

26 | Division of Law Revision; providing transitional
27 | provisions for terminated programs established
28 | pursuant to certain statutes; amending ss. 159.803,
29 | 189.033, 196.012, 196.101, 196.121, 196.1995,
30 | 197.3181, 197.319, 212.08, 212.098, 212.20, 213.053,
31 | 218.64, 220.02, 220.13, and 220.16, F.S.; conforming
32 | provisions to changes made by the act; conforming a
33 | cross-reference; repealing s. 220.1899, F.S., relating
34 | to an entertainment industry tax credit; amending s.
35 | 220.191, F.S.; conforming provisions to changes made
36 | by the act; repealing s. 220.194, F.S., relating to
37 | corporate income tax credits for spaceflight projects;
38 | amending ss. 220.196, 272.11, 287.0947, 287.137,
39 | 288.0001, 288.001, and 288.005, F.S.; conforming
40 | provisions to changes made by the act; amending s.
41 | 288.012, F.S.; requiring the department to establish a
42 | direct-support organization designated Florida
43 | International Trade, Inc., for certain purposes;
44 | requiring the department to approve the articles of
45 | incorporation and the bylaws of the organization;
46 | providing for the creation, use, powers, and duties of
47 | the corporation; authorizing the corporation to take
48 | certain actions; requiring the corporation to provide
49 | for a certain audit; providing requirements for the
50 | deposit and use of certain moneys; providing an

51 exemption from public records requirements for the
52 identity of certain donors and prospective donors;
53 authorizing the department to terminate a certain
54 agreement in certain circumstances; providing for the
55 distribution of corporation assets upon termination of
56 the corporation; declaring that the corporation and
57 entities thereof are subject to the public records and
58 public meeting laws of the state; providing that
59 certain persons are subject to certain ethics and
60 financial disclosure requirements; requiring the
61 corporation to enter into a certain contract with the
62 department; providing for the board of directors of
63 the corporation and requirements thereof; providing
64 for meetings of the board of directors; providing that
65 members of the board of directors shall serve without
66 compensation but may be reimbursed for certain
67 expenses; requiring the department to annually take
68 certain actions; requiring the department to submit a
69 certain budget by a certain date each fiscal year;
70 providing for the scheduled repeal of the corporation;
71 amending ss. 288.017, 288.018, 288.047, 288.061,
72 288.0655, 288.0656, 288.0658, 288.075, 288.076, and
73 288.095, F.S.; conforming provisions to changes made
74 by the act; conforming a cross-reference; amending s.
75 288.101, F.S.; removing a provision authorizing the

76 Governor to approve certain infrastructure funding;
77 repealing ss. 288.1045 and 288.106, F.S., relating to
78 the qualified defense contractor and space flight
79 business tax refund program and a tax refund program
80 for qualified target industry businesses,
81 respectively; amending s. 288.107, F.S.; authorizing
82 the department to adopt certain rules; conforming
83 provisions to changes made by the act; amending s.
84 288.108, F.S.; conforming provisions to changes made
85 by the act; repealing ss. 288.1081, 288.1082,
86 288.1088, and 288.1089, F.S., relating to the Economic
87 Gardening Business Loan Pilot Program, the Economic
88 Gardening Technical Assistance Pilot Program, the
89 Quick Action Closing Fund, and the Innovation
90 Incentive Program, respectively; amending s. 288.111,
91 F.S.; conforming a provision to changes made by the
92 act; repealing ss. 288.1168, 288.1169, and 288.1171,
93 F.S., relating to the professional golf hall of fame
94 facility, the International Game Fish Association
95 World Center facility, and motorsports entertainment
96 complexes, respectively; amending ss. 288.122 and
97 288.1226, F.S.; conforming provisions to changes made
98 by the act; amending s. 288.12265, F.S.; transferring
99 responsibility for administering and operating welcome
100 centers from Enterprise Florida, Inc., to the Florida

101 Tourism Industry Marketing Corporation; repealing ss.
 102 288.125, 288.1251, 288.1252, 288.1253, and 288.1254,
 103 F.S., relating to a definition of the term
 104 "entertainment industry," the promotion and
 105 development of the entertainment industry by the
 106 Office of Film and Entertainment, the Florida Film and
 107 Entertainment Advisory Council, certain travel and
 108 entertainment expenses, and an entertainment industry
 109 financial incentive program, respectively; amending
 110 ss. 288.1258, 288.7015, 288.706, 288.773, 288.776,
 111 288.7771, and 288.816, F.S.; conforming provisions to
 112 changes made by the act; amending s. 288.826, F.S.;
 113 providing that moneys deposited in the trust fund may
 114 be administered for the operation of Florida
 115 International Trade, Inc.; repealing ss. 288.901,
 116 288.9015, 288.903, 288.904, 288.905, and 288.906,
 117 F.S., relating to Enterprise Florida, Inc., powers of
 118 board of directors of Enterprise Florida, Inc., duties
 119 of Enterprise Florida, Inc., funding for Enterprise
 120 Florida, Inc., the president and employees of
 121 Enterprise Florida, Inc., and the annual report and
 122 audits of Enterprise Florida, Inc., and its divisions,
 123 respectively; transferring, renumbering, and amending
 124 s. 288.907, F.S.; conforming provisions to changes
 125 made by the act; repealing s. 288.911, F.S., relating

126 to the creation and implementation of a marketing and
127 image campaign; transferring, renumbering, and
128 amending s. 288.912, F.S.; conforming provisions to
129 changes made by the act; repealing ss. 288.92,
130 288.923, 288.95155, and 288.9519, F.S., relating to
131 relating to the divisions of Enterprise Florida, Inc.,
132 the Division of Tourism Marketing, the Florida Small
133 Business Technology Growth Program, and a not-for-
134 profit corporation intended to promote the
135 competitiveness and profitability of high-technology
136 business and industry, respectively; amending s.
137 288.9520, F.S.; conforming provisions to changes made
138 by the act; repealing s. 288.955, F.S., relating to
139 the Scripps Florida Funding Corporation; amending ss.
140 288.9603, 288.9605, 288.9614, and 288.9624, F.S.;
141 conforming provisions to changes made by the act;
142 amending s. 288.96255, F.S.; conforming a cross-
143 reference; amending ss. 288.980 and 288.987, F.S.;
144 conforming a provision to changes made by the act;
145 repealing ss. 288.991, 288.9912, 288.9913, 288.9914,
146 288.9915, 288.9916, 288.9917, 288.9918, 288.9919,
147 288.9920, 288.9921, and 288.9922, F.S., relating to
148 the New Markets Development Program; repealing ss.
149 288.993, 288.9931, 288.9932, 288.9933, 288.9934,
150 288.9935, 288.9936, and 288.9937, F.S., relating to

151 the Florida Microfinance Act, definitions relating to
 152 certain programs, the Microfinance Loan Program, the
 153 Microfinance Guarantee Program, annual reports for
 154 certain programs, and the evaluation of certain
 155 programs, respectively; amending ss. 288.9961,
 156 290.0056, 290.0065, 290.00677, 290.053, 295.22,
 157 320.08058, and 331.3051, F.S.; conforming provisions
 158 to changes made by the act; conforming cross-
 159 references; amending s. 331.3081, F.S.; revising the
 160 board of directors of Space Florida; amending s.
 161 339.08, F.S.; conforming provisions to changes made by
 162 the act; repealing s. 339.2821, F.S., relating to
 163 economic development transportation projects; amending
 164 ss. 377.703, 377.804, 377.809, 380.0657, 401.23,
 165 403.7032, 403.973, 443.091, 445.004, 445.045, 446.44,
 166 465.003, 477.0135, 570.81, and 570.85, F.S.;
 167 conforming provisions to changes made by the act;
 168 repealing s. 625.3255, F.S., relating to a capital
 169 participation instrument; amending ss. 657.042,
 170 658.67, 1004.015, 1004.65, 1004.78, and 1011.76, F.S.;
 171 conforming provisions to changes made by the act;
 172 providing appropriations and authorizing positions;
 173 providing a directive to the Division of Law Revision;
 174 providing legislative intent; providing an effective
 175 date.

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

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

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

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

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

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

14.32 Office of Chief Inspector General.—

201 (3) Related to public-private partnerships, the Chief
 202 Inspector General:

203 (a) Shall advise public-private partnerships, ~~including~~
 204 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
 205 improvement of internal control measures necessary to ensure
 206 fiscal accountability.

207 Section 3. Section 15.18, Florida Statutes, is amended to
 208 read:

209 15.18 International and cultural relations.—The Divisions
 210 of Arts and Culture, Historical Resources, and Library and
 211 Information Services of the Department of State promote programs
 212 having substantial cultural, artistic, and indirect economic
 213 significance that emphasize American creativity. The Secretary
 214 of State, as the head administrator of these divisions, shall
 215 hereafter be known as "Florida's Chief Arts and Culture
 216 Officer." As this officer, the Secretary of State is encouraged
 217 to initiate and develop relationships between the state and
 218 foreign cultural officers, their representatives, and other
 219 foreign governmental officials in order to promote Florida as
 220 the center of American creativity. The Secretary of State shall
 221 coordinate international activities pursuant to this section
 222 with the Department of Commerce ~~Enterprise Florida, Inc.,~~ and
 223 any other organization the secretary deems appropriate. For the
 224 accomplishment of this purpose, the Secretary of State shall
 225 have the power and authority to:

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

228 (2) Plan and carry out activities designed to cause
 229 improved cultural and governmental programs and exchanges with
 230 foreign countries.

231 (3) Plan and implement cultural and social activities for
 232 visiting foreign heads of state, diplomats, dignitaries, and
 233 exchange groups.

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

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

240 (6) Provide, arrange, and make expenditures for the
 241 achievement of any or all of the purposes specified in this
 242 section.

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

245 15.182 International travel by state-funded musical,
 246 cultural, or artistic organizations; notification to the
 247 Department of State.—

248 (2) The Department of State, in conjunction with the
 249 Department of Commerce ~~Economic Opportunity and Enterprise~~
 250 ~~Florida, Inc.,~~ shall act as an intermediary between performing

251 musical, cultural, and artistic organizations and Florida
 252 businesses to encourage and coordinate joint undertakings. Such
 253 coordination may include, but is not limited to, encouraging
 254 business and industry to sponsor cultural events, assistance
 255 with travel of such organizations, and coordinating travel
 256 schedules of cultural performance groups and international trade
 257 missions.

258 Section 5. Paragraph (a) of subsection (7) of section
 259 20.435, Florida Statutes, is amended to read:

260 20.435 Department of Health; trust funds.—The following
 261 trust funds shall be administered by the Department of Health:

262 (7) Biomedical Research Trust Fund.

263 (a) Funds to be credited to the trust fund shall consist
 264 of funds appropriated by the Legislature. Funds shall be used
 265 for the purposes of the James and Esther King Biomedical
 266 Research Program, the Casey DeSantis Cancer Research Program,
 267 and the William G. "Bill" Bankhead, Jr., and David Coley Cancer
 268 Research Program as specified in ss. 215.5602, ~~288.955~~, 381.915,
 269 and 381.922. The trust fund is exempt from the service charges
 270 imposed by s. 215.20.

271 Section 6. Section 20.60, Florida Statutes, is amended to
 272 read::

273 20.60 Department of Commerce ~~Economic Opportunity~~;
 274 creation; powers and duties.—

275 (1) There is created the Department of Commerce ~~Economic~~

276 ~~Opportunity.~~

277 (2) The head of the department is the Secretary of
 278 Commerce ~~Economic Opportunity~~, who shall be appointed by the
 279 Governor, subject to confirmation by the Senate. The secretary
 280 shall serve at the pleasure of and report to the Governor and
 281 shall serve as the Governor's chief negotiator for business
 282 recruitment and expansion and economic development. The
 283 secretary may appoint deputy and assistant secretaries as
 284 necessary to aid the secretary in fulfilling his or her
 285 statutory obligations.

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

- 288 1. The Division of Economic ~~Strategic Business~~
 289 Development.
- 290 2. The Division of Community Development.
- 291 3. The Division of Workforce Services.
- 292 4. The Division of Finance and Administration.
- 293 5. The Division of Information Technology.
- 294 6. The Office of the Secretary.
- 295 7. The Office of Economic Accountability and Transparency,
 296 which shall:
 - 297 a. Oversee the department's critical objectives as
 298 determined by the secretary and make sure that the department's
 299 key objectives are clearly communicated to the public.
 - 300 b. Organize department resources, expertise, data, and

301 research to focus on and solve the complex economic challenges
302 facing the state.

303 c. Provide leadership for the department's priority issues
304 that require integration of policy, management, and critical
305 objectives from multiple programs and organizations internal and
306 external to the department; and organize and manage external
307 communication on such priority issues.

308 d. Promote and facilitate key department initiatives to
309 address priority economic issues and explore data and identify
310 opportunities for innovative approaches to address such economic
311 issues.

312 e. Promote strategic planning for the department.

313 (b) The secretary:

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

317 2. Shall appoint a director for each division, who shall
318 directly administer his or her division and be responsible to
319 the secretary.

320 (4) The purpose of the department is to assist the
321 Governor in working with the Legislature, state agencies,
322 business leaders, and economic development professionals to
323 formulate and implement coherent and consistent policies and
324 strategies designed to promote economic opportunities for all
325 Floridians. The department is the Governor's chief agency for

326 business recruitment and expansion and economic development. To
 327 accomplish such purposes, the department shall:

328 (a) Facilitate the direct involvement of the Governor and
 329 the Lieutenant Governor in economic development and workforce
 330 development projects designed to create, expand, and retain
 331 businesses in this state, to recruit business from around the
 332 world, to promote the state as a probusiness location for new
 333 investment, and to facilitate other job-creating efforts.

334 (b) Recruit new businesses to this state and promote the
 335 expansion of existing businesses by expediting permitting and
 336 location decisions, worker placement and training, and incentive
 337 awards.

338 (c) Promote viable, sustainable communities by providing
 339 technical assistance and guidance on growth and development
 340 issues, grants, and other assistance to local communities.

341 (d) Ensure that the state's goals and policies relating to
 342 economic development, workforce development, community planning
 343 and development, and affordable housing are fully integrated
 344 with appropriate implementation strategies.

345 (e) Manage the activities of public-private partnerships
 346 and state agencies in order to avoid duplication and promote
 347 coordinated and consistent implementation of programs in areas
 348 including, but not limited to, tourism; international trade and
 349 investment; business recruitment, creation, retention, and
 350 expansion; minority and small business development; rural

351 community development; and the development and promotion of
352 professional and amateur sporting events.

353 (f) Coordinate with state agencies on the processing of
354 state development approvals or permits to minimize the
355 duplication of information provided by the applicant and the
356 time before approval or disapproval.

357 (g) Encourage and oversee the coordination of
358 international trade development efforts of public institutions,
359 business associations, economic development councils, and
360 private industry. Contract with the direct-support organization
361 created under s. 288.012 to assist with coordination, provide
362 services through State of Florida international offices, and
363 assist in developing and carrying out the 5-year statewide
364 strategic plan as it relates to foreign investment,
365 international partnerships, and other international business and
366 trade development.

367 (h) Support Florida's defense, space, and aerospace
368 industries.

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

370 (j) Assist, promote, and enhance economic opportunities
371 for this state's minority-owned businesses and rural and urban
372 communities.

373 (5) The divisions within the department have specific
374 responsibilities to achieve the duties, responsibilities, and
375 goals of the department. Specifically:

376 (a) The Division of Economic Strategic Business
 377 Development shall:
 378 1. Analyze and evaluate business prospects identified by
 379 the Governor and, the secretary, ~~and Enterprise Florida, Inc.~~
 380 2. Administer certain tax refund, tax credit, and grant
 381 programs created in law. Notwithstanding any other provision of
 382 law, the department may expend interest earned from the
 383 investment of program funds deposited in the Grants and
 384 Donations Trust Fund to contract for the administration of those
 385 programs, or portions of the programs, assigned to the
 386 department by law, by the appropriations process, or by the
 387 Governor. Such expenditures shall be subject to review under
 388 chapter 216.
 389 3. Develop measurement protocols for the state incentive
 390 programs and for the contracted entities which will be used to
 391 determine their performance and competitive value to the state.
 392 Performance measures, benchmarks, and sanctions must be
 393 developed in consultation with the legislative appropriations
 394 committees and the appropriate substantive committees, and are
 395 subject to the review and approval process provided in s.
 396 216.177. The approved performance measures, standards, and
 397 sanctions shall be included and made a part of the strategic
 398 plan for contracts entered into for delivery of programs
 399 authorized by this section.
 400 4. Develop a 5-year statewide strategic plan. The

401 strategic plan must include, but need not be limited to:

402 a. Strategies for the promotion of business formation,
403 expansion, recruitment, and retention through aggressive
404 marketing, attraction of venture capital and finance
405 development, domestic trade, international development, and
406 export assistance, which lead to more and better jobs and higher
407 wages for all geographic regions, disadvantaged communities, and
408 populations of the state, including rural areas, minority
409 businesses, and urban core areas.

410 b. The development of realistic policies and programs to
411 further the economic diversity of the state, its regions, and
412 their associated industrial clusters.

413 c. Specific provisions for the stimulation of economic
414 development and job creation in rural areas and midsize cities
415 and counties of the state, including strategies for rural
416 marketing and the development of infrastructure in rural areas.

417 d. Provisions for the promotion of the successful long-
418 term economic development of the state with increased emphasis
419 in market research and information.

420 e. Plans for the generation of foreign investment in the
421 state which create jobs paying above-average wages and which
422 result in reverse investment in the state, including programs
423 that establish viable overseas markets, assist in meeting the
424 financing requirements of export-ready firms, broaden
425 opportunities for international joint venture relationships, use

426 the resources of academic and other institutions, coordinate
427 trade assistance and facilitation services, and facilitate
428 availability of and access to education and training programs
429 that assure requisite skills and competencies necessary to
430 compete successfully in the global marketplace.

431 f. The identification of business sectors that are of
432 current or future importance to the state's economy and to the
433 state's global business image, and development of specific
434 strategies to promote the development of such sectors.

435 g. Strategies for talent development necessary in the
436 state to encourage economic development growth, taking into
437 account factors such as the state's talent supply chain,
438 education and training opportunities, and available workforce.

439 h. Strategies and plans to support this state's defense,
440 space, and aerospace industries and the emerging complementary
441 business activities and industries that support the development
442 and growth of defense, space, and aerospace in this state.

443 5. Update the strategic plan every 5 years.

444 6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
445 Inc.; direct-support organizations of the department; local
446 governments; the general public; local and regional economic
447 development organizations; other local, state, and federal
448 economic, international, and workforce development entities; the
449 business community; and educational institutions to assist with
450 the strategic plan.

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

454 8. Administer the entities and programs created pursuant
455 to ss. 288.9622-288.9624.

456 9. Provide the Governor, the President of the Senate, and
457 the Speaker of the House of Representatives a detailed
458 incentives report quantifying the economic benefits for all of
459 the economic development incentive programs offered by the state
460 as required under s. 288.0065.

461 (b) The Division of Community Development shall:

462 1. Assist local governments and their communities in
463 finding creative planning solutions to help them foster vibrant,
464 healthy communities, while protecting the functions of important
465 state resources and facilities.

466 2. Administer state and federal grant programs as provided
467 by law to provide community development and project planning
468 activities to maintain viable communities, revitalize existing
469 communities, and expand economic development and employment
470 opportunities, including:

471 a. The Community Services Block Grant Program.

472 b. The Community Development Block Grant Program in
473 chapter 290.

474 c. The Low-Income Home Energy Assistance Program in
475 chapter 409.

476 d. The Weatherization Assistance Program in chapter 409.

477 e. The Neighborhood Stabilization Program.

478 f. The local comprehensive planning process and the
479 development of regional impact process.

480 g. The Front Porch Florida Initiative through the Office
481 of Urban Opportunity, which is created within the division. The
482 purpose of the office is to administer the Front Porch Florida
483 initiative, a comprehensive, community-based urban core
484 redevelopment program that enables urban core residents to craft
485 solutions to the unique challenges of each designated community.

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

488 (c) The Division of Workforce Services shall:

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

492 2. Ensure that the state appropriately administers federal
493 and state workforce funding by administering plans and policies
494 of the state board as defined in s. 445.002. The operating
495 budget and midyear amendments thereto must be part of such
496 contract.

497 a. All program and fiscal instructions to local workforce
498 development boards shall emanate from the Department of Commerce
499 ~~Economic Opportunity~~ pursuant to plans and policies of the state

500 board as defined in s. 445.002, which shall be responsible for
 501 all policy directions to the local workforce development boards.

502 b. Unless otherwise provided by agreement with the state
 503 board as defined in s. 445.002, administrative and personnel
 504 policies of the Department of Commerce ~~Economic Opportunity~~
 505 apply.

506 3. Implement the state's reemployment assistance program.
 507 The Department of Commerce ~~Economic Opportunity~~ shall ensure
 508 that the state appropriately administers the reemployment
 509 assistance program pursuant to state and federal law.

510 4. Assist in developing the 5-year statewide strategic
 511 plan required by this section, including identifying education
 512 and training programs to ensure that the state has the skilled
 513 and competent workforce necessary to attract and grow business
 514 in this state and allow such businesses to compete successfully
 515 in domestic and global markets.

