is amended to read:

3579 377.703 Additional functions of the Department of
3580 Agriculture and Consumer Services.—

3581 (2) DUTIES.—The department shall perform the following
3582 functions, unless as otherwise provided, consistent with the
3583 development of a state energy policy:

3584 (h) The department shall promote the development and use
3585 of renewable energy resources, in conformance with chapter 187
3586 and s. 377.601, by:

3587 1. Establishing goals and strategies for increasing the
3588 use of renewable energy in this state.

3589 2. Aiding and promoting the commercialization of renewable
3590 energy resources, in cooperation with the Florida Energy Systems
3591 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~
3592 ~~Inc.,~~ and any other federal, state, or local governmental agency
3593 that may seek to promote research, development, and the
3594 demonstration of renewable energy equipment and technology.

3595 3. Identifying barriers to greater use of renewable energy
3596 resources in this state, and developing specific recommendations
3597 for overcoming identified barriers, with findings and
3598 recommendations to be submitted annually in the report to the
3599 Governor and Legislature required under paragraph (f).

3600 4. In cooperation with the Department of Environmental

3601 Protection, the Department of Transportation, the Department of
 3602 Economic Opportunity, ~~Enterprise Florida, Inc.~~, the Florida
 3603 Energy Systems Consortium, the Florida Solar Energy Center, and
 3604 the Florida Solar Energy Industries Association, investigating
 3605 opportunities, pursuant to the national Energy Policy Act of
 3606 1992, the Housing and Community Development Act of 1992, and any
 3607 subsequent federal legislation, for renewable energy resources,
 3608 electric vehicles, and other renewable energy manufacturing,
 3609 distribution, installation, and financing efforts that enhance
 3610 this state's position as the leader in renewable energy
 3611 research, development, and use.

3612 5. Undertaking other initiatives to advance the
 3613 development and use of renewable energy resources in this state.

3614
 3615 In the exercise of its responsibilities under this paragraph,
 3616 the department shall seek the assistance of the renewable energy
 3617 industry in this state and other interested parties and may
 3618 enter into contracts, retain professional consulting services,
 3619 and expend funds appropriated by the Legislature for such
 3620 purposes.

3621 Section 141. Subsection (5) of section 377.804, Florida
 3622 Statutes, is amended to read:

3623 377.804 Renewable Energy and Energy-Efficient Technologies
 3624 Grants Program.—

3625 (5) The department shall solicit the expertise of state

3626 agencies, ~~Enterprise Florida, Inc.~~, and state universities, and
 3627 may solicit the expertise of other public and private entities
 3628 it deems appropriate, in evaluating project proposals. State
 3629 agencies shall cooperate with the department and provide such
 3630 assistance as requested.

3631 Section 142. Paragraph (a) of subsection (4) of section
 3632 377.809, Florida Statutes, is amended to read:

3633 377.809 Energy Economic Zone Pilot Program.—

3634 (4)(a) Beginning July 1, 2012, all the incentives and
 3635 benefits provided for enterprise zones pursuant to state law
 3636 shall be available to the energy economic zones designated
 3637 pursuant to this section on or before July 1, 2010. In order to
 3638 provide incentives, by March 1, 2012, each local governing body
 3639 that has jurisdiction over an energy economic zone must, by
 3640 local ordinance, establish the boundary of the energy economic
 3641 zone, specify applicable energy-efficiency standards, and
 3642 determine eligibility criteria for the application of state and
 3643 local incentives and benefits in the energy economic zone.
 3644 ~~However, in order to receive benefits provided under s. 288.106,~~
 3645 ~~a business must be a qualified target industry business under s.~~
 3646 ~~288.106 for state purposes.~~ An energy economic zone's boundary
 3647 may be revised by local ordinance. Such incentives and benefits
 3648 include those in ss. ~~212.08~~, 212.096, 220.181, 220.182, 220.183,
 3649 ~~288.106~~, and 624.5105 and the public utility discounts provided
 3650 in s. 290.007(8). ~~The exemption provided in s. 212.08(5)(c)~~

3651 ~~shall be for renewable energy as defined in s. 377.803.~~ For
 3652 purposes of this section, any applicable requirements for
 3653 employee residency for higher refund or credit thresholds must
 3654 be based on employee residency in the energy economic zone or an
 3655 enterprise zone. A business in an energy economic zone may also
 3656 be eligible for funding under ss. 288.047 and 445.003, ~~and a~~
 3657 ~~transportation project in an energy economic zone shall be~~
 3658 ~~provided priority in funding under s. 339.2821.~~ Other projects
 3659 shall be given priority ranking to the extent practicable for
 3660 grants administered under state energy programs.