516 (6)(a) The Department of Commerce ~~Economic Opportunity~~ is
 517 the administrative agency designated for receipt of federal
 518 workforce development grants and other federal funds. The
 519 department shall administer the duties and responsibilities
 520 assigned by the Governor under each federal grant assigned to
 521 the department. The department shall expend each revenue source
 522 as provided by federal and state law and as provided in plans
 523 developed by and agreements with the state board as defined in
 524 s. 445.002. The department may serve as the contract

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

527 (b) The Department of Commerce ~~Economic Opportunity~~ shall
528 serve as the designated agency for purposes of each federal
529 workforce development grant assigned to it for administration.
530 The department shall carry out the duties assigned to it by the
531 Governor, under the terms and conditions of each grant. The
532 department shall have the level of authority and autonomy
533 necessary to be the designated recipient of each federal grant
534 assigned to it and shall disburse such grants pursuant to the
535 plans and policies of the state board as defined in s. 445.002.
536 The secretary may, upon delegation from the Governor and
537 pursuant to agreement with the state board, sign contracts,
538 grants, and other instruments as necessary to execute functions
539 assigned to the department. Notwithstanding other provisions of
540 law, the department shall administer other programs funded by
541 federal or state appropriations, as determined by the
542 Legislature in the General Appropriations Act or other law.

543 (7) The department may provide or contract for training
544 for employees of administrative entities and case managers of
545 any contracted providers to ensure they have the necessary
546 competencies and skills to provide adequate administrative
547 oversight and delivery of the full array of client services.

548 (8) The Reemployment Assistance Appeals Commission,
549 authorized by s. 443.012, is not subject to control,

550 supervision, or direction by the department in the performance
 551 of its powers and duties but shall receive any and all support
 552 and assistance from the department which is required for the
 553 performance of its duties.

554 (9) The secretary shall:

555 (a) Manage all activities and responsibilities of the
 556 department.

557 (b) Serve as the manager for the state with respect to
 558 contracts with the Florida Tourism Industry Marketing
 559 Corporation ~~Enterprise Florida, Inc.~~, and all other applicable
 560 direct-support organizations. To accomplish the provisions of
 561 this section and applicable provisions of chapter 288, and
 562 notwithstanding the provisions of part I of chapter 287, the
 563 secretary shall enter into specific contracts with the Florida
 564 Tourism Industry Marketing Corporation ~~Enterprise Florida, Inc.~~,
 565 and all other applicable ~~appropriate~~ direct-support
 566 organizations. Such contracts may be for multiyear terms and
 567 must include specific performance measures for each year. For
 568 purposes of this section, ~~the Florida Tourism Industry Marketing~~
 569 ~~Corporation~~ and the Institute for Commercialization of Florida
 570 Technology is ~~are~~ not an appropriate direct-support organization
 571 organizations.

572 (c) Serve as a member of the board of directors of the
 573 Florida Development Finance Corporation. The secretary may
 574 designate an employee of the department to serve in this

575 capacity.

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

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

583 (b) The department shall collect and maintain data on the
 584 development and utilization of international trade development
 585 programs for inclusion in the report.

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

588 ~~1. Information provided by the Department of Revenue under~~
 589 ~~s. 290.014.~~

590 ~~2. Information provided by enterprise zone development~~
 591 ~~agencies under s. 290.0056 and an analysis of the activities and~~
 592 ~~accomplishments of each enterprise zone.~~

593 ~~3. The Economic Gardening Business Loan Pilot Program~~
 594 ~~established under s. 288.1081 and the Economic Gardening~~
 595 ~~Technical Assistance Pilot Program established under s.~~
 596 ~~288.1082.~~

597 1.4. A detailed report of the performance of the Black
 598 Business Loan Program and a cumulative summary of quarterly
 599 report data required under s. 288.714.

600 ~~2.5.~~ The Rural Economic Development Initiative established
 601 under s. 288.0656.

602 ~~3.6.~~ The Florida Unique Abilities Partner Program.

603 ~~4.7.~~ A detailed report of the performance of the Florida
 604 Development Finance Corporation and a summary of the
 605 corporation's report required under s. 288.9610.

606 (11) The department shall establish annual performance
 607 standards for ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
 608 Inc.; the Florida Tourism Industry Marketing Corporation; Space
 609 Florida; ~~and~~ the Florida Development Finance Corporation; and
 610 any other direct-support organization of the department and
 611 report annually on how these performance measures are being met
 612 in the annual report required under subsection (10).

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

616 (13) The department shall administer the role of state
 617 government under part I of chapter 421, relating to public
 618 housing; chapter 422, relating to housing cooperation law; and
 619 chapter 423, tax exemption of housing authorities. The
 620 department is the agency of state government responsible for the
 621 state's role in housing and urban development.

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

623 Section 8. (1) All duties, functions, records, pending
 624 issues, existing contracts, administrative authority,

625 administrative rules, and unexpended balances of appropriations,
626 allocations, and other public funds relating to the programs in
627 Enterprise Florida, Inc., are transferred by a type two transfer
628 to the Department of Commerce, as created by this act.

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

635 (b) Any funds held in trust which were donated to or
636 earned by the Florida Sports Foundation may be used by that
637 foundation for the original purposes for which the funds were
638 received.

639 (3) It is the intent of the Legislature that the changes
640 made by this act be accomplished with minimal disruption of
641 services provided to the public and with minimal disruption to
642 employees of any organization. To that end, the Legislature
643 directs all applicable units of state government to contribute
644 to the successful implementation of this act, and the
645 Legislature believes that a transition period between July 1,
646 2023, and December 1, 2023, is appropriate and warranted.

647 (4) (a) The Department of Commerce, as created by this act,
648 and Enterprise Florida, Inc., shall each coordinate the
649 development and implementation of a transition plan that

650 supports the implementation of this act within 30 days after
651 July 1, 2023. The department shall coordinate the submission of
652 any budget amendments, in accordance with chapter 216, Florida
653 Statutes, which may be necessary to implement this act.

654 (b) The Legislature directs that notwithstanding the
655 changes made by this act, Enterprise Florida, Inc., may continue
656 with such powers, duties, functions, records, offices,
657 personnel, property, pending issues, and existing contracts as
658 provided in Florida Statutes 2022 until December 1, 2023, except
659 that the board of directors shall stand repealed on October 1,
660 2023. The president of Enterprise Florida, Inc., shall continue
661 the operations of the direct-support organization until full
662 implementation of the transition plan or December 1, 2023,
663 whichever comes first. The transition plan shall provide for
664 transfer of powers, duties, functions, records, offices,
665 personnel, property, pending issues, and existing contracts,
666 related to international business development and trade to the
667 direct-support organization created under s. 288.012, Florida
668 Statutes.

669 Section 9. The Legislature recognizes that there is a need
670 to conform the Florida Statutes to the policy decisions
671 reflected in this act and that there is a need to resolve
672 apparent conflicts between any other legislation that has been
673 or may be enacted during the 2023 Regular Session of the
674 Legislature and the transfer of duties made by this act.

675 Therefore, in the interim between this act becoming law and the
676 2024 Regular Session of the Legislature or an earlier special
677 session addressing this issue, the Division of Law Revision
678 shall provide the relevant substantive committees of the Senate
679 and the House of Representatives with assistance, upon request,
680 to enable such committees to prepare draft legislation to
681 conform the Florida Statutes and any legislation enacted during
682 2023 to the provisions of this act.

683 Section 10. For programs established pursuant to ss.
684 220.1899, 220.194, 288.1045, 288.106, 288.1081, 288.1082,
685 288.1088, 288.1089, 288.1169, 288.1171, 288.95155, 288.9916,
686 288.9934, 288.9935, and 339.2821, Florida Statutes, no new or
687 additional applications or certifications shall be approved, no
688 new letters of certification may be issued, no new contracts or
689 agreements may be executed, and no new awards may be made. All
690 certifications are rescinded except for those certified
691 applicants or projects that continue to meet the criteria in
692 effect before July 1, 2023. Any existing contracts or agreements
693 authorized under any of these programs shall continue in full
694 force and effect in accordance with the statutory requirements
695 in effect when the contract or agreement was executed or last
696 modified. However, no further modifications, extensions, or
697 waivers may be made or granted relating to such contracts or
698 agreements except computations by the Department of Revenue of
699 the income generated by or arising out of the qualifying

700 project.

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

703 159.803 Definitions.—As used in this part, the term:

704 (11) "Florida First Business project" means any project
705 which is certified by the Department of Commerce ~~Economic~~
706 ~~Opportunity~~ as eligible to receive an allocation from the
707 Florida First Business allocation pool established pursuant to
708 s. 159.8083. The Department of Commerce ~~Economic Opportunity~~ may
709 certify those projects proposed by a business which qualifies as
710 a target industry business as defined in s. 288.005 meeting the
711 criteria set forth in s. 288.106(4) (b) or any project providing
712 a substantial economic benefit to this state. The department
713 shall develop measurement protocols and performance measures to
714 determine what competitive value a project by a target industry
715 business will bring to the state pursuant to s. 20.60(5) (a)3.

716 Section 12. Section 189.033, Florida Statutes, is amended
717 to read:

718 189.033 Independent special district services in
719 disproportionally affected county; rate reduction for providers
720 providing economic benefits.—If the governing body of an
721 independent special district that provides water, wastewater,
722 and sanitation services in a disproportionally affected county,
723 as defined in s. 288.8012 ~~s. 288.106(8)~~, determines that a new
724 user or the expansion of an existing user of one or more of its

725 utility systems will provide a significant benefit to the
726 community in terms of increased job opportunities, economies of
727 scale, or economic development in the area, the governing body
728 may authorize a reduction of its rates, fees, or charges for
729 that user for a specified period of time. A governing body that
730 exercises this power must do so by resolution that states the
731 anticipated economic benefit justifying the reduction as well as
732 the period of time that the reduction will remain in place.

733 Section 13. Subsections (11) through (19) of section
734 196.012, Florida Statutes, are renumbered as subsections (12)
735 through (20), respectively, paragraph (a) of present subsection
736 (14), paragraph (a) of present subsection (15), and present
737 subsection (16) of that section are amended, and a new
738 subsection (11) is added to that section, to read:

739 196.012 Definitions.—For the purpose of this chapter, the
740 following terms are defined as follows, except where the context
741 clearly indicates otherwise:

742 (11) "Target industry business" has the same meaning as in
743 s. 288.005.

744 (15)~~(14)~~ "New business" means:

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

750 a. manufactures, processes, compounds, fabricates, or
751 produces for sale items of tangible personal property at a fixed
752 location and which comprises an industrial or manufacturing
753 plant; or

754 b. Is a target industry business as defined in subsection
755 (11) ~~s. 288.106(2)(a)~~;

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

762 3. An office space in this state owned and used by a
763 business or organization newly domiciled in this state; provided
764 such office space houses 50 or more full-time employees of such
765 business or organization; provided that such business or
766 organization office first begins operation on a site clearly
767 separate from any other commercial or industrial operation owned
768 by the same business or organization.

769 (16) ~~(15)~~ "Expansion of an existing business" means:

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

775 or

776 2. A business or organization establishing 25 or more new
 777 jobs to employ 25 or more full-time employees in this state, the
 778 sales factor of which, as defined by s. 220.15(5), for the
 779 facility with respect to which it requests an economic
 780 development ad valorem tax exemption is less than 0.50 for each
 781 year the exemption is claimed; provided that such business
 782 increases operations on a site located within the same county,
 783 municipality, or both colocated with a commercial or industrial
 784 operation owned by the same business or organization under
 785 common control with the same business or organization, resulting
 786 in a net increase in employment of not less than 10 percent or
 787 an increase in productive output or sales of not less than 10
 788 percent.

789 (17) ~~(16)~~ "Permanent resident" means a person who has
 790 established a permanent residence as defined in subsection (18)
 791 ~~(17)~~.

792 Section 14. Subsection (2) of section 196.101, Florida
 793 Statutes, is amended to read:

794 196.101 Exemption for totally and permanently disabled
 795 persons.—

796 (2) Any real estate used and owned as a homestead by a
 797 paraplegic, hemiplegic, or other totally and permanently
 798 disabled person, as defined in s. 196.012(12) ~~s. 196.012(11)~~,
 799 who must use a wheelchair for mobility or who is legally blind,

800 is exempt from taxation.

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

803 196.121 Homestead exemptions; forms.—

804 (2) The forms shall require the taxpayer to furnish
805 certain information to the property appraiser for the purpose of
806 determining that the taxpayer is a permanent resident as defined
807 in s. 196.012(17) ~~s. 196.012(16)~~. Such information may include,
808 but need not be limited to, the factors enumerated in s.
809 196.015.

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

812 196.1995 Economic development ad valorem tax exemption.—

813 (6) With respect to a new business as defined in s.
814 196.012(15)(c) ~~by s. 196.012(14)(e)~~, the municipality annexing
815 the property on which the business is situated may grant an
816 economic development ad valorem tax exemption under this section
817 to that business for a period that will expire upon the
818 expiration of the exemption granted by the county. If the county
819 renews the exemption under subsection (7), the municipality may
820 also extend its exemption. A municipal economic development ad
821 valorem tax exemption granted under this subsection may not
822 extend beyond the duration of the county exemption.

823 (11) An ordinance granting an exemption under this section
824 shall be adopted in the same manner as any other ordinance of

825 the county or municipality and shall include the following:

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

828 (b) The total amount of revenue available to the county or
829 municipality from ad valorem tax sources for the current fiscal
830 year, the total amount of revenue lost to the county or
831 municipality for the current fiscal year by virtue of economic
832 development ad valorem tax exemptions currently in effect, and
833 the estimated revenue loss to the county or municipality for the
834 current fiscal year attributable to the exemption of the
835 business named in the ordinance;

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

840 (d) A finding that the business named in the ordinance
841 meets the requirements of s. 196.012(15) or (16) ~~s. 196.012(14)~~
842 ~~or (15)~~.

843 Section 17. Paragraph (e) of subsection (1) of section
844 197.3181, Florida Statutes, is amended to read:

845 197.3181 Refund of taxes for residential improvements
846 rendered uninhabitable by Hurricane Ian or Hurricane Nicole.—

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

848 (e) "Residential improvement" means a residential dwelling
849 or house on real estate used and owned as a homestead as defined

850 in s. 196.012(14) ~~s. 196.012(13)~~ or used as nonhomestead
 851 residential property as defined in s. 193.1554(1). A residential
 852 improvement does not include a structure that is not essential
 853 to the use and occupancy of the residential dwelling or house,
 854 including, but not limited to, a detached utility building,
 855 detached carport, detached garage, bulkhead, fence, or swimming
 856 pool, and does not include land.

857 Section 18. Paragraph (f) of subsection (1) of section
 858 197.319, Florida Statutes, is amended to read:

859 197.319 Refund of taxes for residential improvements
 860 rendered uninhabitable by a catastrophic event.—

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

862 (f) "Residential improvement" means real estate used and
 863 owned as a homestead as defined in s. 196.012(14) ~~s. 196.012(13)~~
 864 or nonhomestead residential property as defined in s.
 865 193.1554(1). A residential improvement does not include a
 866 structure that is not essential to the use and occupancy of the
 867 residential dwelling or house, including, but not limited to, a
 868 detached utility building, detached carport, detached garage,
 869 bulkhead, fence, or swimming pool, and does not include land.

870 Section 19. Paragraphs (r) through (u) of subsection (5)
 871 of section 212.08, Florida Statutes, are redesignated as
 872 paragraphs (q) through (t), respectively, and paragraphs (j) and
 873 (q) of subsection (5) are amended, to read:

874 212.08 Sales, rental, use, consumption, distribution, and

875 storage tax; specified exemptions.—The sale at retail, the
876 rental, the use, the consumption, the distribution, and the
877 storage to be used or consumed in this state of the following
878 are hereby specifically exempt from the tax imposed by this
879 chapter.

880 (5) EXEMPTIONS; ACCOUNT OF USE.—

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

883 1.a. Industrial machinery and equipment used in
884 semiconductor technology facilities certified under subparagraph
885 5. to manufacture, process, compound, or produce semiconductor
886 technology products for sale or for use by these facilities are
887 exempt from the tax imposed by this chapter. For purposes of
888 this paragraph, industrial machinery and equipment includes
889 molds, dies, machine tooling, other appurtenances or accessories
890 to machinery and equipment, testing equipment, test beds,
891 computers, and software, whether purchased or self-fabricated,
892 and, if self-fabricated, includes materials and labor for
893 design, fabrication, and assembly.

894 b. Industrial machinery and equipment used in defense or
895 space technology facilities certified under subparagraph 5. to
896 design, manufacture, assemble, process, compound, or produce
897 defense technology products or space technology products for
898 sale or for use by these facilities are exempt from the tax
899 imposed by this chapter.

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

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

907 4. For items purchased tax-exempt pursuant to this
 908 paragraph, possession of a written certification from the
 909 purchaser, certifying the purchaser's entitlement to the
 910 exemption, relieves the seller of the responsibility of
 911 collecting the tax on the sale of such items, and the department
 912 shall look solely to the purchaser for recovery of the tax if it
 913 determines that the purchaser was not entitled to the exemption.

914 5.a. To be eligible to receive the exemption provided by
 915 subparagraph 1. or subparagraph 2., a qualifying business entity
 916 shall initially apply to the Department of Commerce ~~Enterprise~~
 917 ~~Florida, Inc.~~ The original certification is valid for a period
 918 of 2 years. In lieu of submitting a new application, the
 919 original certification may be renewed biennially by submitting
 920 to the Department of Commerce ~~Economic Opportunity~~ a statement,
 921 certified under oath, that there has not been a material change
 922 in the conditions or circumstances entitling the business entity
 923 to the original certification. The initial application and the
 924 certification renewal statement shall be developed by the

925 Department of Commerce ~~Economic Opportunity~~.

926 b. The Division of Economic ~~Strategic Business~~ Development
 927 of the Department of Commerce ~~Economic Opportunity~~ shall review
 928 each submitted initial application and determine whether or not
 929 the application is complete within 5 working days. Once
 930 complete, the division shall, within 10 working days, evaluate
 931 the application and recommend approval or disapproval to the
 932 Department of Commerce ~~Economic Opportunity~~.

933 c. Upon receipt of the initial application and
 934 recommendation from the division or upon receipt of a
 935 certification renewal statement, the Department of Commerce
 936 ~~Economic Opportunity~~ shall certify within 5 working days those
 937 applicants who are found to meet the requirements of this
 938 section and notify the applicant of the original certification
 939 or certification renewal. If the Department of Commerce ~~Economic~~
 940 ~~Opportunity~~ finds that the applicant does not meet the
 941 requirements, it shall notify the applicant ~~and Enterprise~~
 942 ~~Florida, Inc.,~~ within 10 working days that the application for
 943 certification has been denied and the reasons for denial. The
 944 Department of Commerce ~~Economic Opportunity~~ has final approval
 945 authority for certification under this section.

946 d. The initial application and certification renewal
 947 statement must indicate, for program evaluation purposes only,
 948 the average number of full-time equivalent employees at the
 949 facility over the preceding calendar year, the average wage and

950 benefits paid to those employees over the preceding calendar
 951 year, the total investment made in real and tangible personal
 952 property over the preceding calendar year, and the total value
 953 of tax-exempt purchases and taxes exempted during the previous
 954 year. The department shall assist the Department of Commerce
 955 ~~Economic Opportunity~~ in evaluating and verifying information
 956 provided in the application for exemption.

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

960 6. A business certified to receive this exemption may
 961 elect to designate one or more state universities or community
 962 colleges as recipients of up to 100 percent of the amount of the
 963 exemption. To receive these funds, the institution must agree to
 964 match the funds with equivalent cash, programs, services, or
 965 other in-kind support on a one-to-one basis for research and
 966 development projects requested by the certified business. The
 967 rights to any patents, royalties, or real or intellectual
 968 property must be vested in the business unless otherwise agreed
 969 to by the business and the university or community college.

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

971 a. "Semiconductor technology products" means raw
 972 semiconductor wafers or semiconductor thin films that are
 973 transformed into semiconductor memory or logic wafers, including
 974 wafers containing mixed memory and logic circuits; related

975 assembly and test operations; active-matrix flat panel displays;
976 semiconductor chips; semiconductor lasers; optoelectronic
977 elements; and related semiconductor technology products as
978 determined by the Department of Commerce ~~Economic Opportunity~~.

979 b. "Clean rooms" means manufacturing facilities enclosed
980 in a manner that meets the clean manufacturing requirements
981 necessary for high-technology semiconductor-manufacturing
982 environments.

983 c. "Defense technology products" means products that have
984 a military application, including, but not limited to, weapons,
985 weapons systems, guidance systems, surveillance systems,
986 communications or information systems, munitions, aircraft,
987 vessels, or boats, or components thereof, which are intended for
988 military use and manufactured in performance of a contract with
989 the United States Department of Defense or the military branch
990 of a recognized foreign government or a subcontract thereunder
991 which relates to matters of national defense.

992 d. "Space technology products" means products that are
993 specifically designed or manufactured for application in space
994 activities, including, but not limited to, space launch
995 vehicles, space flight vehicles, missiles, satellites or
996 research payloads, avionics, and associated control systems and
997 processing systems and components of any of the foregoing. The
998 term does not include products that are designed or manufactured
999 for general commercial aviation or other uses even though those

1000 products may also serve an incidental use in space applications.

1001 ~~(q) Entertainment industry tax credit; authorization;~~
 1002 ~~eligibility for credits. The credits against the state sales tax~~
 1003 ~~authorized pursuant to s. 288.1254 shall be deducted from any~~
 1004 ~~sales and use tax remitted by the dealer to the department by~~
 1005 ~~electronic funds transfer and may only be deducted on a sales~~
 1006 ~~and use tax return initiated through electronic data~~
 1007 ~~interchange. The dealer shall separately state the credit on the~~
 1008 ~~electronic return. The net amount of tax due and payable must be~~
 1009 ~~remitted by electronic funds transfer. If the credit for the~~
 1010 ~~qualified expenditures is larger than the amount owed on the~~
 1011 ~~sales and use tax return that is eligible for the credit, the~~
 1012 ~~unused amount of the credit may be carried forward to a~~
 1013 ~~succeeding reporting period as provided in s. 288.1254(4)(c). A~~
 1014 ~~dealer may only obtain a credit using the method described in~~
 1015 ~~this subparagraph. A dealer is not authorized to obtain a credit~~
 1016 ~~by applying for a refund.~~

1017 Section 20. Paragraph (a) of subsection (1) of section
 1018 212.098, Florida Statutes, is amended to read:

1019 212.098 Rural Job Tax Credit Program.—

1020 (1) As used in this section, the term:

1021 (a) "Eligible business" means any sole proprietorship,
 1022 firm, partnership, or corporation that is located in a qualified
 1023 county and is predominantly engaged in, or is headquarters for a
 1024 business predominantly engaged in, activities usually provided

1025 for consideration by firms classified within the following
 1026 standard industrial classifications: SIC 01-SIC 09 (agriculture,
 1027 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
 1028 (public warehousing and storage); SIC 70 (hotels and other
 1029 lodging places); SIC 7391 (research and development); SIC 781
 1030 (motion picture production and allied services); SIC 7992
 1031 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
 1032 ~~targeted industry eligible for the qualified target industry~~
 1033 ~~business tax refund under s. 288.106.~~ A call center or similar
 1034 customer service operation that services a multistate market or
 1035 an international market is also an eligible business. In
 1036 addition, the Department of Commerce ~~Economic Opportunity~~ may,
 1037 as part of its final budget request submitted pursuant to s.
 1038 216.023, recommend additions to or deletions from the list of
 1039 standard industrial classifications used to determine an
 1040 eligible business, and the Legislature may implement such
 1041 recommendations. Excluded from eligible receipts are receipts
 1042 from retail sales, except such receipts for hotels and other
 1043 lodging places classified in SIC 70, public golf courses in SIC
 1044 7992, and amusement parks in SIC 7996. For purposes of this
 1045 paragraph, the term "predominantly" means that more than 50
 1046 percent of the business's gross receipts from all sources is
 1047 generated by those activities usually provided for consideration
 1048 by firms in the specified standard industrial classification.
 1049 The determination of whether the business is located in a

1050 qualified county and the tier ranking of that county must be
1051 based on the date of application for the credit under this
1052 section. Commonly owned and controlled entities are to be
1053 considered a single business entity.

1054 Section 21. Paragraph (d) of subsection (6) of section
1055 212.20, Florida Statutes, is amended to read:

1056 212.20 Funds collected, disposition; additional powers of
1057 department; operational expense; refund of taxes adjudicated
1058 unconstitutionally collected.—

1059 (6) Distribution of all proceeds under this chapter and
1060 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1061 (d) The proceeds of all other taxes and fees imposed
1062 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
1063 and (2)(b) shall be distributed as follows:

1064 1. In any fiscal year, the greater of \$500 million, minus
1065 an amount equal to 4.6 percent of the proceeds of the taxes
1066 collected pursuant to chapter 201, or 5.2 percent of all other
1067 taxes and fees imposed pursuant to this chapter or remitted
1068 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
1069 monthly installments into the General Revenue Fund.

1070 2. After the distribution under subparagraph 1., 8.9744
1071 percent of the amount remitted by a sales tax dealer located
1072 within a participating county pursuant to s. 218.61 shall be
1073 transferred into the Local Government Half-cent Sales Tax
1074 Clearing Trust Fund. Beginning July 1, 2003, the amount to be

1075 transferred shall be reduced by 0.1 percent, and the department
 1076 shall distribute this amount to the Public Employees Relations
 1077 Commission Trust Fund less \$5,000 each month, which shall be
 1078 added to the amount calculated in subparagraph 3. and
 1079 distributed accordingly.

1080 3. After the distribution under subparagraphs 1. and 2.,
 1081 0.0966 percent shall be transferred to the Local Government
 1082 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
 1083 to s. 218.65.

1084 4. After the distributions under subparagraphs 1., 2., and
 1085 3., 2.0810 percent of the available proceeds shall be
 1086 transferred monthly to the Revenue Sharing Trust Fund for
 1087 Counties pursuant to s. 218.215.

1088 5. After the distributions under subparagraphs 1., 2., and
 1089 3., 1.3653 percent of the available proceeds shall be
 1090 transferred monthly to the Revenue Sharing Trust Fund for
 1091 Municipalities pursuant to s. 218.215. If the total revenue to
 1092 be distributed pursuant to this subparagraph is at least as
 1093 great as the amount due from the Revenue Sharing Trust Fund for
 1094 Municipalities and the former Municipal Financial Assistance
 1095 Trust Fund in state fiscal year 1999-2000, no municipality shall
 1096 receive less than the amount due from the Revenue Sharing Trust
 1097 Fund for Municipalities and the former Municipal Financial
 1098 Assistance Trust Fund in state fiscal year 1999-2000. If the
 1099 total proceeds to be distributed are less than the amount

1100 received in combination from the Revenue Sharing Trust Fund for
 1101 Municipalities and the former Municipal Financial Assistance
 1102 Trust Fund in state fiscal year 1999-2000, each municipality
 1103 shall receive an amount proportionate to the amount it was due
 1104 in state fiscal year 1999-2000.

1105 6. Of the remaining proceeds:

1106 a. In each fiscal year, the sum of \$29,915,500 shall be
 1107 divided into as many equal parts as there are counties in the
 1108 state, and one part shall be distributed to each county. The
 1109 distribution among the several counties must begin each fiscal
 1110 year on or before January 5th and continue monthly for a total
 1111 of 4 months. If a local or special law required that any moneys
 1112 accruing to a county in fiscal year 1999-2000 under the then-
 1113 existing provisions of s. 550.135 be paid directly to the
 1114 district school board, special district, or a municipal
 1115 government, such payment must continue until the local or
 1116 special law is amended or repealed. The state covenants with
 1117 holders of bonds or other instruments of indebtedness issued by
 1118 local governments, special districts, or district school boards
 1119 before July 1, 2000, that it is not the intent of this
 1120 subparagraph to adversely affect the rights of those holders or
 1121 relieve local governments, special districts, or district school
 1122 boards of the duty to meet their obligations as a result of
 1123 previous pledges or assignments or trusts entered into which
 1124 obligated funds received from the distribution to county

1125 governments under then-existing s. 550.135. This distribution
 1126 specifically is in lieu of funds distributed under s. 550.135
 1127 before July 1, 2000.

1128 b. The department shall distribute \$166,667 monthly to
 1129 each applicant certified as a facility for a new or retained
 1130 professional sports franchise pursuant to s. 288.1162. Up to
 1131 \$41,667 shall be distributed monthly by the department to each
 1132 certified applicant as defined in s. 288.11621 for a facility
 1133 for a spring training franchise. However, not more than \$416,670
 1134 may be distributed monthly in the aggregate to all certified
 1135 applicants for facilities for spring training franchises.
 1136 Distributions begin 60 days after such certification and
 1137 continue for not more than 30 years, except as otherwise
 1138 provided in s. 288.11621. A certified applicant identified in
 1139 this sub-subparagraph may not receive more in distributions than
 1140 expended by the applicant for the public purposes provided in s.
 1141 288.1162(5) or s. 288.11621(3).

1142 ~~e. Beginning 30 days after notice by the Department of~~
 1143 ~~Economic Opportunity to the Department of Revenue that an~~
 1144 ~~applicant has been certified as the professional golf hall of~~
 1145 ~~fame pursuant to s. 288.1168 and is open to the public, \$166,667~~
 1146 ~~shall be distributed monthly, for up to 300 months, to the~~
 1147 ~~applicant.~~

1148 ~~d. Beginning 30 days after notice by the Department of~~
 1149 ~~Economic Opportunity to the Department of Revenue that the~~

1150 ~~applicant has been certified as the International Game Fish~~
 1151 ~~Association World Center facility pursuant to s. 288.1169, and~~
 1152 ~~the facility is open to the public, \$83,333 shall be distributed~~
 1153 ~~monthly, for up to 168 months, to the applicant. This~~
 1154 ~~distribution is subject to reduction pursuant to s. 288.1169.~~

1155 c.e. The department shall distribute up to \$83,333 monthly
 1156 to each certified applicant as defined in s. 288.11631 for a
 1157 facility used by a single spring training franchise, or up to
 1158 \$166,667 monthly to each certified applicant as defined in s.
 1159 288.11631 for a facility used by more than one spring training
 1160 franchise. Monthly distributions begin 60 days after such
 1161 certification or July 1, 2016, whichever is later, and continue
 1162 for not more than 20 years to each certified applicant as
 1163 defined in s. 288.11631 for a facility used by a single spring
 1164 training franchise or not more than 25 years to each certified
 1165 applicant as defined in s. 288.11631 for a facility used by more
 1166 than one spring training franchise. A certified applicant
 1167 identified in this sub-subparagraph may not receive more in
 1168 distributions than expended by the applicant for the public
 1169 purposes provided in s. 288.11631(3).

1170 d.f. The Department shall distribute \$15,333 monthly to the
 1171 State Transportation Trust Fund.

1172 e.g. (I) On or before July 25, 2021, August 25, 2021, and
 1173 September 25, 2021, the department shall distribute \$324,533,334
 1174 in each of those months to the Unemployment Compensation Trust

1175 Fund, less an adjustment for refunds issued from the General
1176 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
1177 distribution. The adjustments made by the department to the
1178 total distributions shall be equal to the total refunds made
1179 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
1180 subtracted from any single distribution exceeds the
1181 distribution, the department may not make that distribution and
1182 must subtract the remaining balance from the next distribution.

1183 (II) Beginning July 2022, and on or before the 25th day of
1184 each month, the department shall distribute \$90 million monthly
1185 to the Unemployment Compensation Trust Fund.

1186 (III) If the ending balance of the Unemployment
1187 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
1188 of any month, as determined from United States Department of the
1189 Treasury data, the Office of Economic and Demographic Research
1190 shall certify to the department that the ending balance of the
1191 trust fund exceeds such amount.

1192 (IV) This sub-subparagraph is repealed, and the department
1193 shall end monthly distributions under sub-sub-subparagraph (II),
1194 on the date the department receives certification under sub-sub-
1195 subparagraph (III).

1196 7. All other proceeds must remain in the General Revenue
1197 Fund.

1198 Section 22. Paragraph (aa) of subsection (8) of section
1199 213.053, Florida Statutes, is amended to read:

1200 213.053 Confidentiality and information sharing.—
 1201 (8) Notwithstanding any other provision of this section,
 1202 the department may provide:
 1203 (aa) Information relating to tax credits taken under
 1204 former s. 220.194 to Space Florida.
 1205
 1206 Disclosure of information under this subsection shall be
 1207 pursuant to a written agreement between the executive director
 1208 and the agency. Such agencies, governmental or nongovernmental,
 1209 shall be bound by the same requirements of confidentiality as
 1210 the Department of Revenue. Breach of confidentiality is a
 1211 misdemeanor of the first degree, punishable as provided by s.
 1212 775.082 or s. 775.083.
 1213 Section 23. Subsection (3) of section 218.64, Florida
 1214 Statutes, is amended to read:
 1215 218.64 Local government half-cent sales tax; uses;
 1216 limitations.—
 1217 (3) Subject to ordinances enacted by the majority of the
 1218 members of the county governing authority and by the majority of
 1219 the members of the governing authorities of municipalities
 1220 representing at least 50 percent of the municipal population of
 1221 such county, counties may use up to \$3 million annually of the
 1222 local government half-cent sales tax allocated to that county
 1223 for any of the following purposes:
 1224 (a) Funding a certified applicant as a facility for a new

1225 or retained professional sports franchise under s. 288.1162 or a
 1226 certified applicant as defined in s. 288.11621 for a facility
 1227 for a spring training franchise. It is the Legislature's intent
 1228 that the provisions of s. 288.1162, including, but not limited
 1229 to, the evaluation process by the Department of Commerce
 1230 ~~Economic Opportunity~~ except for the limitation on the number of
 1231 certified applicants or facilities as provided in that section
 1232 and the restrictions set forth in s. 288.1162(8), shall apply to
 1233 an applicant's facility to be funded by local government as
 1234 provided in this subsection.

1235 (b) Funding a certified applicant as a "motorsport
 1236 entertainment complex," as provided for in former s. 288.1171.
 1237 Funding for each franchise or motorsport complex shall begin 60
 1238 days after certification and shall continue for not more than 30
 1239 years.

1240 Section 24. Subsection (8) of section 220.02, Florida
 1241 Statutes, is amended to read:

1242 220.02 Legislative intent.—

1243 (8) It is the intent of the Legislature that credits
 1244 against either the corporate income tax or the franchise tax be
 1245 applied in the following order: those enumerated in s. 631.828,
 1246 those enumerated in s. 220.191, those enumerated in s. 220.181,
 1247 those enumerated in s. 220.183, those enumerated in s. 220.182,
 1248 those enumerated in s. 220.1895, those enumerated in s. 220.195,
 1249 those enumerated in s. 220.184, those enumerated in s. 220.186,

1250 those enumerated in s. 220.1845, those enumerated in s. 220.19,
 1251 those enumerated in s. 220.185, those enumerated in s. 220.1875,
 1252 those enumerated in s. 220.1876, those enumerated in s.
 1253 220.1877, those enumerated in s. 220.193, those enumerated in
 1254 former s. 288.9916, those enumerated in former s. 220.1899,
 1255 those enumerated in former s. 220.194, those enumerated in s.
 1256 220.196, those enumerated in s. 220.198, and those enumerated in
 1257 s. 220.1915.

1258 Section 25. Paragraph (a) of subsection (1) of section
 1259 220.13, Florida Statutes, is amended to read:

1260 220.13 "Adjusted federal income" defined.—

1261 (1) The term "adjusted federal income" means an amount
 1262 equal to the taxpayer's taxable income as defined in subsection
 1263 (2), or such taxable income of more than one taxpayer as
 1264 provided in s. 220.131, for the taxable year, adjusted as
 1265 follows:

1266 (a) Additions.—There shall be added to such taxable
 1267 income:

1268 1.a. The amount of any tax upon or measured by income,
 1269 excluding taxes based on gross receipts or revenues, paid or
 1270 accrued as a liability to the District of Columbia or any state
 1271 of the United States which is deductible from gross income in
 1272 the computation of taxable income for the taxable year.

1273 b. Notwithstanding sub-subparagraph a., if a credit taken
 1274 under s. 220.1875, s. 220.1876, or s. 220.1877 is added to

1275 taxable income in a previous taxable year under subparagraph 11.
1276 and is taken as a deduction for federal tax purposes in the
1277 current taxable year, the amount of the deduction allowed shall
1278 not be added to taxable income in the current year. The
1279 exception in this sub-subparagraph is intended to ensure that
1280 the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is
1281 added in the applicable taxable year and does not result in a
1282 duplicate addition in a subsequent year.

1283 2. The amount of interest which is excluded from taxable
1284 income under s. 103(a) of the Internal Revenue Code or any other
1285 federal law, less the associated expenses disallowed in the
1286 computation of taxable income under s. 265 of the Internal
1287 Revenue Code or any other law, excluding 60 percent of any
1288 amounts included in alternative minimum taxable income, as
1289 defined in s. 55(b)(2) of the Internal Revenue Code, if the
1290 taxpayer pays tax under s. 220.11(3).

1291 3. In the case of a regulated investment company or real
1292 estate investment trust, an amount equal to the excess of the
1293 net long-term capital gain for the taxable year over the amount
1294 of the capital gain dividends attributable to the taxable year.

1295 4. That portion of the wages or salaries paid or incurred
1296 for the taxable year which is equal to the amount of the credit
1297 allowable for the taxable year under s. 220.181. This
1298 subparagraph shall expire on the date specified in s. 290.016
1299 for the expiration of the Florida Enterprise Zone Act.

1300 5. That portion of the ad valorem school taxes paid or
 1301 incurred for the taxable year which is equal to the amount of
 1302 the credit allowable for the taxable year under s. 220.182. This
 1303 subparagraph shall expire on the date specified in s. 290.016
 1304 for the expiration of the Florida Enterprise Zone Act.

1305 6. The amount taken as a credit under s. 220.195 which is
 1306 deductible from gross income in the computation of taxable
 1307 income for the taxable year.

1308 7. That portion of assessments to fund a guaranty
 1309 association incurred for the taxable year which is equal to the
 1310 amount of the credit allowable for the taxable year.

1311 8. In the case of a nonprofit corporation which holds a
 1312 pari-mutuel permit and which is exempt from federal income tax
 1313 as a farmers' cooperative, an amount equal to the excess of the
 1314 gross income attributable to the pari-mutuel operations over the
 1315 attributable expenses for the taxable year.

1316 9. The amount taken as a credit for the taxable year under
 1317 s. 220.1895.

1318 10. Up to nine percent of the eligible basis of any
 1319 designated project which is equal to the credit allowable for
 1320 the taxable year under s. 220.185.

1321 11. Any amount taken as a credit for the taxable year under
 1322 s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this
 1323 subparagraph is intended to ensure that the same amount is not
 1324 allowed for the tax purposes of this state as both a deduction

1325 from income and a credit against the tax. This addition is not
1326 intended to result in adding the same expense back to income
1327 more than once.

1328 12. The amount taken as a credit for the taxable year
1329 under s. 220.193.

1330 ~~13. Any portion of a qualified investment, as defined in~~
1331 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~
1332 ~~taken as a credit against income tax pursuant to s. 288.9916.~~

1333 ~~14. The costs to acquire a tax credit pursuant to s.~~
1334 ~~288.1254(5) that are deducted from or otherwise reduce federal~~
1335 ~~taxable income for the taxable year.~~

1336 ~~15. The amount taken as a credit for the taxable year~~
1337 ~~pursuant to s. 220.194.~~

1338 13.16. The amount taken as a credit for the taxable year
1339 under s. 220.196. The addition in this subparagraph is intended
1340 to ensure that the same amount is not allowed for the tax
1341 purposes of this state as both a deduction from income and a
1342 credit against the tax. The addition is not intended to result
1343 in adding the same expense back to income more than once.

1344 14.17. The amount taken as a credit for the taxable year
1345 pursuant to s. 220.198.

1346 15.18. The amount taken as a credit for the taxable year
1347 pursuant to s. 220.1915.

1348 Section 26. Subsection (5) of section 220.16, Florida
1349 Statutes, is amended to read:

1350 220.16 Allocation of nonbusiness income.—Nonbusiness
1351 income shall be allocated as follows:

1352 ~~(5) The amount of payments received in exchange for~~
1353 ~~transferring a net operating loss authorized by s. 220.194 is~~
1354 ~~allocable to the state.~~

1355 Section 27. Section 220.1899, Florida Statutes, is
1356 repealed.

1357 Section 28. Paragraphs (a) through (g) of subsection (1)
1358 of section 220.191, Florida Statutes, are redesignated as
1359 paragraphs (b) through (h), respectively, present paragraph (g)
1360 of subsection (1), paragraph (a) of subsection (3), and
1361 subsections (5) and (6) of that section are amended, and a new
1362 paragraph (a) is added to subsection (1) of that section, to
1363 read:

1364 220.191 Capital investment tax credit.—

1365 (1) DEFINITIONS.—For purposes of this section:

1366 (a) "Average private sector wage in the area" means the
1367 statewide private sector average wage or the average of all
1368 private sector wages and salaries in the county or in the
1369 standard metropolitan area in which the business is located.

1370 ~~(h)-(g)~~ "Qualifying project" means a facility in this state
1371 meeting one or more of the following criteria:

1372 1. A new or expanding facility in this state which creates
1373 at least 100 new jobs in this state and is in one of the high-
1374 impact sectors identified and designated ~~by Enterprise Florida,~~

1375 ~~Inc., and certified~~ by the Department of Commerce ~~Economic~~
 1376 ~~Opportunity~~ pursuant to s. 288.108(6), including, but not
 1377 limited to, aviation, aerospace, automotive, and silicon
 1378 technology industries. However, between July 1, 2011, and June
 1379 30, 2014, the requirement that a facility be in a high-impact
 1380 sector is waived for any otherwise eligible business from
 1381 another state which locates all or a portion of its business to
 1382 a Disproportionally Affected County. For purposes of this
 1383 section, the term "Disproportionally Affected County" means Bay
 1384 County, Escambia County, Franklin County, Gulf County, Okaloosa
 1385 County, Santa Rosa County, Walton County, or Wakulla County.

1386 2. A new or expanded facility in this state which is
 1387 engaged in a target industry designated pursuant to the
 1388 procedure specified in s. 288.005(6) ~~s. 288.106(2)~~ and which is
 1389 induced by this credit to create or retain at least 1,000 jobs
 1390 in this state, provided that at least 100 of those jobs are new,
 1391 pay an annual average wage of at least 130 percent of the
 1392 average private sector wage in the area ~~as defined in s.~~
 1393 ~~288.106(2)~~, and make a cumulative capital investment of at least
 1394 \$100 million. Jobs may be considered retained only if there is
 1395 significant evidence that the loss of jobs is imminent.
 1396 Notwithstanding subsection (2), annual credits against the tax
 1397 imposed by this chapter may not exceed 50 percent of the
 1398 increased annual corporate income tax liability or the premium
 1399 tax liability generated by or arising out of a project

1400 qualifying under this subparagraph. A facility that qualifies
 1401 under this subparagraph for an annual credit against the tax
 1402 imposed by this chapter may take the tax credit for a period not
 1403 to exceed 5 years.

1404 3. A new or expanded headquarters facility in this state
 1405 which locates in an enterprise zone and brownfield area and is
 1406 induced by this credit to create at least 1,500 jobs which on
 1407 average pay at least 200 percent of the statewide average annual
 1408 private sector wage, as published by the Department of Commerce
 1409 ~~Economic Opportunity~~, and which new or expanded headquarters
 1410 facility makes a cumulative capital investment in this state of
 1411 at least \$250 million.