3661 Section 143. Subsections (1) and (5) of section 380.0657,
 3662 Florida Statutes, are amended to read:

3663 380.0657 Expedited permitting process for economic
 3664 development projects.—

3665 (1) The Department of Environmental Protection and, as
 3666 appropriate, the water management districts created under
 3667 chapter 373 shall adopt programs to expedite the processing of
 3668 wetland resource and environmental resource permits for ~~economic~~
 3669 ~~development projects that have been identified by a municipality~~
 3670 ~~or county as meeting the definition of target industry~~
 3671 ~~businesses under s. 288.106, or any intermodal logistics center~~
 3672 receiving or sending cargo to or from Florida ports, with the
 3673 exception of those projects requiring approval by the Board of
 3674 Trustees of the Internal Improvement Trust Fund.

3675 (5) Notwithstanding the provisions of this section, permit

3676 applications for projects to be located in a charter county that
 3677 has a population of 1.2 million or more and has entered into a
 3678 delegation agreement with the Department of Environmental
 3679 Protection or the applicable water management district to
 3680 process environmental resource permits, wetland resource
 3681 management permits, or surface water management permits pursuant
 3682 to chapter 373 are eligible for expedited permitting under this
 3683 section only upon designation by resolution of the charter
 3684 county's governing board. ~~Before the governing board decides~~
 3685 ~~that a project is eligible for expedited permitting, it may~~
 3686 ~~require the county's economic development agency, or such other~~
 3687 ~~agency that provides advice to the governing board on economic~~
 3688 ~~matters, to review and recommend whether the project meets the~~
 3689 ~~definition of a target industry business as defined in s.~~
 3690 ~~288.106 and to identify the tangible benefits and impacts of the~~
 3691 ~~project.~~ The governing board's decision shall be made without
 3692 consideration of the project's geographic location within the
 3693 charter county. ~~If the governing board designates the project as~~
 3694 ~~a target industry business, the permit application for the~~
 3695 ~~project shall be approved or denied within the timeframe~~
 3696 ~~provided in subsection (4).~~

3697 Section 144. Subsection (1) of section 401.23, Florida
 3698 Statutes, is amended to read:

3699 401.23 Definitions.—As used in this part, the term:

3700 (1) "Acute and postacute hospital care at home" means

3701 acute and postacute health care services provided in a
 3702 clinically qualified patient's permanent residence, as defined
 3703 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by
 3704 the Centers for Medicare and Medicaid Services and the Agency
 3705 for Health Care Administration.

3706 Section 145. Subsection (5) of section 403.7032, Florida
 3707 Statutes, is amended to read:

3708 403.7032 Recycling.—

3709 (5) The Department of Environmental Protection shall
 3710 create the Recycling Business Assistance Center by December 1,
 3711 2010. In carrying out its duties under this subsection, the
 3712 department shall consult with state agency personnel appointed
 3713 to serve as economic development liaisons under s. 288.021 ~~and~~
 3714 ~~seek technical assistance from Enterprise Florida, Inc.,~~ to
 3715 ensure the Recycling Business Assistance Center is positioned to
 3716 succeed. The purpose of the center shall be to serve as the
 3717 mechanism for coordination among state agencies and the private
 3718 sector in order to coordinate policy and overall strategic
 3719 planning for developing new markets and expanding and enhancing
 3720 existing markets for recyclable materials in this state, other
 3721 states, and foreign countries. The duties of the center must
 3722 include, at a minimum:

3723 (a) Identifying and developing new markets and expanding
 3724 and enhancing existing markets for recyclable materials.

3725 (b) Pursuing expanded end uses for recycled materials.

3726 (c) Targeting materials for concentrated market
3727 development efforts.

3728 (d) Developing proposals for new incentives for market
3729 development, particularly focusing on targeted materials.

3730 (e) Providing guidance on issues such as permitting,
3731 finance options for recycling market development, site location,
3732 research and development, grant program criteria for recycled
3733 materials markets, recycling markets education and information,
3734 and minimum content.

3735 (f) Coordinating the efforts of various governmental
3736 entities having market development responsibilities in order to
3737 optimize supply and demand for recyclable materials.