1412 (3)(a) Notwithstanding subsection (2), an annual credit
 1413 against the tax imposed by this chapter shall be granted to a
 1414 qualifying business which establishes a qualifying project
 1415 pursuant to subparagraph (1)(h)3. ~~(1)(g)3.~~, in an amount equal
 1416 to the lesser of \$15 million or 5 percent of the eligible
 1417 capital costs made in connection with a qualifying project, for
 1418 a period not to exceed 20 years beginning with the commencement
 1419 of operations of the project. The tax credit shall be granted
 1420 against the corporate income tax liability of the qualifying
 1421 business and as further provided in paragraph (c). The total tax
 1422 credit provided pursuant to this subsection shall be equal to no
 1423 more than 100 percent of the eligible capital costs of the
 1424 qualifying project.

1425 (5) Applications shall be reviewed and certified pursuant
1426 to s. 288.061. The Department of Commerce ~~Economic Opportunity,~~
1427 ~~upon a recommendation by Enterprise Florida, Inc.,~~ shall first
1428 certify a business as eligible to receive tax credits pursuant
1429 to this section prior to the commencement of operations of a
1430 qualifying project, and such certification shall be transmitted
1431 to the Department of Revenue. Upon receipt of the certification,
1432 the Department of Revenue shall enter into a written agreement
1433 with the qualifying business specifying, at a minimum, the
1434 method by which income generated by or arising out of the
1435 qualifying project will be determined.

1436 (6) The Department of Commerce ~~Economic Opportunity,~~ in
1437 ~~consultation with Enterprise Florida, Inc.,~~ is authorized to
1438 develop the necessary guidelines and application materials for
1439 the certification process described in subsection (5).

1440 Section 29. Section 220.194, Florida Statutes, is
1441 repealed.

1442 Section 30. Subsection (1) and paragraph (a) of subsection
1443 (2) of section 220.196, Florida Statutes, are amended to read:

1444 220.196 Research and development tax credit.—

1445 (1) DEFINITIONS.—As used in this section, the term:

1446 (a) "Base amount" means the average of the business
1447 enterprise's qualified research expenses in this state allowed
1448 under 26 U.S.C. s. 41 for the 4 taxable years preceding the
1449 taxable year for which the credit is determined. The qualified

1450 research expenses taken into account in computing the base
 1451 amount shall be determined on a basis consistent with the
 1452 determination of qualified research expenses for the taxable
 1453 year.

1454 (b) "Business enterprise" means any corporation as defined
 1455 in s. 220.03 which meets the definition of a target industry
 1456 business as defined in s. 288.005 ~~s. 288.106~~.

1457 (c) "Qualified research expenses" means research expenses
 1458 qualifying for the credit under 26 U.S.C. s. 41 for in-house
 1459 research expenses incurred in this state or contract research
 1460 expenses incurred in this state. The term does not include
 1461 research conducted outside this state or research expenses that
 1462 do not qualify for a credit under 26 U.S.C. s. 41.

1463 (2) TAX CREDIT.—

1464 (a) As provided in this section, a business enterprise is
 1465 eligible for a credit against the tax imposed by this chapter if
 1466 it:

1467 1. Has qualified research expenses in this state in the
 1468 taxable year exceeding the base amount;

1469 2. Claims and is allowed a research credit for such
 1470 qualified research expenses under 26 U.S.C. s. 41 for the same
 1471 taxable year as subparagraph 1.; and

1472 3. Is a qualified target industry business as defined in
 1473 former s. 288.106(2)(n), Florida Statutes 2022. Only qualified
 1474 target industry businesses in the manufacturing, life sciences,

1475 information technology, aviation and aerospace, homeland
 1476 security and defense, cloud information technology, marine
 1477 sciences, materials science, and nanotechnology industries may
 1478 qualify for a tax credit under this section. A business applying
 1479 for a credit pursuant to this section shall include a letter
 1480 from the Department of Commerce ~~Economic Opportunity~~ certifying
 1481 whether the business meets the requirements of this subparagraph
 1482 with its application for credit. The Department Commerce of
 1483 ~~Economic Opportunity~~ shall provide such a letter upon receiving
 1484 a request.

1485 Section 31. Section 272.11, Florida Statutes, is amended
 1486 to read:

1487 272.11 Capitol information center.—The Florida Tourism
 1488 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, shall
 1489 establish, maintain, and operate a Capitol information center
 1490 somewhere within the area of the Capitol Center and employ
 1491 personnel or enter into contracts to maintain same.

1492 Section 32. Paragraph (f) of subsection (1) of section
 1493 287.0947, Florida Statutes, is amended to read:

1494 287.0947 Florida Advisory Council on Small and Minority
 1495 Business Development; creation; membership; duties.—

1496 (1) The Secretary of Management Services may create the
 1497 Florida Advisory Council on Small and Minority Business
 1498 Development with the purpose of advising and assisting the
 1499 secretary in carrying out the secretary's duties with respect to

1500 minority businesses and economic and business development. It is
 1501 the intent of the Legislature that the membership of such
 1502 council include practitioners, laypersons, financiers, and
 1503 others with business development experience who can provide
 1504 invaluable insight and expertise for this state in the
 1505 diversification of its markets and networking of business
 1506 opportunities. The council shall initially consist of 19
 1507 persons, each of whom is or has been actively engaged in small
 1508 and minority business development, either in private industry,
 1509 in governmental service, or as a scholar of recognized
 1510 achievement in the study of such matters. Initially, the council
 1511 shall consist of members representing all regions of the state
 1512 and shall include at least one member from each group identified
 1513 within the definition of "minority person" in s. 288.703(4),
 1514 considering also gender and nationality subgroups, and shall
 1515 consist of the following:

1516 (f) The Secretary of Commerce or his or her designee A
 1517 ~~member from the board of directors of Enterprise Florida, Inc.~~

1518
 1519 A candidate for appointment may be considered if eligible to be
 1520 certified as an owner of a minority business enterprise, or if
 1521 otherwise qualified under the criteria above. Vacancies may be
 1522 filled by appointment of the secretary, in the manner of the
 1523 original appointment.

1524 Section 33. Paragraph (e) of subsection (1) of section

1525 | 287.137, Florida Statutes, is amended to read:

1526 | 287.137 Antitrust violations; denial or revocation of the
1527 | right to transact business with public entities; denial of
1528 | economic benefits.—

1529 | (1) As used in this section, the term:

1530 | (e) "Economic incentives" means state grants, cash grants,
1531 | tax exemptions, tax refunds, tax credits, state funds, and other
1532 | state incentives under chapter 288 or administered by the
1533 | Department of Commerce ~~Enterprise Florida, Inc.~~

1534 | Section 34. Subsections (2) and (4) of section 288.0001,
1535 | Florida Statutes, are amended to read:

1536 | 288.0001 Economic Development Programs Evaluation.—The
1537 | Office of Economic and Demographic Research and the Office of
1538 | Program Policy Analysis and Government Accountability (OPPAGA)
1539 | shall develop and present to the Governor, the President of the
1540 | Senate, the Speaker of the House of Representatives, and the
1541 | chairs of the legislative appropriations committees the Economic
1542 | Development Programs Evaluation.

1543 | (2) The Office of Economic and Demographic Research and
1544 | OPPAGA shall provide a detailed analysis of economic development
1545 | programs as provided in the following schedule:

1546 | (a) By January 1, 2014, and every 3 years thereafter, an
1547 | analysis of the following:

1548 | 1. The capital investment tax credit established under s.
1549 | 220.191.

1550 ~~2. The qualified target industry tax refund established~~
 1551 ~~under s. 288.106.~~

1552 ~~2.3.~~ The brownfield redevelopment bonus refund established
 1553 under s. 288.107.

1554 ~~3.4.~~ High-impact business performance grants established
 1555 under s. 288.108.

1556 ~~5. The Quick Action Closing Fund established under s.~~
 1557 ~~288.1088.~~

1558 ~~6. The Innovation Incentive Program established under s.~~
 1559 ~~288.1089.~~

1560 ~~7. Enterprise Zone Program incentives established under~~
 1561 ~~ss. 212.08(5) and (15), 212.096, 220.181, and 220.182.~~

1562 ~~8. The New Markets Development Program established under~~
 1563 ~~ss. 288.991-288.9922.~~

1564 (b) By January 1, 2015, and every 3 years thereafter, an
 1565 analysis of ~~the following:~~

1566 ~~1. The entertainment industry financial incentive program~~
 1567 ~~established under s. 288.1254.~~

1568 ~~1.2.~~ The entertainment industry sales tax exemption
 1569 program established under s. 288.1258.

1570 ~~2.3.~~ VISIT Florida and its programs established or funded
 1571 under ss. 288.122, 288.1226, 288.12265, and 288.124.

1572 ~~3.4.~~ The Florida Sports Foundation and related programs
 1573 established under ss. 288.1162, 288.11621, 288.1166, and
 1574 ~~288.1167, 288.1168, 288.1169, and 288.1171.~~

1575 (c) By January 1, 2016, and every 3 years thereafter, an
 1576 analysis of the following:

1577 ~~1. The qualified defense contractor and space flight~~
 1578 ~~business tax refund program established under s. 288.1045.~~

1579 1.2. The tax exemption for semiconductor, defense, or
 1580 space technology sales established under s. 212.08(5)(j).

1581 ~~2.3.~~ The Military Base Protection Program established
 1582 under s. 288.980.

1583 ~~3.4.~~ The Quick Response Training Program established under
 1584 s. 288.047.

1585 4.5. The Incumbent Worker Training Program established
 1586 under s. 445.003.

1587 ~~5.6.~~ International trade and business development programs
 1588 established or funded under s. 288.826.

1589 (d) By January 1, 2019, and every 3 years thereafter, an
 1590 analysis of the grant and entrepreneur initiative programs
 1591 established under s. 295.22(3)(d) and (e).

1592 (4) Pursuant to the schedule established in subsection
 1593 (2), OPPAGA shall evaluate each program over the previous 3
 1594 years for its effectiveness and value to the taxpayers of this
 1595 state and include recommendations on each program for
 1596 consideration by the Legislature. The analysis may include
 1597 relevant economic development reports or analyses prepared by
 1598 the department of ~~Economic Opportunity, Enterprise Florida,~~
 1599 ~~Inc.~~ or local or regional economic development organizations and

1600 interviews with the parties involved, or any other relevant
 1601 data.

1602 Section 35. Paragraph (b) of subsection (4) of section
 1603 288.001, Florida Statutes, is amended to read:

1604 288.001 The Florida Small Business Development Center
 1605 Network.—

1606 (4) STATEWIDE ADVISORY BOARD.—

1607 (b) The statewide advisory board shall consist of 19
 1608 members from across the state. At least 12 members must be
 1609 representatives of the private sector who are knowledgeable of
 1610 the needs and challenges of small businesses. The members must
 1611 represent various segments and industries of the economy in this
 1612 state and must bring knowledge and skills to the statewide
 1613 advisory board which would enhance the board's collective
 1614 knowledge of small business assistance needs and challenges.
 1615 Minority and gender representation must be considered when
 1616 making appointments to the board. The board must include the
 1617 following members:

1618 1. Three members appointed from the private sector by the
 1619 President of the Senate.

1620 2. Three members appointed from the private sector by the
 1621 Speaker of the House of Representatives.

1622 3. Three members appointed from the private sector by the
 1623 Governor.

1624 4. Three members appointed from the private sector by the

1625 network's statewide director.

1626 5. One member appointed by the host institution.

1627 6. The Secretary of Commerce ~~The President of Enterprise~~

1628 ~~Florida, Inc.,~~ or his or her designee.

1629 7. The Chief Financial Officer or his or her designee.

1630 8. The President of the Florida Chamber of Commerce or his

1631 or her designee.

1632 9. The Small Business Development Center Project Officer

1633 from the U.S. Small Business Administration at the South Florida

1634 District Office or his or her designee.

1635 10. The executive director of the National Federation of

1636 Independent Businesses, Florida, or his or her designee.

1637 11. The executive director of the Florida United Business

1638 Association or his or her designee.

1639 Section 36. Subsections (1) and (2) of section 288.005,

1640 Florida Statutes, are renumbered as subsections (2) and (1),

1641 respectively, and subsection (6) is added to that section to

1642 read:

1643 288.005 Definitions.—As used in this chapter, the term:

1644 (6) "Target industry business" means a corporate

1645 headquarters business or any business that is engaged in one of

1646 the target industries identified pursuant to the following

1647 criteria developed by the department:

1648 (a) Future growth.—The industry forecast indicates strong

1649 expectation for future growth in employment and output,

1650 according to the most recent available data. Special
1651 consideration shall be given to businesses that export goods to,
1652 or provide services in, international markets and businesses
1653 that replace domestic and international imports of goods or
1654 services.

1655 (b) Stability.—The industry is not subject to periodic
1656 layoffs, whether due to seasonality or sensitivity to volatile
1657 economic variables such as weather. The industry is also
1658 relatively resistant to recession, so that the demand for
1659 products of this industry is not typically subject to decline
1660 during an economic downturn.

1661 (c) High wage.—The industry pays relatively high wages
1662 compared to statewide or area averages.

1663 (d) Market and resource independent.—The industry business
1664 location is not dependent on markets or resources in the state
1665 as indicated by industry analysis, except for businesses in the
1666 renewable energy industry.

1667 (e) Industrial base diversification and strengthening.—The
1668 industry contributes toward expanding or diversifying the
1669 state's or area's economic base, as indicated by analysis of
1670 employment and output shares compared to national and regional
1671 trends. Special consideration shall be given to industries that
1672 strengthen regional economies by adding value to basic products
1673 or building regional industrial clusters as indicated by
1674 industry analysis. Special consideration shall also be given to

1675 the development of strong industrial clusters that include
1676 defense and homeland security businesses.

1677 (f) Positive economic impact.—The industry has strong
1678 positive economic impacts on or benefits to the state or
1679 regional economies. Special consideration shall be given to
1680 industries that facilitate the development of the state as a hub
1681 for domestic and global trade and logistics.

1682
1683 The term does not include any business engaged in retail
1684 industry activities; any electrical utility company as defined
1685 in s. 366.02(4); any phosphate or other solid minerals
1686 severance, mining, or processing operation; any oil or gas
1687 exploration or production operation; or any business subject to
1688 regulation by the Division of Hotels and Restaurants of the
1689 Department of Business and Professional Regulation. Any business
1690 classified under NAICS code 5611, related to office
1691 administrative services, or NAICS code 5614, related to business
1692 support services, may be considered a target industry business
1693 only after the local governing body and the Department of
1694 Commerce determine that within the community in which the
1695 business may locate, conditions exist that affect the fiscal and
1696 economic viability of the local community or area, including,
1697 but not limited to, low per capita income, high unemployment,
1698 high underemployment, and a lack of year-round stable employment
1699 opportunities, and such conditions may be improved by the

1700 business locating in such community. By January 1 of every 3rd
 1701 year, beginning January 1, 2011, the department, in consultation
 1702 with economic development organizations, the State University
 1703 System, local governments, employee and employer organizations,
 1704 market analysts, and economists, shall review and, as
 1705 appropriate, revise the list of target industries and submit the
 1706 list to the Governor, the President of the Senate, and the
 1707 Speaker of the House of Representatives.

1708 Section 37. Section 288.012, Florida Statutes, are amended
 1709 to read:

1710 288.012 State of Florida international offices; direct-
 1711 support organization.—The Legislature finds that the expansion
 1712 of international trade and tourism is vital to the overall
 1713 health and growth of the economy of this state. This expansion
 1714 is hampered by the lack of technical and business assistance,
 1715 financial assistance, and information services for businesses in
 1716 this state. The Legislature finds that these businesses could be
 1717 assisted by providing these services at State of Florida
 1718 international offices. The Legislature further finds that the
 1719 accessibility and provision of services at these offices can be
 1720 enhanced through cooperative agreements or strategic alliances
 1721 between private businesses and state, local, and international
 1722 governmental entities.

1723 (1) The department is authorized to:

1724 (a) Establish and operate offices in other countries for
 1725 the purpose of promoting trade and economic development
 1726 opportunities of the state, and promoting the gathering of trade
 1727 data information and research on trade opportunities in specific
 1728 countries.

1729 (b) Enter into agreements with governmental and private
 1730 sector entities to establish and operate offices in other
 1731 countries which contain provisions that may conflict with the
 1732 general laws of the state pertaining to the purchase of office
 1733 space, employment of personnel, and contracts for services. When
 1734 agreements pursuant to this section are made which set
 1735 compensation in another country's currency, such agreements
 1736 shall be subject to the requirements of s. 215.425, but the
 1737 purchase of another country's currency by the department to meet
 1738 such obligations shall be subject only to s. 216.311.

1739 (2) Each international office shall have in place an
 1740 operational plan approved by the participating boards or other
 1741 governing authority, a copy of which shall be provided to the
 1742 department. These operating plans shall be reviewed and updated
 1743 each fiscal year and shall include, at a minimum, the following:

1744 (a) Specific policies and procedures encompassing the
 1745 entire scope of the operation and management of each office.

1746 (b) A comprehensive, commercial strategic plan identifying
 1747 marketing opportunities and industry sector priorities for the
 1748 country in which an international office is located.

1749 (c) Provisions for access to information for Florida
 1750 businesses related to trade leads and inquiries.

1751 (d) Identification of new and emerging market
 1752 opportunities for Florida businesses. This information shall be
 1753 provided either free of charge or on a fee basis with fees set
 1754 only to recover the costs of providing the information.

1755 (e) Provision of access for Florida businesses to
 1756 international trade assistance services provided by state and
 1757 local entities, seaport and airport information, and other
 1758 services identified by the department.

1759 (f) Qualitative and quantitative performance measures for
 1760 each office, including, but not limited to, the number of
 1761 businesses assisted, the number of trade leads and inquiries
 1762 generated, the number of international buyers and importers
 1763 contacted, and the amount and type of marketing conducted.

1764 (3) Each international office shall annually submit to the
 1765 department ~~Enterprise Florida, Inc.~~, a complete and detailed
 1766 report on its activities and accomplishments during the previous
 1767 fiscal year. ~~for inclusion in the annual report required under~~
 1768 ~~s. 288.906. In the format and by the annual date prescribed by~~
 1769 ~~Enterprise Florida, Inc.~~, The report must set forth information
 1770 on:

1771 (a) The number of Florida companies assisted.

1772 (b) The number of inquiries received about investment
 1773 opportunities in this state.

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

1798 relating to communications, and from all statutory provisions
1799 relating to state employment.

1800 (a) The department may exercise such exemptions only upon
1801 prior approval of the Governor.

1802 (b) If approval for an exemption under this section is
1803 granted as an integral part of a plan of operation for a
1804 specified international office, such action shall constitute
1805 continuing authority for the department to exercise the
1806 exemption, but only in the context and upon the terms originally
1807 granted. Any modification of the approved plan of operation with
1808 respect to an exemption contained therein must be resubmitted to
1809 the Governor for his or her approval. An approval granted to
1810 exercise an exemption in any other context shall be restricted
1811 to the specific instance for which the exemption is to be
1812 exercised.

1813 (c) As used in this subsection, the term "plan of
1814 operation" means the plan developed pursuant to subsection (2).

1815 (d) Upon final action by the Governor with respect to a
1816 request to exercise the exemption authorized in this subsection,
1817 the department shall report such action, along with the original
1818 request and any modifications thereto, to the President of the
1819 Senate and the Speaker of the House of Representatives within 30
1820 days.

1821 (5) Where feasible and appropriate, international offices
1822 established and operated under this section may provide one-stop

1823 access to the economic development, trade, and tourism
 1824 information, services, and programs of the state. Where feasible
 1825 and appropriate, such offices may also be collocated with other
 1826 international offices of the state.

1827 ~~(6) The department is authorized to make and to enter into~~
 1828 ~~contracts with Enterprise Florida, Inc., to carry out the~~
 1829 ~~provisions of this section. The authority, duties, and~~
 1830 ~~exemptions provided in this section apply to Enterprise Florida,~~
 1831 ~~Inc., to the same degree and subject to the same conditions as~~
 1832 ~~applied to the department. To the greatest extent possible, such~~
 1833 ~~contracts shall include provisions for cooperative agreements or~~
 1834 ~~strategic alliances between private businesses and state,~~
 1835 ~~international, and local governmental entities to operate~~
 1836 ~~international offices.~~

1837 (a) The department shall establish a direct-support
 1838 organization, organized as a nonprofit under chapter 617 and
 1839 recognized under s. 501(c)(3) of the Internal Revenue Code, that
 1840 is authorized to make and to enter into contracts with the
 1841 department to carry out the provisions of this section; assist
 1842 with the coordination of international trade development
 1843 efforts; and assist in development and planning related to
 1844 foreign investment, international partnerships, and other
 1845 international business and trade development. The organization
 1846 is exempt from paying fees under s. 617.0122.

1847 (b) The department must approve the articles of
 1848 incorporation and bylaws of the direct-support organization,
 1849 which shall include the formation of a board of directors and
 1850 the development of an implementation plan that supports the
 1851 goals of this section in coordination with the department, which
 1852 must be completed within 30 days of formation of Florida
 1853 International Trade, Inc. Such direct-support organization shall
 1854 be designated Florida International Trade, Inc.

1855 (c) Florida International Trade, Inc., is a direct-support
 1856 organization of the department that may contract with the
 1857 department to provide assistance, funding, and promotional
 1858 support for international offices, trade and promotion,
 1859 development and planning related to foreign investment,
 1860 international partnerships, and other international business and
 1861 trade development in conjunction with the department.

1862 (d) The following provisions shall govern the creation,
 1863 use, powers, and duties of Florida International Trade, Inc.:

1864 1. The department shall enter into a contract, memorandum
 1865 or letter of agreement with Florida International Trade, Inc.,
 1866 which shall specify the approval of the department, the powers
 1867 and duties of Florida International Trade, Inc., and rules with
 1868 which the direct-support organization must comply.

1869 2. The department may authorize, without charge,
 1870 appropriate use of property, facilities, and personnel of the

1871 department by Florida International Trade, Inc. The use shall be
 1872 for the approved purposes of Florida International Trade, Inc.

1873 3. The department shall prescribe by agreement conditions
 1874 with which Florida International Trade, Inc., must comply in
 1875 order to use property, facilities, or personnel of the
 1876 department. Such conditions shall provide for budget and audit
 1877 review and oversight by the department.

1878 4. The department may not authorize the use of property,
 1879 facilities, or personnel of department by Florida International
 1880 Trade, Inc., that does not provide equal employment
 1881 opportunities to all persons regardless of race, color,
 1882 religion, sex, age, or national origin.

1883 (7) Florida International Trade, Inc., may conduct
 1884 programs and activities; raise funds; request and receive
 1885 grants, gifts, and bequests of money; acquire, receive, hold,
 1886 invest, and administer, in its own name, securities, funds,
 1887 objects of value, or other property, real or personal; and make
 1888 expenditures to or for the direct or indirect benefit of Florida
 1889 International Trade, Inc., if such furthers the duties and
 1890 mission of Florida International Trade, Inc., and is in the best
 1891 interests of this state.

1892 (8) Florida International Trade, Inc., shall provide for
 1893 an annual financial audit in accordance with s. 215.981.

1894 (9) All moneys received by Florida International Trade,
 1895 Inc., shall be deposited into an account of the direct-support

1896 organization and shall be used by the organization in a manner
 1897 consistent with the goals of Florida International Trade, Inc.,
 1898 or a designated program.

1899 (10) The identity of a donor or prospective donor who
 1900 desires to remain anonymous and all information identifying such
 1901 donor or prospective donor are confidential and exempt from the
 1902 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 1903 Constitution.

1904 (11) The department may terminate its agreement with
 1905 Florida International Trade, Inc., at any time if the department
 1906 determines that the direct-support organization no longer meets
 1907 the objectives of this section.

1908 (12) Upon termination of Florida International Trade,
 1909 Inc., the assets of Florida International Trade, Inc., shall be
 1910 distributed pursuant to its articles of incorporation or bylaws
 1911 or, if not provided for, to the department.

1912 (13) The Legislature determines it is in the public
 1913 interest and reflects the state's public policy that Florida
 1914 International Trade, Inc., operate in the most open and
 1915 accessible manner consistent with its public purposes. As such,
 1916 its divisions, boards, and advisory councils, or similar
 1917 entities created or managed by Florida International Trade,
 1918 Inc., are subject to the provisions of chapter 119 relating to
 1919 public records and those provisions of chapter 286 relating to
 1920 public meetings and records.

1921 (14) The president, senior managers, and members of the
 1922 board of directors of Florida International Trade, Inc., are
 1923 subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135;
 1924 and 112.3143(2). For purposes of applying ss. 112.313(1)-(8),
 1925 (10), (12), and (15); 112.3135; and 112.3143(2) to activities of
 1926 the president, senior managers, and members of the board of
 1927 directors, those persons shall be considered public officers or
 1928 employees and the corporation shall be considered their agency.
 1929 The exemption set forth in s. 112.313(12) for advisory boards
 1930 applies to the members of Florida International Trade, Inc.,
 1931 board of directors. Further, each member of the board of
 1932 directors who is not otherwise required to file financial
 1933 disclosures pursuant to s. 8, Art. II of the State Constitution
 1934 or s. 112.3144, shall file disclosure of financial interests
 1935 pursuant to s. 112.3145.

1936 (15) Florida International Trade, Inc., shall act as the
 1937 international trade and travel mission organization for the
 1938 state, utilizing private sector and public sector expertise in
 1939 collaboration with the department to increase private
 1940 investments in Florida by persons outside of the United States
 1941 that:

1942 (a) Advance international trade opportunities.

1943 (b) Market the state as a probusiness location for new
 1944 investment.

1945 (c) Promote Florida's space and aerospace industries, and
 1946 emerging complementary industries.

1947 (d) Promote opportunities for minority-owned businesses in
 1948 Florida.

1949 (e) Assist and market tourist destinations, venues, and
 1950 events, and professional and amateur sport teams and sporting
 1951 events in Florida.

1952 (f) Assist, promote, and enhance economic opportunities in
 1953 this state's rural and urban communities.

1954 (16) Florida International Trade, Inc., shall enter into a
 1955 performance-based contract with the department, pursuant to s.
 1956 20.60, which includes annual measurements of the performance of
 1957 Florida International Trade, Inc.

1958 (17) The board of directors of Florida International
 1959 Trade, Inc., shall consist of the Governor or his or her
 1960 designee, who shall serve as chair and a voting member, and 12
 1961 members appointed as follows:

1962 (a) Four members appointed by the Governor, subject to
 1963 confirmation by the Senate.

1964 (b) Four members appointed by the President of the Senate.

1965 (c) Four members appointed by the Speaker of the House of
 1966 Representatives.

1967 (d) Appointed members must represent and reflect the
 1968 state's interest in international trade and development efforts,
 1969 and have experience or knowledge that will assist in development

1970 and planning related to foreign investment, international
1971 partnerships, and other international business and trade
1972 development. All appointments must be made by December 1, 2023.
1973 Members shall serve for a term of 4 years. However, if members
1974 of the Legislature are appointed to the task force, those
1975 members shall serve until the expiration of their legislative
1976 term and may be reappointed once. A vacancy shall be filled for
1977 the remainder of the unexpired term in the same manner as the
1978 initial appointment. All members of the board are eligible for
1979 reappointment. A member who serves in the Legislature may
1980 participate in all activities but may only vote on matters that
1981 are advisory.

1982 (e) The Secretary of Commerce, or his or her designee,
1983 shall serve as the ex officio, nonvoting executive director of
1984 the board.

1985 (f) The board of directors shall meet at least quarterly
1986 and at other times upon the call of the chair, and may use any
1987 method of telecommunications to conduct, or establish a quorum
1988 at, its meetings or the meetings of a subcommittee or other
1989 subdivision if the public is given proper notice of the
1990 telecommunications meeting and provided reasonable access to
1991 observe and, if appropriate, to participate.

1992 (g) A majority of the total current membership of the
1993 board of directors constitutes a quorum of the board.

1994 (h) Members of the board of directors, and the board's
 1995 subcommittees or other subdivisions shall serve without
 1996 compensation; however, the members may be reimbursed for
 1997 reasonable, necessary, and actual travel expenses pursuant to s.
 1998 112.061.

1999 (18) The department must determine and annually certify
 2000 that the direct-support organization is complying with the terms
 2001 of the contract and is doing so consistent with the goals and
 2002 purposes of the organization and in the best interests of the
 2003 state. The organization is required to annually submit to the
 2004 department its federal Internal Revenue Service Application for
 2005 Recognition of Exemption form (Form 1023) and federal Internal
 2006 Revenue Service Return of Organization Exempt from Income Tax
 2007 form (Form 990); an annual budget for approval by the
 2008 department; and an annual financial audit in accordance with s.
 2009 215.981.

2010 (19) The fiscal year of the direct-support organization
 2011 begins on July 1 of each year and ends on June 30 of the
 2012 following year. By August 15 of each fiscal year, the department
 2013 shall submit a proposed operating budget for the direct-support
 2014 organization, including amounts to be expended on international
 2015 offices, trade missions, events, other operating capital outlay,
 2016 salaries and benefits for each employee, and contributions and
 2017 expenditures, to the Governor, the President of the Senate, and
 2018 the Speaker of the House of Representatives.

2019 (20) Subsections (6) through (19) and this subsection are
 2020 repealed October 1, 2028, unless reviewed and saved from repeal
 2021 by the Legislature.

2022 Section 38. Section 288.017, Florida Statutes, is amended
 2023 to read:

2024 288.017 Cooperative advertising matching grants program.—

2025 (1) The Florida Tourism Industry Marketing Corporation
 2026 ~~Enterprise Florida, Inc.,~~ is authorized to establish a
 2027 cooperative advertising matching grants program and, pursuant
 2028 thereto, to make expenditures and enter into contracts with
 2029 local governments and nonprofit corporations for the purpose of
 2030 publicizing the tourism advantages of the state. The department,
 2031 based on recommendations from the corporation ~~Enterprise~~
 2032 ~~Florida, Inc.,~~ shall have final approval of grants awarded
 2033 through this program. ~~Enterprise Florida, Inc., may contract~~
 2034 ~~with its direct-support organization to administer the program.~~

2035 (2) The total annual allocation of funds for this grant
 2036 program may not exceed \$40,000. Each grant awarded under the
 2037 program shall be limited to no more than \$2,500 and shall be
 2038 matched by nonstate dollars. All grants shall be restricted to
 2039 local governments and nonprofit corporations serving and located
 2040 in municipalities having a population of 50,000 persons or less
 2041 or in counties with an unincorporated area having a population
 2042 of 200,000 persons or less.

2043 (3) The Florida Tourism Marketing Corporation ~~Enterprise~~
 2044 ~~Florida, Inc.,~~ shall conduct an annual competitive selection
 2045 process for the award of grants under the program. In
 2046 determining its recommendations for the grant awards, the
 2047 corporation ~~commission~~ shall consider the demonstrated need of
 2048 the applicant for advertising assistance, the feasibility and
 2049 projected benefit of the applicant's proposal, the amount of
 2050 nonstate funds that will be leveraged, and such other criteria
 2051 as the department ~~commission~~ deems appropriate. In evaluating
 2052 grant applications, the department shall consider
 2053 recommendations from the corporation ~~Enterprise Florida, Inc.~~
 2054 The department, however, has final approval authority for any
 2055 grant under this section.

2056 Section 39. Subsection (4) of section 288.018, Florida
 2057 Statutes, is amended to read:

2058 288.018 Regional Rural Development Grants Program.—

2059 (4) The department may expend up to \$750,000 each fiscal
 2060 year from funds appropriated to the Rural Community Development
 2061 Revolving Loan Fund for the purposes outlined in this section.
 2062 ~~The department may contract with Enterprise Florida, Inc., for~~
 2063 ~~the administration of the purposes specified in this section.~~
 2064 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
 2065 ~~shall be released quarterly and shall be calculated based on the~~
 2066 ~~applications in process.~~

2067 Section 40. Subsections (1), (9), and (10) of section

2068 | 288.047, Florida Statutes, are amended, to read:

2069 | 288.047 Quick-response training for economic development.—

2070 | (1) The Quick-Response Training Program is created to meet

2071 | the workforce-skill needs of existing, new, and expanding

2072 | industries. The program shall be administered by CareerSource

2073 | Florida, Inc., in conjunction with ~~Enterprise Florida, Inc., and~~

2074 | the Department of Education. CareerSource Florida, Inc., shall

2075 | adopt guidelines for the administration of this program, shall

2076 | provide technical services, and shall identify businesses that

2077 | seek services through the program. ~~CareerSource Florida, Inc.,~~

2078 | ~~may contract with Enterprise Florida, Inc., or administer this~~

2079 | ~~program directly, if it is determined that such an arrangement~~

2080 | ~~maximizes the amount of the Quick Response grant going to direct~~

2081 | ~~services.~~

2082 | ~~(9) Notwithstanding any other provision of law, eligible~~

2083 | ~~matching contributions received under this section from the~~

2084 | ~~Quick-Response Training Program may be counted toward the~~

2085 | ~~private sector support of Enterprise Florida, Inc., under s.~~

2086 | ~~288.904.~~

2087 | ~~(10) CareerSource Florida, Inc., and Enterprise Florida,~~

2088 | ~~Inc., shall coordinate and cooperate in administering this~~

2089 | ~~section so that any division of responsibility between the two~~

2090 | ~~organizations which relates to marketing or administering the~~

2091 | ~~Quick-Response Training Program is not apparent to a business~~

2092 | ~~that inquires about or applies for funding under this section. A~~

2093 ~~business shall be provided with a single point of contact for~~
 2094 ~~information and assistance.~~

2095 Section 41. Subsections (1) and (4) of section 288.061,
 2096 Florida Statutes, are amended to read:

2097 288.061 Economic development incentive application
 2098 process.—

2099 (1) Upon receiving a submitted economic development
 2100 incentive application, the Division of Economic Strategie
 2101 ~~Business~~ Development of the department of ~~Economic Opportunity~~
 2102 ~~and designated staff of Enterprise Florida, Inc.,~~ shall review
 2103 the application to ensure that the application is complete,
 2104 whether and what type of state and local permits may be
 2105 necessary for the applicant's project, whether it is possible to
 2106 waive such permits, and what state incentives and amounts of
 2107 such incentives may be available to the applicant. The
 2108 department shall recommend to the Secretary of Commerce Economic
 2109 ~~Opportunity~~ to approve or disapprove an applicant business. If
 2110 review of the application demonstrates that the application is
 2111 incomplete, the secretary shall notify the applicant business
 2112 within the first 5 business days after receiving the
 2113 application.

2114 (4) The department shall validate contractor performance
 2115 and report such validation in the annual incentives report
 2116 required under s. 288.0065 ~~s. 288.907~~.

2117 Section 42. Subsection (5) of section 288.0655, Florida

2118 Statutes, is renumbered as subsection (4), and paragraph (e) of
 2119 subsection (2) and subsection (3) and present subsection (4) of
 2120 that section are amended, to read:

2121 288.0655 Rural Infrastructure Fund.—

2122 (2)

2123 (e) To enable local governments to access the resources
 2124 available pursuant to s. 403.973(17) ~~s. 403.973(18)~~, the
 2125 department may award grants for surveys, feasibility studies,
 2126 and other activities related to the identification and
 2127 preclearance review of land which is suitable for preclearance
 2128 review. Authorized grants under this paragraph may not exceed
 2129 \$75,000 each, except in the case of a project in a rural area of
 2130 opportunity, in which case the grant may not exceed \$300,000.
 2131 Any funds awarded under this paragraph must be matched at a
 2132 level of 50 percent with local funds, except that any funds
 2133 awarded for a project in a rural area of opportunity must be
 2134 matched at a level of 33 percent with local funds. If an
 2135 application for funding is for a catalyst site, as defined in s.
 2136 288.0656, the requirement for local match may be waived pursuant
 2137 to the process in s. 288.06561. In evaluating applications under
 2138 this paragraph, the department shall consider the extent to
 2139 which the application seeks to minimize administrative and
 2140 consultant expenses.

2141 (3) The department, in consultation with ~~Enterprise~~
 2142 ~~Florida, Inc.,~~ the Florida Tourism Industry Marketing

2143 Corporation, the Department of Environmental Protection, and the
 2144 Florida Fish and Wildlife Conservation Commission, as
 2145 appropriate, shall review and certify applications pursuant to
 2146 s. 288.061. The review shall include an evaluation of the
 2147 economic benefit of the projects and their long-term viability.
 2148 The department shall have final approval for any grant under
 2149 this section.

2150 ~~(4) By September 1, 2021, the department shall, in~~
 2151 ~~consultation with the organizations listed in subsection (3),~~
 2152 ~~and other organizations, reevaluate existing guidelines and~~
 2153 ~~criteria governing submission of applications for funding,~~
 2154 ~~review and evaluation of such applications, and approval of~~
 2155 ~~funding under this section. The department shall consider~~
 2156 ~~factors including, but not limited to, the project's potential~~
 2157 ~~for enhanced job creation or increased capital investment, the~~
 2158 ~~demonstration and level of local public and private commitment,~~
 2159 ~~whether the project is located in a community development~~
 2160 ~~corporation service area, or in an urban high-crime area as~~
 2161 ~~designated under s. 212.097, the unemployment rate of the county~~
 2162 ~~in which the project would be located, and the poverty rate of~~
 2163 ~~the community.~~

2164 Section 43. Paragraph (a) of subsection (6) and paragraphs
 2165 (a) and (c) of subsection (7) of section 288.0656, Florida
 2166 Statutes, are amended to read:

2167 288.0656 Rural Economic Development Initiative.—

2168 (6) (a) By August 1 of each year, the head of each of the
 2169 following agencies and organizations shall designate a deputy
 2170 secretary or higher-level staff person from within the agency or
 2171 organization to serve as the REDI representative for the agency
 2172 or organization:

- 2173 1. The Department of Transportation.
- 2174 2. The Department of Environmental Protection.
- 2175 3. The Department of Agriculture and Consumer Services.
- 2176 4. The Department of State.
- 2177 5. The Department of Health.
- 2178 6. The Department of Children and Families.
- 2179 7. The Department of Corrections.
- 2180 8. The Department of Education.
- 2181 9. The Department of Juvenile Justice.
- 2182 10. The Fish and Wildlife Conservation Commission.
- 2183 11. Each water management district.
- 2184 ~~12. Enterprise Florida, Inc.~~
- 2185 12.13. CareerSource Florida, Inc.
- 2186 ~~13.14.~~ VISIT Florida.
- 2187 14.15. The Florida Regional Planning Council Association.
- 2188 ~~15.16.~~ The Agency for Health Care Administration.
- 2189 ~~16.17.~~ The Institute of Food and Agricultural Sciences
 2190 (IFAS).

2191
 2192 An alternate for each designee shall also be chosen, and the

2193 names of the designees and alternates shall be sent to the
 2194 Secretary of Commerce ~~Economic Opportunity~~.

2195 (7)

2196 (a) REDI may recommend to the Governor up to three rural
 2197 areas of opportunity. The Governor may by executive order
 2198 designate up to three rural areas of opportunity which will
 2199 establish these areas as priority assignments for REDI as well
 2200 as to allow the Governor, acting through REDI, to waive
 2201 criteria, requirements, or similar provisions of any economic
 2202 development incentive. Such incentives shall include, but are
 2203 not limited to, ~~the Qualified Target Industry Tax Refund Program~~
 2204 ~~under s. 288.106,~~ the Quick Response Training Program under s.
 2205 288.047, the Quick Response Training Program for participants in
 2206 the welfare transition program under s. 288.047 (8),
 2207 ~~transportation projects under s. 339.2821,~~ the brownfield
 2208 redevelopment bonus refund under s. 288.107, and the rural job
 2209 tax credit program under ss. 212.098 and 220.1895.

2210 (c) Each rural area of opportunity may designate catalyst
 2211 projects, provided that each catalyst project is specifically
 2212 recommended by REDI, ~~identified as a catalyst project by~~
 2213 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by
 2214 the department. All state agencies and departments shall use all
 2215 available tools and resources to the extent permissible by law
 2216 to promote the creation and development of each catalyst project
 2217 and the development of catalyst sites.

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2023

2218 Section 44. Section 288.0658, Florida Statutes, is amended
 2219 to read:

2220 288.0658 Nature-based recreation; promotion and other
 2221 assistance by Fish and Wildlife Conservation Commission.—The
 2222 Florida Fish and Wildlife Conservation Commission is directed to
 2223 assist ~~Enterprise Florida, Inc.;~~ the Florida Tourism Industry
 2224 Marketing Corporation, doing business as VISIT Florida;
 2225 convention and visitor bureaus,; tourist development councils,;
 2226 economic development organizations,; and local governments
 2227 through the provision of marketing advice, technical expertise,
 2228 promotional support, and product development related to nature-
 2229 based recreation and sustainable use of natural resources. In
 2230 carrying out this responsibility, the Florida Fish and Wildlife
 2231 Conservation Commission shall focus its efforts on fostering
 2232 nature-based recreation in rural communities and regions
 2233 encompassing rural communities. As used in this section, the
 2234 term "nature-based recreation" means leisure activities related
 2235 to the state's lands, waters, and fish and wildlife resources,
 2236 including, but not limited to, wildlife viewing, fishing,
 2237 hiking, canoeing, kayaking, camping, hunting, backpacking, and
 2238 nature photography.

2239 Section 45. Subsection (6) of section 288.075, Florida
 2240 Statutes, is amended to read:

2241 288.075 Confidentiality of records.—

2242 (6) ECONOMIC INCENTIVE PROGRAMS.—

2243 (a) The following information held by an economic
 2244 development agency pursuant to the administration of an economic
 2245 incentive program for qualified businesses is confidential and
 2246 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 2247 Constitution for a period not to exceed the duration of the
 2248 incentive agreement, including an agreement authorizing a tax
 2249 refund or tax credit, or upon termination of the incentive
 2250 agreement:

2251 1. The percentage of the business's sales occurring
 2252 outside this state and, ~~for businesses applying under s.~~
 2253 ~~288.1045, the percentage of the business's gross receipts~~
 2254 ~~derived from Department of Defense contracts during the 5 years~~
 2255 ~~immediately preceding the date the business's application is~~
 2256 ~~submitted.~~

2257 2. An individual employee's personal identifying
 2258 information that is held as evidence of the achievement or
 2259 nonachievement of the wage requirements of the tax refund, tax
 2260 credit, or incentive agreement programs or of the job creation
 2261 requirements of such programs.

2262 3. The amount of:

2263 a. Taxes on sales, use, and other transactions paid
 2264 pursuant to chapter 212;

2265 b. Corporate income taxes paid pursuant to chapter 220;

2266 c. Intangible personal property taxes paid pursuant to
 2267 chapter 199;

- 2268 | d. Insurance premium taxes paid pursuant to chapter 624;
- 2269 | e. Excise taxes paid on documents pursuant to chapter 201;
- 2270 | f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2271 | g. State communications services taxes paid pursuant to
- 2272 | chapter 202.

2273 |
 2274 | However, an economic development agency may disclose in the
 2275 | annual incentives report required under s. 288.0065 ~~s. 288.907~~
 2276 | the aggregate amount of each tax identified in this subparagraph
 2277 | and paid by all businesses participating in each economic
 2278 | incentive program.

2279 | (b)~~1.~~ The following information held by an economic
 2280 | development agency relating to a specific business participating
 2281 | in an economic incentive program is no longer confidential or
 2282 | exempt 180 days after a final project order for an economic
 2283 | incentive agreement is issued, until a date specified in the
 2284 | final project order, or if the information is otherwise
 2285 | disclosed, whichever occurs first:

2286 | 1.a. The name of the qualified business.

2287 | 2.b. The total number of jobs the business committed to
 2288 | create or retain.