3738 (g) Evaluating source-reduced products as they relate to
3739 state procurement policy. The evaluation shall include, but is
3740 not limited to, the environmental and economic impact of source-
3741 reduced product purchases to the state. For the purposes of this
3742 paragraph, the term "source-reduced" means any method, process,
3743 product, or technology that significantly or substantially
3744 reduces the volume or weight of a product while providing, at a
3745 minimum, equivalent or generally similar performance and service
3746 to and for the users of such materials.

3747 (h) Providing evaluation of solid waste management grants,
3748 pursuant to s. 403.7095, to reduce the flow of solid waste to
3749 disposal facilities and encourage the sustainable recovery of
3750 materials from Florida's waste stream.

3751 (i) Providing below-market financing for companies that
 3752 manufacture products from recycled materials or convert
 3753 recyclable materials into raw materials for use in manufacturing
 3754 pursuant to the Florida Recycling Loan Program as administered
 3755 by the Florida First Capital Finance Corporation.

3756 (j) Maintaining a continuously updated online directory
 3757 listing the public and private entities that collect, transport,
 3758 broker, process, or remanufacture recyclable materials in the
 3759 state.

3760 (k) Providing information on the availability and benefits
 3761 of using recycled materials to private entities and industries
 3762 in the state.

3763 (l) Distributing any materials prepared in implementing
 3764 this subsection to the public, private entities, industries,
 3765 governmental entities, or other organizations upon request.

3766 (m) Coordinating with the Department of Economic
 3767 Opportunity and its partners to provide job placement and job
 3768 training services to job seekers through the state's workforce
 3769 services programs.

3770 Section 146. Paragraphs (f) through (h) of subsection (3)
 3771 of section 403.973, Florida Statutes, are redesignated as
 3772 paragraphs (e) through (g), respectively, subsections (16)
 3773 through (19) are renumbered as subsections (15) through (18),
 3774 respectively, and present paragraph (e) of subsection (3),
 3775 paragraph (b) of subsection (14), and present subsections (15)

3776 and (17) of that section are amended, to read:

3777 403.973 Expedited permitting; amendments to comprehensive
3778 plans.-

3779 (3)

3780 ~~(c) Projects that are part of the state-of-the-art~~
3781 ~~biomedical research institution and campus to be established in~~
3782 ~~this state by the grantee under s. 288.955 are eligible for the~~
3783 ~~expedited permitting process, if the projects are designated as~~
3784 ~~part of the institution or campus by the board of county~~
3785 ~~commissioners of the county in which the institution and campus~~
3786 ~~are established.~~

3787 (14)

3788 (b) Projects identified in paragraphs (3) (e)-(g) ~~(3) (f)-~~
3789 ~~(h) or challenges to state agency action in the expedited~~
3790 ~~permitting process for establishment of a state-of-the-art~~
3791 ~~biomedical research institution and campus in this state by the~~
3792 ~~grantee under s. 288.955 are subject to the same requirements as~~
3793 ~~challenges brought under paragraph (a), except that,~~
3794 notwithstanding s. 120.574, summary proceedings must be
3795 conducted within 30 days after a party files the motion for
3796 summary hearing, regardless of whether the parties agree to the
3797 summary proceeding.

3798 ~~(15) The Department of Economic Opportunity, working with~~
3799 ~~the agencies providing cooperative assistance and input~~
3800 ~~regarding the memoranda of agreement, shall review sites~~

3801 ~~proposed for the location of facilities that the Department of~~
 3802 ~~Economic Opportunity has certified to be eligible for the~~
 3803 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
 3804 ~~after the request for the review by the Department of Economic~~
 3805 ~~Opportunity, the agencies shall provide to the Department of~~
 3806 ~~Economic Opportunity a statement as to each site's necessary~~
 3807 ~~permits under local, state, and federal law and an~~
 3808 ~~identification of significant permitting issues, which if~~
 3809 ~~unresolved, may result in the denial of an agency permit or~~
 3810 ~~approval or any significant delay caused by the permitting~~
 3811 ~~process.~~

3812 (16)~~(17)~~ The Department of Economic Opportunity shall be
 3813 responsible for certifying a business as eligible for undergoing
 3814 expedited review under this section. ~~Enterprise Florida, Inc.,~~ A
 3815 county or municipal government, or the Rural Economic
 3816 Development Initiative may recommend to the Department of
 3817 Economic Opportunity that a project meeting the minimum job
 3818 creation threshold undergo expedited review.