2289 | 3.c. The total number of jobs created or retained by the
 2290 | business.

2291 | 4.d. Notwithstanding s. 213.053(2), the amount of tax
 2292 | refunds, tax credits, or incentives awarded to, claimed by, or,

2293 if applicable, refunded to the state by the business.

2294 ~~5.e.~~ The anticipated total annual wages of employees the
2295 business committed to hire or retain.

2296 ~~2. For a business applying for certification under s.~~
2297 ~~288.1045 which is based on obtaining a new Department of Defense~~
2298 ~~contract, the total number of jobs expected and the amount of~~
2299 ~~tax refunds claimed may not be released until the new Department~~
2300 ~~of Defense contract is awarded.~~

2301 Section 46. Paragraphs (a) and (c) of subsection (1),
2302 paragraph (e) of subsection (3), and subsections (6), (7), and
2303 (8) of section 288.076 are amended to read:

2304 288.076 Return on investment reporting for economic
2305 development programs.—

2306 (1) As used in this section, the term:

2307 (a) "Jobs" means full-time equivalent positions,
2308 including, but not limited to, positions obtained from a
2309 temporary employment agency or employee leasing company or
2310 through a union agreement or coemployment under a professional
2311 employer organization agreement, that result directly from a
2312 project in this state. The term does not include temporary
2313 construction jobs involved with the construction of facilities
2314 for the project or any jobs previously included in any
2315 application for tax refunds ~~has the same meaning as provided in~~
2316 ~~s. 288.106(2)(i).~~

2317 (c) "Project" means the creation of a new business or
 2318 expansion of an existing business ~~has the same meaning as~~
 2319 ~~provided in s. 288.106(2) (m).~~

2320 (3) Within 48 hours after expiration of the period of
 2321 confidentiality for project information deemed confidential and
 2322 exempt pursuant to s. 288.075, the department shall publish the
 2323 following information pertaining to each project:

2324 (e) *Project performance goals.*-

2325 1. The incremental direct jobs attributable to the
 2326 project, identifying the number of jobs generated and the number
 2327 of jobs retained.

2328 2. The number of jobs generated and the number of jobs
 2329 retained by the project, and ~~for projects commencing after~~
 2330 ~~October 1, 2013,~~ the average annual wage of persons holding such
 2331 jobs.

2332 3. The incremental direct capital investment in the state
 2333 generated by the project.

2334 (6) Annually, the department shall publish information
 2335 relating to the progress of Quick Action Closing Fund projects
 2336 awarded under former s. 288.1088 until all contracts are
 2337 complete or terminated ~~, including the average number of days~~
 2338 ~~between the date the department receives a completed application~~
 2339 ~~and the date on which the application is approved.~~

2340 (7)~~(a)~~ Within 48 hours after expiration of the period of
 2341 confidentiality provided under s. 288.075, the department shall

2342 | publish the contract or agreement described in s. 288.061,
 2343 | redacted to protect the participant business from disclosure of
 2344 | information that remains confidential or exempt by law.

2345 | ~~(b) Within 48 hours after submitting any report of~~
 2346 | ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~
 2347 | ~~concerning a business's failure to complete a tax refund~~
 2348 | ~~agreement pursuant to the tax refund program for qualified~~
 2349 | ~~target industry businesses, the department shall publish such~~
 2350 | ~~report.~~

2351 | ~~(8) For projects completed before October 1, 2013, the~~
 2352 | ~~department shall compile and, by October 1, 2014, shall publish~~
 2353 | ~~the information described in subsections (3), (4), and (5), to~~
 2354 | ~~the extent such information is available and applicable.~~

2355 | Section 47. Section 288.095, Florida Statutes, is amended
 2356 | to read:

2357 | 288.095 Economic Development Trust Fund.—

2358 | (1) The Economic Development Trust Fund is created within
 2359 | the department ~~of Economic Opportunity~~. Moneys deposited into
 2360 | the fund must be used only to support the authorized activities
 2361 | and operations of the department.

2362 | (2) There is created, within the Economic Development
 2363 | Trust Fund, the Economic Development Incentives Account. The
 2364 | Economic Development Incentives Account consists of moneys
 2365 | appropriated to the account for purposes of the tax incentives
 2366 | programs authorized under s. 288.107 and former ~~s. 288.106 ss.~~

2367 | ~~288.1045 and 288.106~~, and local financial support provided under
 2368 | former s. 288.106 ~~ss. 288.1045 and 288.106~~. Moneys in the
 2369 | Economic Development Incentives Account shall be subject to the
 2370 | provisions of s. 216.301(1) (a).

2371 | (3) (a) ~~The department may approve applications for~~
 2372 | ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
 2373 | The total state share of tax refund payments may not exceed \$35
 2374 | million.

2375 | (b) The total amount of tax refund claims approved for
 2376 | payment by the department based on actual project performance
 2377 | may not exceed the amount appropriated to the Economic
 2378 | Development Incentives Account for such purposes for the fiscal
 2379 | year. Claims for tax refunds under s. 288.107 and former s.
 2380 | 288.106 ~~ss. 288.1045 and 288.106~~ shall be paid in the order the
 2381 | claims are approved by the department. In the event the
 2382 | Legislature does not appropriate an amount sufficient to satisfy
 2383 | the tax refunds under s. 288.107 and former s. 288.106 ~~ss.~~
 2384 | ~~288.1045 and 288.106~~ in a fiscal year, the department shall pay
 2385 | the tax refunds from the appropriation for the following fiscal
 2386 | year. By March 1 of each year, the department shall notify the
 2387 | legislative appropriations committees of the Senate and House of
 2388 | Representatives of any anticipated shortfall in the amount of
 2389 | funds needed to satisfy claims for tax refunds from the
 2390 | appropriation for the current fiscal year.

2391 | (c) Moneys in the Economic Development Incentives Account

2392 may be used only to pay tax refunds and make other payments on
 2393 agreements executed prior to July 1, 2023, authorized under
 2394 former s. 288.1045, s. 288.106~~7~~ or s. 288.107.

2395 (d) The department may adopt rules necessary to carry out
 2396 ~~the provisions of~~ this subsection, including rules providing for
 2397 the use of moneys in the Economic Development Incentives Account
 2398 and for the administration of the Economic Development
 2399 Incentives Account.

2400 Section 48. Subsection (2) and paragraph (c) of subsection
 2401 (3) of section 288.101, Florida Statutes, are amended to read:

2402 288.101 Florida Job Growth Grant Fund.—

2403 (2) The department ~~and Enterprise Florida, Inc.,~~ may
 2404 identify projects, solicit proposals, and make funding
 2405 recommendations to the Governor, who is authorized to approve:

2406 (a) State or local public infrastructure projects to
 2407 promote economic recovery in specific regions of the state,
 2408 economic diversification, ~~or~~ economic enhancement in a targeted
 2409 industry.

2410 ~~(b) Infrastructure funding to accelerate the~~
 2411 ~~rehabilitation of the Herbert Hoover Dike. The department or the~~
 2412 ~~South Florida Water Management District may enter into~~
 2413 ~~agreements, as necessary, with the United States Army Corps of~~
 2414 ~~Engineers to implement this paragraph.~~

2415 (b)(e) Workforce training grants to support programs at
 2416 state colleges and state technical centers that provide

2417 participants with transferable, sustainable workforce skills
 2418 applicable to more than a single employer, and for equipment
 2419 associated with these programs. The department shall work with
 2420 CareerSource Florida, Inc., to ensure programs are offered to
 2421 the public based on criteria established by the state college or
 2422 state technical center and do not exclude applicants who are
 2423 unemployed or underemployed.

2424 (3) For purposes of this section:

2425 (c) "Targeted industry" means any industry identified in
 2426 the most recent list provided to the Governor, the President of
 2427 the Senate, and the Speaker of the House of Representatives in
 2428 accordance with s. 288.005(6) ~~s. 288.106(2)(q)~~.

2429 Section 49. Section 288.1045, Florida Statutes, is
 2430 repealed.

2431 Section 50. Section 288.106, Florida Statutes, is
 2432 repealed.

2433 Section 51. Paragraphs (d) and (f) of subsection (1),
 2434 subsection (2), paragraph (b) of subsection (3), subsection (4),
 2435 and paragraph (b) of subsection (5) of section 288.107, Florida
 2436 Statutes, are amended, and paragraph (c) is added to subsection
 2437 (5) of that section, to read:

2438 288.107 Brownfield redevelopment bonus refunds.—

2439 (1) DEFINITIONS.—As used in this section:

2440 (d) "Eligible business" means÷

2441 ~~1. A qualified target industry business as defined in s.~~
 2442 ~~288.106(2); or~~

2443 ~~2.~~ a business that can demonstrate a fixed capital
 2444 investment of at least \$2 million in mixed-use business
 2445 activities, including multiunit housing, commercial, retail, and
 2446 industrial in brownfield areas eligible for bonus refunds, and
 2447 that provides benefits to its employees.

2448 (f) "Project" means the creation of a new business or the
 2449 expansion of an existing business ~~as defined in s. 288.106.~~

2450 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.—Bonus refunds
 2451 shall be approved by the department as specified in the final
 2452 order and allowed from the account as ~~follows:~~

2453 ~~(a) A bonus refund of \$2,500 shall be allowed to any~~
 2454 ~~qualified target industry business as defined in s. 288.106 for~~
 2455 ~~each new Florida job created in a brownfield area eligible for~~
 2456 ~~bonus refunds which is claimed on the qualified target industry~~
 2457 ~~business's annual refund claim authorized in s. 288.106(6).~~

2458 ~~(b)~~ a bonus refund of up to \$2,500 shall be allowed to any
 2459 ~~other~~ eligible business ~~as defined in subparagraph (1)(d)2.~~ for
 2460 each new Florida job created in a brownfield area eligible for
 2461 bonus refunds which is claimed under an annual claim procedure
 2462 similar to the annual refund claim authorized in former s.
 2463 288.106(6), Florida Statutes 2022. The amount of the refund
 2464 shall be equal to 20 percent of the average annual wage for the
 2465 jobs created.

2466 (3) CRITERIA.—The minimum criteria for participation in
 2467 the brownfield redevelopment bonus refund are:

2468 (b) The completion of a fixed capital investment of at
 2469 least \$2 million in mixed-use business activities, including
 2470 multiunit housing, commercial, retail, and industrial in
 2471 brownfield areas eligible for bonus refunds, by an eligible
 2472 business applying for a refund under subsection (2) ~~paragraph~~
 2473 ~~(2)(b)~~ which provides benefits to its employees.

2474 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

2475 (a) To be eligible to receive a bonus refund for new
 2476 Florida jobs created in a brownfield area eligible for bonus
 2477 refunds, a business must have been certified as an ~~a qualified~~
 2478 ~~target industry business under s. 288.106~~ or eligible business
 2479 as defined in paragraph (1)(d) and must have indicated on the
 2480 ~~qualified target industry business~~ tax refund application form
 2481 submitted to the department ~~in accordance with s. 288.106(4) or~~
 2482 ~~other similar agreement for other eligible business as defined~~
 2483 ~~in paragraph (1)(d)~~ that the project for which the application
 2484 is submitted is or will be located in a brownfield area eligible
 2485 for bonus refunds and that the business is applying for
 2486 certification as a qualified brownfield business under this
 2487 section, and must have signed a ~~qualified target industry~~
 2488 ~~business~~ tax refund agreement with the department that indicates
 2489 that the business has been certified as ~~a qualified target~~
 2490 ~~industry business~~ located in a brownfield area eligible for

2491 bonus refunds and specifies the schedule of brownfield
 2492 redevelopment bonus refunds that the business may be eligible to
 2493 receive in each fiscal year.

2494 (b) To be considered to receive an eligible brownfield
 2495 redevelopment bonus refund payment, the business meeting the
 2496 requirements of paragraph (a) must submit a claim once each
 2497 fiscal year on a claim form approved by the department which
 2498 indicates the location of the brownfield site for which a
 2499 rehabilitation agreement with the Department of Environmental
 2500 Protection or a local government delegated by the Department of
 2501 Environmental Protection has been executed under s. 376.80, the
 2502 address of the business facility's brownfield location, the name
 2503 of the brownfield in which it is located, the number of jobs
 2504 created, and the average wage of the jobs created by the
 2505 business within the brownfield ~~as defined in s. 288.106 or other~~
 2506 ~~eligible business as defined in paragraph (1)(d) and the~~
 2507 ~~administrative rules and policies for that section.~~

2508 ~~(c) The bonus refunds shall be available on the same~~
 2509 ~~schedule as the qualified target industry tax refund payments~~
 2510 ~~scheduled in the qualified target industry tax refund agreement~~
 2511 ~~authorized in s. 288.106 or other similar agreement for other~~
 2512 ~~eligible businesses as defined in paragraph (1)(e).~~

2513 (c)(d) After entering into a tax refund agreement ~~as~~
 2514 ~~provided in s. 288.106 or other similar agreement for other~~
 2515 ~~eligible businesses as defined in paragraph (1)(e),~~ an eligible

2516 business may receive brownfield redevelopment bonus refunds from
 2517 the account:

2518 1. For the following taxes due and paid by that business
 2519 beginning with the first taxable year of the business that
 2520 begins after entering into the agreement:

2521 a. Corporate income taxes under chapter 220.

2522 b. Insurance premium tax under s. 624.509.

2523 2. Receive refunds from the account for the following
 2524 taxes due and paid by that business after entering into the
 2525 agreement:

2526 a. Taxes on sales, use, and other transactions under
 2527 chapter 212.

2528 b. Intangible personal property taxes under chapter 199.

2529 c. Excise taxes on documents under chapter 201.

2530 d. Ad valorem taxes paid, as defined in s. 220.03(1).

2531 e. State communications services taxes administered under
 2532 chapter 202. This sub-subparagraph does not apply to the gross
 2533 receipts tax imposed under chapter 203 and administered under
 2534 chapter 202 or the local communications services tax authorized
 2535 under s. 202.19 pursuant to s. 288.106(3)(d).

2536 (d)-(e) An eligible business that fraudulently claims a
 2537 refund under this section:

2538 1. Is liable for repayment of the amount of the refund to
 2539 the account, plus a mandatory penalty in the amount of 200

2540 percent of the tax refund, which shall be deposited into the
 2541 General Revenue Fund.

2542 2. Commits a felony of the third degree, punishable as
 2543 provided in s. 775.082, s. 775.083, or s. 775.084.

2544 (e)~~(f)~~ Applications shall be reviewed and certified
 2545 pursuant to s. 288.061 before the business has made a decision
 2546 to locate or expand a facility in this state. The department
 2547 shall review all applications submitted ~~under s. 288.106 or~~
 2548 ~~other similar application forms for other eligible businesses as~~
 2549 ~~defined in paragraph (1)(d)~~ which indicate that the proposed
 2550 project will be located in a brownfield area eligible for bonus
 2551 refunds and determine, with the assistance of the Department of
 2552 Environmental Protection, that the project location is within a
 2553 brownfield area eligible for bonus refunds as provided in this
 2554 act.

2555 (f)~~(g)~~ The department shall approve all claims for a
 2556 brownfield redevelopment bonus refund payment that are found to
 2557 meet the requirements of this section ~~paragraphs (b) and (d).~~

2558 (g)~~(h)~~ The department, with such assistance as may be
 2559 required from the Department of Environmental Protection, shall
 2560 specify by written final order the amount of the brownfield
 2561 redevelopment bonus refund that is authorized for the qualified
 2562 ~~target industry~~ business for the fiscal year within 30 days
 2563 after the date that the claim for the annual tax refund is
 2564 received by the department.

2565 (h)~~(i)~~ The total amount of the bonus refunds approved by
2566 the department under this section in any fiscal year must not
2567 exceed the total amount appropriated to the Economic Development
2568 Incentives Account for this purpose for the fiscal year. In the
2569 event that the Legislature does not appropriate an amount
2570 sufficient to satisfy projections by the department for
2571 brownfield redevelopment bonus refunds under this section in a
2572 fiscal year, the department shall, not later than July 15 of
2573 such year, determine the proportion of each brownfield
2574 redevelopment bonus refund claim which shall be paid by dividing
2575 the amount appropriated for tax refunds for the fiscal year by
2576 the projected total of brownfield redevelopment bonus refund
2577 claims for the fiscal year. The amount of each claim for a
2578 brownfield redevelopment bonus tax refund shall be multiplied by
2579 the resulting quotient. If, after the payment of all such refund
2580 claims, funds remain in the Economic Development Incentives
2581 Account for brownfield redevelopment tax refunds, the department
2582 shall recalculate the proportion for each refund claim and
2583 adjust the amount of each claim accordingly.

2584 (i)~~(j)~~ Upon approval of the brownfield redevelopment bonus
2585 refund, payment shall be made for the amount specified in the
2586 final order. If the final order is appealed, payment may not be
2587 made for a refund to the ~~qualified target industry~~ business
2588 until the conclusion of all appeals of that order.

2589 (5) ADMINISTRATION.—

2590 (b) To facilitate the process of monitoring and auditing
 2591 applications made under this program, the department may provide
 2592 a list of ~~qualified target industry~~ businesses to the Department
 2593 of Revenue, to the Department of Environmental Protection, or to
 2594 any local government authority. The department may request the
 2595 assistance of those entities with respect to monitoring the
 2596 payment of the taxes listed in paragraph (3)(c) ~~s. 288.106(3)~~.

2597 (c) The department may adopt rules, including an
 2598 application form, to administer this section.

2599 Section 52. Paragraph (c) of subsection (2) and subsection
 2600 (6) of section 288.108, Florida Statutes, are amended to read:

2601 288.108 High-impact business.—

2602 (2) DEFINITIONS.—As used in this section, the term:

2603 (c) "Eligible high-impact business" means a business in
 2604 one of the high-impact sectors identified by the department
 2605 pursuant to subsection (6) Enterprise Florida, Inc., and
 2606 certified by the department as provided in subsection (5), which
 2607 is making a cumulative investment in the state of at least \$50
 2608 million and creating at least 50 new full-time equivalent jobs
 2609 in the state or a research and development facility making a
 2610 cumulative investment of at least \$25 million and creating at
 2611 least 25 new full-time equivalent jobs. Such investment and
 2612 employment must be achieved in a period not to exceed 3 years
 2613 after the date the business is certified as a qualified high-
 2614 impact business.

2615 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT SECTORS.—
 2616 (a) The department ~~Enterprise Florida, Inc.~~, shall, by
 2617 January 1, of every third year, beginning January 1, 2011,
 2618 initiate the process of reviewing and, if appropriate, selecting
 2619 a new high-impact sector for designation or recommending the
 2620 deactivation of a designated high-impact sector. The process of
 2621 reviewing designated high-impact sectors or recommending the
 2622 deactivation of a designated high-impact sector shall be in
 2623 consultation with ~~the department~~, economic development
 2624 organizations, the State University System, local governments,
 2625 employee and employer organizations, market analysts, and
 2626 economists.
 2627 (b) The department has authority, after meeting the
 2628 requirements of this subsection ~~recommendation from Enterprise~~
 2629 ~~Florida, Inc.~~, to designate a high-impact sector or to
 2630 deauthorize a designated high-impact sector.
 2631 (c) To begin the process of selecting and designating a
 2632 new high-impact sector, the department ~~Enterprise Florida, Inc.~~,
 2633 shall undertake a thorough study of the proposed sector. This
 2634 study must consider the definition of the sector, including the
 2635 types of facilities which characterize the sector that might
 2636 qualify for a high-impact performance grant and whether a
 2637 powerful incentive like the high-impact performance grant is
 2638 needed to induce major facilities in the sector to locate or
 2639 grow in this state; the benefits that major facilities in the

2640 sector have or could have on the state's economy and the
2641 relative significance of those benefits; the needs of the sector
2642 and major sector facilities, including natural, public, and
2643 human resources and benefits and costs with regard to these
2644 resources; the sector's current and future markets; the current
2645 fiscal and potential fiscal impacts of the sector, to both the
2646 state and its communities; any geographic opportunities or
2647 limitations with regard to the sector, including areas of the
2648 state most likely to benefit from the sector and areas unlikely
2649 to benefit from the sector; the state's advantages or
2650 disadvantages with regard to the sector; and the long-term
2651 expectations for the industry on a global level and in the
2652 state. If the department ~~Enterprise Florida, Inc.~~, finds
2653 favorable conditions for the designation of the sector as a
2654 high-impact sector, it shall include in the study
2655 recommendations for a complete and comprehensive sector
2656 strategy, including appropriate marketing and workforce
2657 strategies for the entire sector and any recommendations ~~that~~
2658 ~~Enterprise Florida, Inc.~~ may have for statutory or policy
2659 changes needed to improve the state's business climate and to
2660 attract and grow Florida businesses, particularly small
2661 businesses, in the proposed sector. The study shall reflect the
2662 finding of the sector-business network specified in paragraph
2663 (d).

2664 (d) In conjunction with the study required in paragraph
2665 (c), the department ~~Enterprise Florida, Inc.~~, shall develop and
2666 consult with a network of sector businesses. While this network
2667 may include non-Florida businesses, it must include any
2668 businesses currently within the state. If the number of Florida
2669 businesses in the sector is large, a representative cross-
2670 section of Florida sector businesses may form the core of this
2671 network.

2672 (e) The study and its findings and recommendations and the
2673 recommendations gathered from the sector-business network must
2674 be discussed and considered during at least one meeting per
2675 calendar year of leaders in business, government, education,
2676 workforce development, and economic development called by the
2677 Governor to address the business climate in the state, develop a
2678 common vision for the economic future of the state, and identify
2679 economic development efforts to fulfill that vision.