3819 Section 147. Paragraph (c) of subsection (1) of section
 3820 443.091, Florida Statutes, is amended to read:

3821 443.091 Benefit eligibility conditions.—

3822 (1) An unemployed individual is eligible to receive
 3823 benefits for any week only if the Department of Economic
 3824 Opportunity finds that:

3825 (c) To make continued claims for benefits, she or he is

3826 reporting to the department in accordance with this paragraph
3827 and department rules. Department rules may not conflict with s.
3828 443.111(1)(b), which requires that each claimant continue to
3829 report regardless of any pending appeal relating to her or his
3830 eligibility or disqualification for benefits.

3831 1. For each week of unemployment claimed, each report
3832 must, at a minimum, include the name and address of each
3833 prospective employer contacted, or the date the claimant
3834 reported to a one-stop career center, pursuant to paragraph (d).
3835 For the purposes of this subparagraph, the term "address" means
3836 a website address, a physical address, or an e-mail address.

3837 2. The department shall offer an online assessment aimed
3838 at identifying an individual's skills, abilities, and career
3839 aptitude. The skills assessment must be voluntary, and the
3840 department shall allow a claimant to choose whether to take the
3841 skills assessment. The online assessment shall be made available
3842 to any person seeking services from a local workforce
3843 development board or a one-stop career center.

3844 a. If the claimant chooses to take the online assessment,
3845 the outcome of the assessment shall be made available to the
3846 claimant, local workforce development board, and one-stop career
3847 center. The department, local workforce development board, or
3848 one-stop career center shall use the assessment to develop a
3849 plan for referring individuals to training and employment
3850 opportunities. Aggregate data on assessment outcomes may be made

3851 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~
3852 ~~Inc.~~, for use in the development of policies related to
3853 education and training programs that will ensure that businesses
3854 in this state have access to a skilled and competent workforce.

3855 b. Individuals shall be informed of and offered services
3856 through the one-stop delivery system, including career
3857 counseling, the provision of skill match and job market
3858 information, and skills upgrade and other training
3859 opportunities, and shall be encouraged to participate in such
3860 services at no cost to the individuals. The department shall
3861 coordinate with CareerSource Florida, Inc., the local workforce
3862 development boards, and the one-stop career centers to identify,
3863 develop, and use best practices for improving the skills of
3864 individuals who choose to participate in skills upgrade and
3865 other training opportunities. The department may contract with
3866 an entity to create the online assessment in accordance with the
3867 competitive bidding requirements in s. 287.057. The online
3868 assessment must work seamlessly with the Reemployment Assistance
3869 Claims and Benefits Information System.

3870 Section 148. Paragraphs (b) through (g) of subsection (6)
3871 of section 445.004, Florida Statutes, are redesignated as
3872 paragraphs (a) through (f), respectively, and paragraph (d) of
3873 subsection (3), paragraphs (b) and (c) of subsection (5), and
3874 paragraph (a) of subsection (6) of that section are amended, to
3875 read:

3876 445.004 CareerSource Florida, Inc., and the state board;
 3877 creation; purpose; membership; duties and powers.—

3878 (3)

3879 (d) The state board must include the Secretary of Economic
 3880 Opportunity or his or her designee, ~~the vice chairperson of the~~
 3881 ~~board of directors of Enterprise Florida, Inc.,~~ and one member
 3882 representing each of the Workforce Innovation and Opportunity
 3883 Act partners, including the Division of Career and Adult
 3884 Education, the Division of Vocational Rehabilitation, the
 3885 Division of Blind Services, the Department of Children and
 3886 Families, and other entities representing programs identified in
 3887 the Workforce Innovation and Opportunity Act, as determined
 3888 necessary.

3889 (5) The state board has all the powers and authority not
 3890 explicitly prohibited by statute which are necessary or
 3891 convenient to carry out and effectuate its purposes as
 3892 determined by statute, Pub. L. No. 113-128, and the Governor, as
 3893 well as its functions, duties, and responsibilities, including,
 3894 but not limited to, the following:

3895 (b) Providing policy direction to ensure that the
 3896 following programs are administered by the department consistent
 3897 with approved plans:

3898 1. Programs authorized under Title I of the Workforce
 3899 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
 3900 exception of programs funded directly by the United States

3901 Department of Labor under Title I, s. 167.

3902 2. Programs authorized under the Wagner-Peyser Act of

3903 1933, as amended, 29 U.S.C. ss. 49 et seq.