2680 (f) If after consideration of the completed study required
2681 in paragraph (c) and the input derived from consultation with
2682 the sector-business network in paragraph (d) and the meeting as
2683 required in paragraph (e), the department ~~board of directors of~~
2684 ~~Enterprise Florida, Inc.~~, finds that the sector will have
2685 exceptionally large and widespread benefits to the state and its
2686 citizens, relative to any public costs; that the sector is
2687 characterized by the types of facilities that require
2688 exceptionally large investments and provide employment

2689 opportunities to a relatively large number of workers in high-
2690 quality, high-income jobs that might qualify for a high-impact
2691 performance grant; and that given the competition for such
2692 businesses it may be necessary for the state to be able to offer
2693 a large inducement, such as a high-impact performance grant, to
2694 attract such a business to the state or to encourage businesses
2695 to continue to grow in the state, ~~the board of directors of~~
2696 ~~Enterprise Florida, Inc., may recommend that~~ the department may
2697 designate ~~consider the designation of~~ the sector as a high-
2698 impact business sector.

2699 ~~(g) Upon receiving a recommendation from the board of~~
2700 ~~directors of Enterprise Florida, Inc., together with the study~~
2701 ~~required in paragraph (c) and a summary of the findings and~~
2702 ~~recommendations of the sector-business network required in~~
2703 ~~paragraph (d), including a list of all meetings of the sector~~
2704 ~~network and participants in those meetings and the findings and~~
2705 ~~recommendations from the meeting as required in paragraph (e),~~
2706 ~~the department shall after a thorough evaluation of the study~~
2707 ~~and accompanying materials report its findings and either concur~~
2708 ~~in the recommendation of Enterprise Florida, Inc., and designate~~
2709 ~~the sector as a high-impact business sector or notify Enterprise~~
2710 ~~Florida, Inc., that it does not concur and deny the board's~~
2711 ~~request for designation or return the recommendation and study~~
2712 ~~to Enterprise Florida, Inc., for further evaluation. In any~~

2713 case, the department's decision must be in writing and justify
 2714 the reasons for the decision.

2715 ~~(g)-(h)~~ If the department designates the sector as a high-
 2716 impact sector, it shall, within 30 days, notify the Governor,
 2717 the President of the Senate, and the Speaker of the House of
 2718 Representatives of its decision and provide a complete report on
 2719 its decision, including copies of the material compiled in the
 2720 evaluation, studies, and meetings required under this subsection
 2721 ~~provided by Enterprise Florida, Inc.,~~ and the department's
 2722 evaluation and comment on any statutory or policy changes
 2723 recommended ~~by Enterprise Florida, Inc.~~

2724 ~~(h)-(i)~~ For the purposes of this subsection, a high-impact
 2725 sector consists of the silicon technology sector ~~that Enterprise~~
 2726 ~~Florida, Inc., has~~ found to be focused around the type of high-
 2727 impact businesses for which the incentive created in this
 2728 subsection is required and will create the kinds of sector and
 2729 economy wide benefits that justify the use of state resources to
 2730 encourage these investments and require substantial inducements
 2731 to compete with the incentive packages offered by other states
 2732 and nations.

2733 Section 53. Section 288.1081, Florida Statutes, is
 2734 repealed.

2735 Section 54. Section 288.1082, Florida Statutes, is
 2736 repealed.

2737 Section 55. Section 288.1088, Florida Statutes, is

2738 repealed.

2739 Section 56. Section 288.1089, Florida Statutes, is
 2740 repealed.

2741 Section 57. Section 288.111, Florida Statutes, is amended
 2742 to read:

2743 288.111 Information concerning local manufacturing
 2744 development programs.—The department shall develop materials
 2745 that identify each local government that establishes a local
 2746 manufacturing development program under s. 163.3252. The
 2747 materials, which the department may elect to develop and
 2748 maintain in electronic format or in any other format deemed by
 2749 the department to provide public access, must be updated at
 2750 least annually. ~~Enterprise Florida, Inc., shall, and other~~ State
 2751 agencies may, distribute the materials to prospective, new,
 2752 expanding, and relocating businesses seeking to conduct business
 2753 in this state.

2754 Section 58. Section 288.1168, Florida Statutes, is
 2755 repealed.

2756 Section 59. Section 288.1169, Florida Statutes, is
 2757 repealed.

2758 Section 60. Section 288.1171, Florida Statutes, is
 2759 repealed.

2760 Section 61. Section 288.122, Florida Statutes, is amended
 2761 to read:

2762 288.122 Tourism Promotional Trust Fund.—There is created

2763 within the department the Tourism Promotional Trust Fund. Moneys
2764 deposited in the Tourism Promotional Trust Fund shall only be
2765 used to support the authorized activities and operations and the
2766 tourism promotion and marketing activities, services, functions,
2767 and programs administered by the department ~~Enterprise Florida,~~
2768 ~~Inc.~~, through a contract with the direct-support organization
2769 created under s. 288.1226.

2770 Section 62. Subsection (13) of section 288.1226, Florida
2771 Statutes, is renumbered as subsection (15), paragraph (c) of
2772 subsection (2) and subsections (3), (4), (5), (7), and (8) are
2773 amended, and new subsections (13) and (14) are added to that
2774 section, to read:

2775 288.1226 Florida Tourism Industry Marketing Corporation;
2776 use of property; board of directors; duties; audit.—

2777 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
2778 Corporation is a direct-support organization of the department
2779 ~~Enterprise Florida, Inc.~~

2780 (c)1. The corporation is not an agency for the purposes of
2781 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,
2782 relating to leasing of buildings; ss. 283.33 and 283.35,
2783 relating to bids for printing; s. 215.31; and parts I, II, and
2784 IV-VIII of chapter 112. However, the corporation shall comply
2785 with the per diem and travel expense provisions of s. 112.061.

2786 2. It is not a violation of s. 112.3143(2) or (4) for the
2787 officers or members of the board of directors of the corporation

2788 | to:

2789 | a. Vote on the 4-year marketing plan required under
 2790 | subsection (13) ~~s. 288.923~~ or vote on any individual component
 2791 | of or amendment to the plan.

2792 | b. Participate in the establishment or calculation of
 2793 | payments related to the private match requirements of subsection
 2794 | (6). The officer or member must file an annual disclosure
 2795 | describing the nature of his or her interests or the interests
 2796 | of his or her principals, including corporate parents and
 2797 | subsidiaries of his or her principal, in the private match
 2798 | requirements. This annual disclosure requirement satisfies the
 2799 | disclosure requirement of s. 112.3143(4). This disclosure must
 2800 | be placed on the corporation's website or included in the
 2801 | minutes of each meeting of the corporation's board of directors
 2802 | at which the private match requirements are discussed or voted
 2803 | upon.

2804 | (3) USE OF PROPERTY.—The department ~~Enterprise Florida,~~
 2805 | ~~Inc.:~~

2806 | (a) Is authorized to permit the use of property and
 2807 | facilities of the department ~~Enterprise Florida, Inc.,~~ by the
 2808 | corporation, subject to the provisions of this section.

2809 | (b) Shall prescribe conditions with which the corporation
 2810 | must comply in order to use property and facilities of the
 2811 | department ~~Enterprise Florida, Inc.~~ Such conditions shall
 2812 | provide for budget and audit review and for oversight by the

2813 | department ~~Enterprise Florida, Inc.~~

2814 | (c) May not permit the use of property and facilities of
 2815 | the department ~~Enterprise Florida, Inc.~~, if the corporation does
 2816 | not provide equal employment opportunities to all persons,
 2817 | regardless of race, color, national origin, sex, age, or
 2818 | religion.

2819 | (4) BOARD OF DIRECTORS.—The board of directors of the
 2820 | corporation shall be composed of 31 tourism-industry-related
 2821 | members, appointed by ~~Enterprise Florida, Inc.~~, in conjunction
 2822 | ~~with~~ the department. Board members shall serve without
 2823 | compensation, but are entitled to receive reimbursement for per
 2824 | diem and travel expenses pursuant to s. 112.061. Such expenses
 2825 | must be paid out of funds of the corporation.

2826 | (a) The board shall consist of 16 members, appointed in
 2827 | such a manner as to equitably represent all geographic areas of
 2828 | the state, with no fewer than two members from any of the
 2829 | following regions:

2830 | 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,
 2831 | Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
 2832 | Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2833 | 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
 2834 | Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
 2835 | Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
 2836 | Taylor, and Union Counties.

2837 | 3. Region 3, composed of Brevard, Indian River, Lake,

2838 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
 2839 Volusia Counties.

2840 4. Region 4, composed of Citrus, Hernando, Hillsborough,
 2841 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2842 5. Region 5, composed of Charlotte, Collier, DeSoto,
 2843 Glades, Hardee, Hendry, Highlands, and Lee Counties.

2844 6. Region 6, composed of Broward, Martin, Miami-Dade,
 2845 Monroe, and Palm Beach Counties.

2846 (b) The 15 additional tourism-industry-related members
 2847 shall include 1 representative from the statewide rental car
 2848 industry; 7 representatives from tourist-related statewide
 2849 associations, including those that represent hotels,
 2850 campgrounds, county destination marketing organizations,
 2851 museums, restaurants, retail, and attractions; 3 representatives
 2852 from county destination marketing organizations; 1
 2853 representative from the cruise industry; 1 representative from
 2854 an automobile and travel services membership organization that
 2855 has at least 2.8 million members in Florida; 1 representative
 2856 from the airline industry; and 1 representative from the space
 2857 tourism industry, who will each serve for a term of 2 years.

2858 (5) POWERS AND DUTIES.—The corporation, in the performance
 2859 of its duties:

2860 (a) May make and enter into contracts and assume such
 2861 other functions as are necessary to carry out the provisions of
 2862 the 4-year marketing plan required by subsection (13) ~~s.~~

2863 | ~~288.923,~~ and the corporation's contract with the department
2864 | ~~Enterprise Florida, Inc.,~~ which are not inconsistent with this
2865 | or any other provision of law. A proposed contract with a total
2866 | cost of \$750,000 or more is subject to the notice and review
2867 | procedures of s. 216.177. If the chair and vice chair of the
2868 | Legislative Budget Commission, or the President of the Senate
2869 | and the Speaker of the House of Representatives, timely advise
2870 | the corporation in writing that such proposed contract is
2871 | contrary to legislative policy and intent, the corporation may
2872 | not execute such proposed contract. The corporation may not
2873 | enter into multiple related contracts to avoid the requirements
2874 | of this paragraph.

2875 | (b) May develop a program to provide incentives and to
2876 | attract and recognize those entities which make significant
2877 | financial and promotional contributions towards the expanded
2878 | tourism promotion activities of the corporation.

2879 | (c) May establish a cooperative marketing program with
2880 | other public and private entities which allows the use of the
2881 | VISIT Florida logo in tourism promotion campaigns which meet the
2882 | standards of the department ~~Enterprise Florida, Inc.,~~ for which
2883 | the corporation may charge a reasonable fee.

2884 | (d) May sue and be sued and appear and defend in all
2885 | actions and proceedings in its corporate name to the same extent
2886 | as a natural person.

2887 | (e) May adopt, use, and alter a common corporate seal.

2888 | However, such seal must always contain the words "corporation
 2889 | not for profit."

2890 | (f) Shall elect or appoint such officers and agents as its
 2891 | affairs shall require and allow them reasonable compensation.
 2892 | However, each officer or agent, including the president and
 2893 | chief executive officer of the corporation, may not receive
 2894 | public compensation for employment that exceeds the salary and
 2895 | benefits authorized to be paid to the Governor. Any public
 2896 | payments of performance bonuses or severance pay to an officer
 2897 | or agent of the corporation are prohibited unless specifically
 2898 | authorized by law.

2899 | (g) Shall hire and establish salaries and personnel and
 2900 | employee benefit programs for such permanent and temporary
 2901 | employees as are necessary to carry out the provisions of the 4-
 2902 | year marketing plan and the corporation's contract with the
 2903 | department ~~Enterprise Florida, Inc.,~~ which are not inconsistent
 2904 | with this or any other provision of law. However, an employee
 2905 | may not receive public compensation for employment that exceeds
 2906 | the salary and benefits authorized to be paid to the Governor.
 2907 | Any public payments of performance bonuses or severance pay to
 2908 | employees of the corporation are prohibited unless specifically
 2909 | authorized by law.

2910 | (h) May adopt, change, amend, and repeal bylaws, not
 2911 | inconsistent with law or its articles of incorporation, for the
 2912 | administration of the provisions of the 4-year marketing plan

2913 and the corporation's contract with the department ~~Enterprise~~
 2914 ~~Florida, Inc.~~

2915 (i) May conduct its affairs, carry on its operations, and
 2916 have offices and exercise the powers granted by this act in any
 2917 state, territory, district, or possession of the United States
 2918 or any foreign country. Where feasible, appropriate, and
 2919 recommended by the 4-year marketing plan developed by the
 2920 corporation in consultation with the department ~~Division of~~
 2921 ~~Tourism Promotion of Enterprise Florida, Inc.,~~ the corporation
 2922 may collocate the programs of foreign tourism offices in
 2923 cooperation with any foreign office operated by any agency of
 2924 this state.

2925 (j) May appear on its own behalf before boards,
 2926 commissions, departments, or other agencies of municipal,
 2927 county, state, or federal government.

2928 (k) May request or accept any grant, payment, or gift, of
 2929 funds or property made by this state or by the United States or
 2930 any department or agency thereof or by any individual, firm,
 2931 corporation, municipality, county, or organization for any or
 2932 all of the purposes of the 4-year marketing plan and the
 2933 corporation's contract with the department ~~Enterprise Florida,~~
 2934 ~~Inc.,~~ that are not inconsistent with this or any other provision
 2935 of law. Such funds shall be deposited in a bank account
 2936 established by the corporation's board of directors. The
 2937 corporation may expend such funds in accordance with the terms

2938 and conditions of any such grant, payment, or gift, in the
2939 pursuit of its administration or in support of the programs it
2940 administers. The corporation shall separately account for the
2941 public funds and the private funds deposited into the
2942 corporation's bank account.

2943 (l) Shall establish a plan for participation in the
2944 corporation which will provide additional funding for the
2945 administration and duties of the corporation.

2946 (m) ~~In the performance of its duties,~~ May undertake, or
2947 contract for, marketing projects and advertising research
2948 projects.

2949 (n) In addition to any indemnification available under
2950 chapter 617, the corporation may indemnify, and purchase and
2951 maintain insurance on behalf of, directors, officers, and
2952 employees of the corporation against any personal liability or
2953 accountability by reason of actions taken while acting within
2954 the scope of their authority.

2955 (o) Shall not create or establish any other entity,
2956 corporation, or direct-support organization.

2957 (p) Shall not expend funds, public or private, that
2958 directly benefit only one company, corporation, or business
2959 entity.

2960 (7) ANNUAL AUDIT.—The corporation shall provide for an
2961 annual financial audit in accordance with s. 215.981. The annual
2962 audit report shall be submitted to the Auditor General; the

2963 Office of Program Policy Analysis and Government Accountability;
 2964 ~~Enterprise Florida, Inc.~~; and the department for review. The
 2965 Office of Program Policy Analysis and Government Accountability;
 2966 ~~Enterprise Florida, Inc.~~; the department; and the Auditor
 2967 General have the authority to require and receive from the
 2968 corporation or from its independent auditor any detail or
 2969 supplemental data relative to the operation of the corporation.
 2970 The department shall annually certify whether the corporation is
 2971 operating in a manner and achieving the objectives that are
 2972 consistent with the policies and goals of the department
 2973 ~~Enterprise Florida, Inc.~~, and its long-range marketing plan. The
 2974 identity of a donor or prospective donor to the corporation who
 2975 desires to remain anonymous and all information identifying such
 2976 donor or prospective donor are confidential and exempt from the
 2977 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 2978 Constitution. Such anonymity shall be maintained in the
 2979 auditor's report.

2980 (8) REPORT.—The corporation shall provide to the
 2981 department a quarterly report that ~~to Enterprise Florida, Inc.~~,
 2982 ~~which shall:~~

2983 (a) Measures ~~Measure~~ the current vitality of the visitor
 2984 industry of this state as compared to the vitality of such
 2985 industry for the year to date and for comparable quarters of
 2986 past years. Indicators of vitality shall be determined by the
 2987 department ~~Enterprise Florida, Inc.~~, and shall include, but not

2988 | be limited to, estimated visitor count and party size, length of
 2989 | stay, average expenditure per party, and visitor origin and
 2990 | destination.

2991 | (b) Provides ~~Provide~~ detailed, unaudited financial
 2992 | statements of sources and uses of public and private funds.

2993 | (c) Measures ~~Measure~~ progress towards annual goals and
 2994 | objectives set forth in the 4-year marketing plan.

2995 | (d) Reviews ~~Review~~ all pertinent research findings.

2996 | (e) Provides ~~Provide~~ other measures of accountability as
 2997 | requested by the department ~~Enterprise Florida, Inc.~~

2998 |
 2999 | The corporation must take all steps necessary to provide all
 3000 | data that is used to develop the report, including source data,
 3001 | to the Office of Economic and Demographic Research.

3002 | (13) FOUR-YEAR MARKETING PLAN.-

3003 | (a) The corporation shall, in collaboration with the
 3004 | department, develop a 4-year marketing plan. At a minimum, the
 3005 | marketing plan shall discuss the following:

- 3006 | 1. Continuation of overall tourism growth in this state.
 3007 | 2. Expansion to new or under-represented tourist markets.
 3008 | 3. Maintenance of traditional and loyal tourist markets.
 3009 | 4. Coordination of efforts with county destination
 3010 | marketing organizations, other local government marketing
 3011 | groups, privately owned attractions and destinations, and other
 3012 | private sector partners to create a seamless, four-season

3013 advertising campaign for the state and its regions.

3014 5. Development of innovative techniques or promotions to
 3015 build repeat visitation by targeted segments of the tourist
 3016 population.

3017 6. Consideration of innovative sources of state funding
 3018 for tourism marketing.

3019 7. Promotion of nature-based tourism and heritage tourism.

3020 8. Development of a component to address emergency
 3021 response to natural and manmade disasters from a marketing
 3022 standpoint.

3023 (b) The plan shall be annual in construction and ongoing
 3024 in nature. Any annual revisions of the plan shall carry forward
 3025 the concepts of the remaining 3-year portion of the plan and
 3026 consider a continuum portion to preserve the 4-year timeframe of
 3027 the plan. The plan also shall include recommendations for
 3028 specific performance standards and measurable outcomes for the
 3029 corporation. The department shall base the actual performance
 3030 metrics on these recommendations.

3031 (c) The 4-year marketing plan shall be annually reviewed
 3032 and approved by the board of directors of the corporation.

3033 (14) ANNUAL REPORT.-The corporation shall draft and submit
 3034 to the department an annual report. The annual report shall set
 3035 forth for the corporation:

3036 (a) Operations and accomplishments during the fiscal year,
 3037 including the economic benefit of the state's investment and

3038 effectiveness of the marketing plan.

3039 (b) The 4-year marketing plan, including recommendations
 3040 on methods for implementing and funding the plan.

3041 (c) The assets and liabilities of the corporation at the
 3042 end of its most recent fiscal year.

3043 (d) A copy of the annual financial and compliance audit
 3044 conducted under s. 288.1226(7).

3045 Section 63. Section 288.12265, Florida Statutes, is
 3046 amended to read:

3047 288.12265 Welcome centers.—

3048 (1) Responsibility for the welcome centers is assigned to
 3049 ~~Enterprise Florida, Inc., which shall contract with the Florida~~
 3050 ~~Tourism Industry Marketing Corporation to employ all welcome~~
 3051 ~~center staff.~~

3052 (2) The Florida Tourism Industry Marketing Corporation
 3053 ~~Enterprise Florida, Inc.,~~ shall administer and operate the
 3054 welcome centers and, pursuant to a contract with the Department
 3055 of Transportation, ~~Enterprise Florida, Inc.,~~ shall be
 3056 responsible for routine repair, replacement, or improvement and
 3057 the day-to-day management of interior areas occupied by the
 3058 welcome centers. All other repairs, replacements, or
 3059 improvements to the welcome centers shall be the responsibility
 3060 of the Department of Transportation. ~~Enterprise Florida, Inc.,~~
 3061 ~~may contract with the Florida Tourism Industry Marketing~~
 3062 ~~Corporation for the management and operation of the welcome~~

3063 ~~centers.~~

3064 Section 64. Section 288.125, Florida Statutes, is

3065 repealed.

3066 Section 65. Section 288.1251, Florida Statutes, is

3067 repealed.

3068 Section 66. Section 288.1252, Florida Statutes, is

3069 repealed.

3070 Section 67. Section 288.1253, Florida Statutes, is

3071 repealed.

3072 Section 68. Section 288.1254, Florida Statutes, is

3073 repealed.

3074 Section 69. Section 288.1258, Florida Statutes, is amended

3075 to read:

3076 288.1258 Entertainment industry qualified production

3077 companies; application procedure; categories; duties of the

3078 Department of Revenue; records and reports.—

3079 (1) PRODUCTION COMPANIES AUTHORIZED TO APPLY.—

3080 (a) Any production company engaged in this state in the

3081 production of motion pictures, made-for-TV motion pictures,

3082 television series, commercial advertising, music videos, or

3083 sound recordings may submit an application to the Department of

3084 Revenue to be approved by the department ~~Office of Film and~~

3085 ~~Entertainment~~ as a qualified production company for the purpose

3086 of receiving a sales and use tax certificate of exemption from

3087 the Department of Revenue.

3088 (b) For the purposes of this section, "qualified
 3089 production company" means any production company that has
 3090 submitted a properly completed application to the Department of
 3091 Revenue and that is subsequently qualified by the department
 3092 ~~Office of Film and Entertainment~~.

3093 (2) APPLICATION PROCEDURE.—

3094 (a) The Department of Revenue will review all submitted
 3095 applications for the required information. Within 10 working
 3096 days after the receipt of a properly completed application, the
 3097 Department of Revenue will forward the completed application to
 3098 the department ~~Office of Film and Entertainment~~ for approval.