3904 3. Activities authorized under Title II of the Trade Act

3905 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade

3906 Adjustment Assistance Program.

3907 4. Activities authorized under 38 U.S.C. chapter 41,

3908 including job counseling, training, and placement for veterans.

3909 5. Employment and training activities carried out under

3910 funds awarded to this state by the United States Department of

3911 Housing and Urban Development.

3912 6. Welfare transition services funded by the Temporary

3913 Assistance for Needy Families Program, created under the

3914 Personal Responsibility and Work Opportunity Reconciliation Act

3915 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,

3916 of the Social Security Act, as amended.

3917 7. The Florida Bonding Program, provided under Pub. L. No.

3918 97-300, s. 164(a)(1).

3919 8. The Food Assistance Employment and Training Program,

3920 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.

3921 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;

3922 the Hunger Prevention Act, Pub. L. No. 100-435; and the

3923 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

3924 9. The Quick-Response Training Program, provided under ss.

3925 288.046-288.047. ~~Matching funds and in-kind contributions that~~

3926 | ~~are provided by clients of the Quick-Response Training Program~~
 3927 | ~~count toward the requirements of s. 288.904, pertaining to the~~
 3928 | ~~return on investment from activities of Enterprise Florida, Inc.~~

3929 | 10. The Work Opportunity Tax Credit, provided under the
 3930 | Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
 3931 | and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

3932 | 11. Offender placement services, provided under ss.
 3933 | 944.707-944.708.

3934 | (c) Contracting with public and private entities as
 3935 | necessary to further the directives of this section. All
 3936 | contracts executed by the state board or CareerSource Florida,
 3937 | Inc., must include specific performance expectations and
 3938 | deliverables. All contracts, including those solicited, managed,
 3939 | or paid by the department under s. 20.60(5)(b) ~~s. 20.60(5)(c)~~,
 3940 | are exempt from s. 112.061, but shall be governed by subsection
 3941 | (1).

3942 | (6) The state board shall achieve the purposes of this
 3943 | section by:

3944 | (a) Creating a state employment, education, and training
 3945 | policy that ensures workforce related programs are responsive to
 3946 | present and future business and industry needs ~~and complement~~
 3947 | ~~the initiatives of Enterprise Florida, Inc.~~

3948 | Section 149. Subsection (5) of section 445.045, Florida
 3949 | Statutes, is amended to read:

3950 | 445.045 Development of an Internet-based system for

3951 information technology industry promotion and workforce
 3952 recruitment.—

3953 (5) In furtherance of the requirements of this section
 3954 that the website promote and market the information technology
 3955 industry by communicating information on the scope of the
 3956 industry in this state, CareerSource Florida, Inc., shall
 3957 ~~coordinate its efforts with the high-technology industry~~
 3958 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
 3959 ~~Through links or actual content, the website developed under~~
 3960 ~~this section shall serve as a forum for distributing the~~
 3961 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
 3962 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~
 3963 solicit input from the not-for-profit corporation created to
 3964 advocate on behalf of the information technology industry as an
 3965 outgrowth of the Information Service Technology Development Task
 3966 Force created under chapter 99-354, Laws of Florida.

3967 Section 150. Subsections (2) and (5) of section 446.44,
 3968 Florida Statutes, are amended to read:

3969 446.44 Duties of Rural Workforce Services Program.—It
 3970 shall be the direct responsibility of the Rural Workforce
 3971 Services Program to promote and deliver employment and workforce
 3972 services and resources to the rural undeveloped and
 3973 underdeveloped counties of the state in an effort to:

3974 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
 3975 ~~pollution-free industry to the rural counties.~~

3976 ~~(4)-(5)~~ Develop rural workforce programs that will be
 3977 evaluated, planned, and implemented through communications and
 3978 planning with appropriate:

3979 (a) Departments of state and federal governments.

3980 ~~(b) Units of Enterprise Florida, Inc.~~

3981 (b)-(e) Agencies and organizations of the public and
 3982 private sectors at the state, regional, and local levels.

3983 Section 151. Subsection (1) of section 465.003, Florida
 3984 Statutes, is amended to read:

3985 465.003 Definitions.—As used in this chapter, the term:

3986 (1) "Acute and postacute hospital care at home" means
 3987 acute and postacute health care services provided in a
 3988 clinically qualified patient's permanent residence, as defined
 3989 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by
 3990 the Centers for Medicare and Medicaid Services and the Agency
 3991 for Health Care Administration.

3992 Section 152. Subsection (5) of section 477.0135, Florida
 3993 Statutes, is amended to read:

3994 477.0135 Exemptions.—

3995 (5) A license is not required of any individual providing
 3996 makeup, special effects, or cosmetology services to an actor,
 3997 stunt person, musician, extra, or other talent during a
 3998 theatrical, film, or other entertainment production ~~recognized~~
 3999 ~~by the Office of Film and Entertainment as a qualified~~
 4000 ~~production as defined in s. 288.1254(1)~~. Such services are not

4001 required to be performed in a licensed salon. Individuals exempt
 4002 under this subsection may not provide such services to the
 4003 general public.

4004 Section 153. Subsection (1) of section 570.81, Florida
 4005 Statutes, is amended to read:

4006 570.81 Agricultural Economic Development Project Review
 4007 Committee; powers and duties.—

4008 (1) There is created an Agricultural Economic Development
 4009 Project Review Committee consisting of five members appointed by
 4010 the commissioner. The members shall be appointed based upon the
 4011 recommendations submitted by each entity represented on the
 4012 committee and shall include:

4013 (a) The commissioner or the commissioner's designee.

4014 (b) One representative from the Farm Credit Service.

4015 (c) One representative from the Department of Economic
 4016 Opportunity Enterprise Florida, Inc.

4017 (d) One representative from the Florida Farm Bureau
 4018 Federation.

4019 (e) One agricultural economist from the Institute of Food
 4020 and Agricultural Sciences or from Florida Agricultural and
 4021 Mechanical University.

4022 Section 154. Subsection (2) of section 570.85, Florida
 4023 Statutes, is amended to read:

4024 570.85 Agritourism.—

4025 (2) The Department of Agriculture and Consumer Services

4026 may provide marketing advice, technical expertise, promotional
 4027 support, and product development related to agritourism to
 4028 assist the following in their agritourism initiatives:
 4029 ~~Enterprise Florida, Inc.;~~ convention and visitor bureaus,+
 4030 tourist development councils,+ economic development
 4031 organizations,+ and local governments. In carrying out this
 4032 responsibility, the department shall focus its agritourism
 4033 efforts on rural and urban communities.

4034 Section 155. Paragraph (c) of subsection (1) of section
 4035 624.5105, Florida Statutes, is amended to read:

4036 624.5105 Community contribution tax credit; authorization;
 4037 limitations; eligibility and application requirements;
 4038 administration; definitions; expiration.—

4039 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

4040 (c) The total amount of tax credit which may be granted
 4041 for all programs approved under this section and ss.
 4042 212.08(5)(o) and 220.183 ~~ss. 212.08(5)(p) and 220.183~~ is \$14.5
 4043 million in the 2022-2023 fiscal year and in each fiscal year
 4044 thereafter for projects that provide housing opportunities for
 4045 persons with special needs as defined in s. 420.0004 or
 4046 homeownership opportunities for low-income or very-low-income
 4047 households as defined in s. 420.9071 and \$4.5 million in the
 4048 2022-2023 fiscal year and in each fiscal year thereafter for all
 4049 other projects.

4050 Section 156. Section 625.3255, Florida Statutes, is

4051 repealed.

4052 Section 157. Subsection (4) of section 657.042, Florida
4053 Statutes, is amended to read:

4054 657.042 Investment powers and limitations.—A credit union
4055 may invest its funds subject to the following definitions,
4056 restrictions, and limitations:

4057 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
4058 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
4059 the credit union may be invested in ~~any of the following:~~

4060 ~~(a) corporate obligations of any one corporation which is~~
4061 ~~an affiliate or subsidiary of the credit union or a service~~
4062 ~~corporation, except that the total investment in all such~~
4063 ~~corporate obligations shall not exceed 10 percent of the capital~~
4064 ~~of the credit union.~~

4065 ~~(b) Any capital participation instrument or evidence of~~
4066 ~~indebtedness issued by Enterprise Florida, Inc., pursuant to the~~
4067 ~~Florida Small and Minority Business Assistance Act.~~

4068 Section 158. Paragraph (f) of subsection (4) of section
4069 658.67, Florida Statutes, is amended to read:

4070 658.67 Investment powers and limitations.—A bank may
4071 invest its funds, and a trust company may invest its corporate
4072 funds, subject to the following definitions, restrictions, and
4073 limitations:

4074 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR
4075 LESS OF CAPITAL ACCOUNTS.—

4076 ~~(f) Up to 10 percent of the capital accounts of a bank or~~
 4077 ~~trust company may be invested in any capital participation~~
 4078 ~~instrument or evidence of indebtedness issued by Enterprise~~
 4079 ~~Florida, Inc., pursuant to the Florida Small and Minority~~
 4080 ~~Business Assistance Act.~~

4081 Section 159. Paragraphs (f) through (l) of subsection (2)
 4082 of section 1004.015, Florida Statutes, are redesignated as
 4083 paragraphs (e) through (k), respectively, and present paragraph
 4084 (e) of subsection (2) of that section is amended, to read:

4085 1004.015 Florida Talent Development Council.—

4086 (2) Members of the council shall include:

4087 ~~(c) The president of Enterprise Florida, Inc.~~

4088 Section 160. Paragraph (d) of subsection (5) of section
 4089 1004.65, Florida Statutes, is amended to read:

4090 1004.65 Florida College System institutions; governance,
 4091 mission, and responsibilities.—

4092 (5) The primary mission and responsibility of Florida
 4093 College System institutions is responding to community needs for
 4094 postsecondary academic education and career degree education.
 4095 This mission and responsibility includes being responsible for:

4096 (d) Promoting economic development for the state within
 4097 each Florida College System institution district through the
 4098 provision of special programs, including, but not limited to,
 4099 the:

4100 ~~1. Enterprise Florida-related programs.~~

4101 ~~1.2.~~ Technology transfer centers.

4102 ~~2.3.~~ Economic development centers.

4103 ~~3.4.~~ Workforce literacy programs.

4104 Section 161. Paragraph (b) of subsection (10) of section
4105 1004.78, Florida Statutes, is amended to read:

4106 1004.78 Technology transfer centers at Florida College
4107 System institutions.—

4108 (10) The State Board of Education may award grants to
4109 Florida College System institutions, or consortia of public and
4110 private colleges and universities and other public and private
4111 entities, for the purpose of supporting the objectives of this
4112 section. Grants awarded pursuant to this subsection shall be in
4113 accordance with rules of the State Board of Education. Such
4114 rules shall include the following provisions:

4115 (b) Grants to centers funded with state revenues
4116 appropriated specifically for technology transfer activities
4117 shall be reviewed and approved by the State Board of Education
4118 using proposal solicitation, evaluation, and selection
4119 procedures established by the state board in consultation with
4120 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~
4121 Such procedures may include designation of specific areas or
4122 applications of technology as priorities for the receipt of
4123 funding.

4124 Section 162. Subsection (4) of section 1011.76, Florida
4125 Statutes, is amended to read:

4126 | 1011.76 Small School District Stabilization Program.—
 4127 | (4) The Department of Education may award the school
 4128 | district a stabilization grant intended to protect the district
 4129 | from continued financial reductions. The amount of the grant
 4130 | will be determined by the Department of Education and may be
 4131 | equivalent to the amount of the decline in revenues projected
 4132 | for the next fiscal year. In addition, the Department of
 4133 | Economic Opportunity may implement a rural economic development
 4134 | initiative to identify the economic factors that are negatively
 4135 | impacting the community ~~and may consult with Enterprise Florida,~~
 4136 | ~~Inc., in developing a plan to assist the county with its~~
 4137 | ~~economic transition.~~ The grant will be available to the school
 4138 | district for a period of up to 5 years to the extent that
 4139 | funding is provided for such purpose in the General
 4140 | Appropriations Act.

4141 | Section 163. Subsection (1) of section 1011.94, Florida
 4142 | Statutes, is amended to read:

4143 | 1011.94 University Major Gifts Program.—

4144 | (1) There is established a University Major Gifts Program.
 4145 | The purpose of the program is to enable each university to
 4146 | provide donors with an incentive in the form of matching grants
 4147 | for donations for the establishment of permanent endowments and
 4148 | sales tax exemption matching funds received pursuant to s.
 4149 | 212.08(5)(i) ~~s. 212.08(5)(j)~~, which must be invested, with the
 4150 | proceeds of the investment used to support libraries and

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4151 | instruction and research programs, as defined by the Board of
4152 | Governors.

4153 | Section 164. This act shall take effect July 1, 2023.