3099 (b)1. The department ~~Office of Film and Entertainment~~
 3100 shall establish a process by which an entertainment industry
 3101 production company may be approved by the department ~~office~~ as a
 3102 qualified production company and may receive a certificate of
 3103 exemption from the Department of Revenue for the sales and use
 3104 tax exemptions under ss. 212.031, 212.06, and 212.08.

3105 2. Upon determination by the department ~~Office of Film and~~
 3106 ~~Entertainment~~ that a production company meets the established
 3107 approval criteria and qualifies for exemption, the department
 3108 ~~Office of Film and Entertainment~~ shall return the approved
 3109 application or application renewal or extension to the
 3110 Department of Revenue, which shall issue a certificate of
 3111 exemption.

3112 3. The department ~~Office of Film and Entertainment~~ shall
 3113 deny an application or application for renewal or extension from
 3114 a production company if it determines that the production
 3115 company does not meet the established approval criteria.

3116 (c) The department ~~Office of Film and Entertainment~~ shall
 3117 develop, with the cooperation of the Department of Revenue and
 3118 local government entertainment industry promotion agencies, a
 3119 standardized application form for use in approving qualified
 3120 production companies.

3121 1. The application form shall include, but not be limited
 3122 to, production-related information on employment, proposed
 3123 budgets, planned purchases of items exempted from sales and use
 3124 taxes under ss. 212.031, 212.06, and 212.08, a signed
 3125 affirmation from the applicant that any items purchased for
 3126 which the applicant is seeking a tax exemption are intended for
 3127 use exclusively as an integral part of entertainment industry
 3128 preproduction, production, or postproduction activities engaged
 3129 in primarily in this state, and a signed affirmation from the
 3130 department ~~Office of Film and Entertainment~~ that the information
 3131 on the application form has been verified and is correct. In
 3132 lieu of information on projected employment, proposed budgets,
 3133 or planned purchases of exempted items, a production company
 3134 seeking a 1-year certificate of exemption may submit summary
 3135 historical data on employment, production budgets, and purchases
 3136 of exempted items related to production activities in this

3137 state. Any information gathered from production companies for
 3138 the purposes of this section shall be considered confidential
 3139 taxpayer information and shall be disclosed only as provided in
 3140 s. 213.053.

3141 2. The application form may be distributed to applicants
 3142 by the department ~~Office of Film and Entertainment~~ or local film
 3143 commissions.

3144 (d) All applications, renewals, and extensions for
 3145 designation as a qualified production company shall be processed
 3146 by the department ~~Office of Film and Entertainment~~.

3147 (e) In the event that the Department of Revenue determines
 3148 that a production company no longer qualifies for a certificate
 3149 of exemption, or has used a certificate of exemption for
 3150 purposes other than those authorized by this section and chapter
 3151 212, the Department of Revenue shall revoke the certificate of
 3152 exemption of that production company, and any sales or use taxes
 3153 exempted on items purchased or leased by the production company
 3154 during the time such company did not qualify for a certificate
 3155 of exemption or improperly used a certificate of exemption shall
 3156 become immediately due to the Department of Revenue, along with
 3157 interest and penalty as provided by s. 212.12. In addition to
 3158 the other penalties imposed by law, any person who knowingly and
 3159 willfully falsifies an application, or uses a certificate of
 3160 exemption for purposes other than those authorized by this

3161 section and chapter 212, commits a felony of the third degree,
3162 punishable as provided in ss. 775.082, 775.083, and 775.084.

3163 (3) CATEGORIES.—

3164 (a)1. A production company may be qualified for
3165 designation as a qualified production company for a period of 1
3166 year if the company has operated a business in Florida at a
3167 permanent address for a period of 12 consecutive months. Such a
3168 qualified production company shall receive a single 1-year
3169 certificate of exemption from the Department of Revenue for the
3170 sales and use tax exemptions under ss. 212.031, 212.06, and
3171 212.08, which certificate shall expire 1 year after issuance or
3172 upon the cessation of business operations in the state, at which
3173 time the certificate shall be surrendered to the Department of
3174 Revenue.

3175 2. The department ~~Office of Film and Entertainment~~ shall
3176 develop a method by which a qualified production company may
3177 annually renew a 1-year certificate of exemption for a period of
3178 up to 5 years without requiring the production company to
3179 resubmit a new application during that 5-year period.

3180 3. Any qualified production company may submit a new
3181 application for a 1-year certificate of exemption upon the
3182 expiration of that company's certificate of exemption.

3183 (b)1. A production company may be qualified for
3184 designation as a qualified production company for a period of 90
3185 days. Such production company shall receive a single 90-day

3186 certificate of exemption from the Department of Revenue for the
 3187 sales and use tax exemptions under ss. 212.031, 212.06, and
 3188 212.08, which certificate shall expire 90 days after issuance,
 3189 with extensions contingent upon approval of the department
 3190 ~~Office of Film and Entertainment~~. The certificate shall be
 3191 surrendered to the Department of Revenue upon its expiration.

3192 2. Any production company may submit a new application for
 3193 a 90-day certificate of exemption upon the expiration of that
 3194 company's certificate of exemption.

3195 (4) DUTIES OF THE DEPARTMENT OF REVENUE.—

3196 (a) The Department of Revenue shall review the initial
 3197 application and notify the applicant of any omissions and
 3198 request additional information if needed. An application shall
 3199 be complete upon receipt of all requested information. The
 3200 Department of Revenue shall forward all complete applications to
 3201 the department ~~Office of Film and Entertainment~~ within 10
 3202 working days.

3203 (b) The Department of Revenue shall issue a numbered
 3204 certificate of exemption to a qualified production company
 3205 within 5 working days of the receipt of an approved application,
 3206 application renewal, or application extension from the
 3207 department ~~Office of Film and Entertainment~~.

3208 (c) The Department of Revenue may promulgate such rules
 3209 and shall prescribe and publish such forms as may be necessary
 3210 to effectuate the purposes of this section or any of the sales

3211 tax exemptions which are reasonably related to the provisions of
 3212 this section.

3213 (d) The Department of Revenue is authorized to establish
 3214 audit procedures in accordance with the provisions of ss.
 3215 212.12, 212.13, and 213.34 which relate to the sales tax
 3216 exemption provisions of this section.

3217 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO INDUSTRY
 3218 GROWTH; REPORT TO THE LEGISLATURE.—The department ~~Office of Film~~
 3219 ~~and Entertainment~~ shall keep annual records from the information
 3220 provided on taxpayer applications for tax exemption
 3221 certificates. These records also must reflect a ratio of the
 3222 annual amount of sales and use tax exemptions under this
 3223 section, ~~plus the incentives awarded pursuant to s. 288.1254~~ to
 3224 the estimated amount of funds expended by certified productions.
 3225 In addition, the department ~~office~~ shall maintain data showing
 3226 annual growth in Florida-based entertainment industry companies
 3227 and entertainment industry employment and wages. ~~The employment~~
 3228 ~~information must include an estimate of the full-time equivalent~~
 3229 ~~positions created by each production that received tax credits~~
 3230 ~~pursuant to s. 288.1254.~~ The department ~~Office of Film and~~
 3231 ~~Entertainment~~ shall annually report ~~include~~ this information in
 3232 the annual report required under s. 20.60 ~~for the entertainment~~
 3233 ~~industry financial incentive program required under s.~~
 3234 ~~288.1254(10).~~

3235 Section 70. Section 288.7015, Florida Statutes, is amended

3236 to read:

3237 288.7015 Appointment of rules ombudsman; duties.—The
 3238 Governor shall appoint a rules ombudsman, as defined in s.
 3239 288.703, in the Executive Office of the Governor, for
 3240 considering the impact of agency rules on the state's citizens
 3241 and businesses. ~~In carrying out duties as provided by law, the~~
 3242 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
 3243 ~~point the department may recommend to improve the regulatory~~
 3244 ~~environment of this state.~~ The duties of the rules ombudsman are
 3245 to:

3246 (1) Carry out the responsibility provided in s.
 3247 120.54(3) (b), with respect to small businesses.

3248 (2) Review state agency rules that adversely or
 3249 disproportionately impact businesses, particularly those
 3250 relating to small and minority businesses.

3251 (3) Make recommendations on any existing or proposed rules
 3252 to alleviate unnecessary or disproportionate adverse effects to
 3253 businesses.

3254 (4) Each state agency shall cooperate fully with the rules
 3255 ombudsman in identifying such rules. Further, each agency shall
 3256 take the necessary steps to waive, modify, or otherwise minimize
 3257 such adverse effects of any such rules. However, nothing in this
 3258 section authorizes any state agency to waive, modify, provide
 3259 exceptions to, or otherwise alter any rule that is:

3260 (a) Expressly required to implement or enforce any

3261 | statutory provision or the express legislative intent thereof;

3262 | (b) Designed to protect persons against discrimination on
3263 | the basis of race, color, national origin, religion, sex, age,
3264 | handicap, or marital status; or

3265 | (c) Likely to prevent a significant risk or danger to the
3266 | public health, the public safety, or the environment of the
3267 | state.

3268 | (5) The modification or waiver of any such rule pursuant
3269 | to this section must be accomplished in accordance with the
3270 | provisions of chapter 120.

3271 | Section 71. Subsection (11) of section 288.706, Florida
3272 | Statutes, is amended to read:

3273 | 288.706 Florida Minority Business Loan Mobilization
3274 | Program.—

3275 | (11) The Department of Management Services shall
3276 | collaborate with ~~Enterprise Florida, Inc.~~, and the department to
3277 | assist in the development and enhancement of black business
3278 | enterprises.

3279 | Section 72. Subsection (1) of section 288.773, Florida
3280 | Statutes, is amended to read:

3281 | 288.773 Florida Export Finance Corporation.—The Florida
3282 | Export Finance Corporation is hereby created as a corporation
3283 | not for profit, to be incorporated under the provisions of
3284 | chapter 617 and approved by the Department of State. The
3285 | corporation is organized on a nonstock basis. The purpose of the

3286 corporation is to expand employment and income opportunities for
 3287 residents of this state through increased exports of goods and
 3288 services, by providing businesses domiciled in this state
 3289 information and technical assistance on export opportunities,
 3290 exporting techniques, and financial assistance through
 3291 guarantees and direct loan originations for sale in support of
 3292 export transactions. The corporation shall have the power and
 3293 authority to carry out the following functions:

3294 (1) To coordinate the efforts of the corporation with
 3295 programs and goals of the United States Export-Import Bank, the
 3296 International Trade Administration of the United States
 3297 Department of Commerce, the Foreign Credit Insurance
 3298 Association, the department ~~Enterprise Florida, Inc.~~, and other
 3299 private and public programs and organizations, domestic and
 3300 foreign, designed to provide export assistance and export-
 3301 related financing.

3302 Section 73. Paragraph (a) of subsection (1) and paragraphs
 3303 (a), (c), and (g) of subsection (3) of section 288.776, Florida
 3304 Statutes, are amended to read:

3305 288.776 Board of directors; powers and duties.—

3306 (1)(a) The corporation shall have a board of directors
 3307 consisting of 15 members representing all geographic areas of
 3308 the state. Minority and gender representation must be considered
 3309 when making appointments to the board. The board membership must
 3310 include:

3311 1. A representative of the following businesses, all of
 3312 which must be registered to do business in this state: a foreign
 3313 bank, a state bank, a federal bank, an insurance company
 3314 involved in covering trade financing risks, and a small or
 3315 medium-sized exporter.

3316 2. The following persons or their designee: the Secretary
 3317 of Commerce ~~the President of Enterprise Florida, Inc.~~, the Chief
 3318 Financial Officer, the Secretary of State, and a senior official
 3319 of the United States Department of Commerce.

3320 (3) The board shall:

3321 (a) Prior to the expenditure of funds from the export
 3322 finance account, adopt bylaws and policies which are necessary
 3323 to carry out the responsibilities under this part, particularly
 3324 with respect to the implementation of the corporation's programs
 3325 to insure, coinsure, lend, provide loan guarantees, and make
 3326 direct, guaranteed, or collateralized loans by the corporation
 3327 to support export transactions. The corporation's bylaws and
 3328 policies shall be reviewed and approved by the department
 3329 ~~Enterprise Florida, Inc.~~, prior to final adoption by the board.

3330 (c) Issue an annual report to the department ~~Enterprise~~
 3331 ~~Florida, Inc.~~, on the activities of the corporation, including
 3332 an evaluation of activities and recommendations for change. The
 3333 evaluation shall include the corporation's impact on the
 3334 following:

3335 1. Participation of private banks and other private

3336 organizations and individuals in the corporation's export
 3337 financing programs.

3338 2. Access of small and medium-sized businesses in this
 3339 state to federal export financing programs.

3340 3. Export volume of the small and medium-sized businesses
 3341 in this state accessing the corporation's programs.

3342 4. Other economic and social benefits to international
 3343 programs in this state.

3344 (g) Consult with the department ~~Enterprise Florida, Inc.~~,
 3345 or any state or federal agency, to ensure that the respective
 3346 loan guarantee or working capital loan origination programs are
 3347 not duplicative and that each program makes full use of, to the
 3348 extent practicable, the resources of the other.

3349 Section 74. Section 288.7771, Florida Statutes, is amended
 3350 to read:

3351 288.7771 Annual report of Florida Export Finance
 3352 Corporation.—The corporation shall annually prepare and submit
 3353 to the department ~~Enterprise Florida, Inc.~~, for inclusion in its
 3354 annual report required under s. 20.60 ~~s. 288.906~~, a complete and
 3355 detailed report setting forth:

3356 (1) The report required in s. 288.776(3).

3357 (2) Its assets and liabilities at the end of its most
 3358 recent fiscal year.

3359 Section 75. Subsections (4) and (6) of section 288.816,
 3360 Florida Statutes, are amended to read:

3361 288.816 Intergovernmental relations.—

3362 (4) The state protocol officer shall serve as a contact
 3363 for the state with the Florida Washington Office, the Florida
 3364 Congressional Delegation, and United States Government agencies
 3365 with respect to laws or policies which may affect the interests
 3366 of the state in the area of international relations. All
 3367 inquiries received regarding international economic trade
 3368 development or reverse investment opportunities shall be
 3369 referred to the department ~~Enterprise Florida, Inc.~~ In addition,
 3370 the state protocol officer shall serve as liaison with other
 3371 states with respect to international programs of interest to
 3372 Florida. The state protocol officer shall also investigate and
 3373 make suggestions regarding possible areas of joint action or
 3374 regional cooperation with these states.

3375 (6) The department ~~and Enterprise Florida, Inc.,~~ shall
 3376 help to contribute an international perspective to the state's
 3377 development efforts.

3378 Section 76. Section 288.826, Florida Statutes, is amended
 3379 to read:

3380 288.826 Florida International Trade and Promotion Trust
 3381 Fund.— There is hereby established in the State Treasury the
 3382 Florida International Trade and Promotion Trust Fund. The moneys
 3383 deposited into this trust fund shall be administered by the
 3384 department for the operation of the direct-support organization
 3385 created pursuant to s. 288.012 ~~Enterprise Florida, Inc.,~~ and for

3386 the operation of Florida international offices under s. 288.012.
 3387 Section 77. Section 288.901, Florida Statutes, is
 3388 repealed.
 3389 Section 78. Section 288.9015, Florida Statutes, is
 3390 repealed.
 3391 Section 79. Section 288.903, Florida Statutes, is
 3392 repealed.
 3393 Section 80. Section 288.904, Florida Statutes, is
 3394 repealed.
 3395 Section 81. Section 288.905, Florida Statutes, is
 3396 repealed.
 3397 Section 82. Section 288.906, Florida Statutes, is
 3398 repealed.
 3399 Section 83. Section 288.907, Florida Statutes, is
 3400 transferred, renumbered as section 288.0065, Florida Statutes,
 3401 and amended to read:
 3402 288.0065 ~~288.907~~ Annual incentives report.—By December 30
 3403 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~
 3404 ~~department,~~ shall provide the Governor, the President of the
 3405 Senate, and the Speaker of the House of Representatives a
 3406 detailed incentives report quantifying the economic benefits for
 3407 all of the economic development incentive programs administered
 3408 by the department and its direct-support organizations and
 3409 public-private partnerships ~~marketed by Enterprise Florida, Inc.~~
 3410 The annual incentives report must include:

- 3411 (1) For each incentive program:
- 3412 (a) A brief description of the incentive program.
- 3413 (b) The amount of awards granted, by year, since inception
- 3414 and the annual amount actually transferred from the state
- 3415 treasury to businesses or for the benefit of businesses for each
- 3416 of the previous 3 years.
- 3417 ~~(c) The actual amount of private capital invested, actual~~
- 3418 ~~number of jobs created, and actual wages paid for incentive~~
- 3419 ~~agreements completed during the previous 3 years for each target~~
- 3420 ~~industry sector.~~
- 3421 (2) For projects completed during the previous state
- 3422 fiscal year:
- 3423 (a) The number of economic development incentive
- 3424 applications received.
- 3425 ~~(b) The number of recommendations made to the department~~
- 3426 ~~by Enterprise Florida, Inc., including the number recommended~~
- 3427 ~~for approval and the number recommended for denial.~~
- 3428 (b)-(c) The number of final decisions issued by the
- 3429 department for approval and for denial.
- 3430 (c)-(d) The projects for which a tax refund, tax credit, or
- 3431 cash grant agreement was executed, identifying for each project:
- 3432 1. The number of jobs committed to be created.
- 3433 2. The amount of capital investments committed to be made.
- 3434 3. The annual average wage committed to be paid.
- 3435 4. The amount of state economic development incentives

3436 committed to the project from each incentive program under the
 3437 project's terms of agreement with the Department of Commerce
 3438 ~~Economic Opportunity~~.

3439 5. The amount and type of local matching funds committed
 3440 to the project.

3441 (d)~~(e)~~ Tax refunds paid or other payments made funded out
 3442 of the Economic Development Incentives Account for each project.

3443 (e)~~(f)~~ The types of projects supported.

3444 (3) For economic development projects that received tax
 3445 refunds, tax credits, or cash grants under the terms of an
 3446 agreement for incentives:

3447 (a) The number of jobs actually created.

3448 (b) The amount of capital investments actually made.

3449 (c) The annual average wage paid.

3450 (4) For a project receiving economic development
 3451 incentives approved by the department and receiving federal or
 3452 local incentives, a description of the federal or local
 3453 incentives, if available.

3454 (5) The number of withdrawn or terminated projects that
 3455 did not fulfill the terms of their agreements with the
 3456 department and, consequently, are not receiving incentives.

3457 ~~(6) For any agreements signed after July 1, 2010, findings~~
 3458 ~~and recommendations on the efforts of the department to~~
 3459 ~~ascertain the causes of any business's inability to complete its~~
 3460 ~~agreement made under s. 288.106.~~

3461 (6)~~(7)~~ The amount of tax refunds, tax credits, or other
 3462 payments made to projects locating or expanding in state
 3463 enterprise zones, rural communities, brownfield areas, or
 3464 distressed urban communities. The report must include a separate
 3465 analysis of the impact of such tax refunds on state enterprise
 3466 zones designated under s. 290.0065, rural communities,
 3467 brownfield areas, and distressed urban communities.

3468 ~~(8) The name of and tax refund amount for each business~~
 3469 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
 3470 ~~during the preceding fiscal year.~~

3471 (7)~~(9)~~ An identification of the target industry businesses
 3472 and high-impact businesses.

3473 (8)~~(10)~~ A description of the trends relating to business
 3474 interest in, and usage of, the various incentives, and the
 3475 number of minority-owned or woman-owned businesses receiving
 3476 incentives.

3477 (9)~~(11)~~ An identification of incentive programs not used
 3478 and recommendations for program changes or program elimination.

3479 (10)~~(12)~~ Information related to the validation of
 3480 contractor performance required under s. 288.061.

3481 ~~(13) Beginning in 2014, A summation of the activities~~
 3482 ~~related to the Florida Space Business Incentives Act.~~

3483 Section 84. Section 288.911, Florida Statutes, is
 3484 repealed.

3485 Section 85. Section 288.912, Florida Statutes, is

3486 transferred, renumbered as section 288.007, Florida Statutes,
 3487 and amended to read:

3488 288.007 ~~288.912~~ Inventory of communities seeking to
 3489 recruit businesses.—By September 30 of each year, a county or
 3490 municipality that has a population of at least 25,000 or its
 3491 local economic development organization must submit to the
 3492 department ~~Enterprise Florida, Inc.~~, a brief overview of the
 3493 strengths, services, and economic development incentives that
 3494 its community offers. The local government or its local economic
 3495 development organization also must identify any industries that
 3496 it is encouraging to locate or relocate to its area. A county or
 3497 municipality having a population of 25,000 or fewer or its local
 3498 economic development organization seeking to recruit businesses
 3499 may submit information as required in this section and may
 3500 participate in any activity or initiative resulting from the
 3501 collection, analysis, and reporting of the information to the
 3502 department ~~Enterprise Florida, Inc.~~, pursuant to this section.

3503 Section 86. Section 288.92, Florida Statutes, is repealed.

3504 Section 87. Section 288.923, Florida Statutes, is
 3505 repealed.

3506 Section 88. Section 288.95155, Florida Statutes, is
 3507 repealed.

3508 Section 89. Section 288.9519, Florida Statutes, is
 3509 repealed.

3510 Section 90. Section 288.9520, Florida Statutes, is amended

3511 to read:

3512 288.9520 Public records exemption.—Materials that relate
 3513 to methods of manufacture or production, potential trade
 3514 secrets, potentially patentable material, actual trade secrets,
 3515 business transactions, financial and proprietary information,
 3516 and agreements or proposals to receive funding that are
 3517 received, generated, ascertained, or discovered by the
 3518 department Enterprise Florida, Inc., including its affiliates or
 3519 subsidiaries and partnership participants, such as private
 3520 enterprises, educational institutions, and other organizations,
 3521 are confidential and exempt from the provisions of s. 119.07(1)
 3522 and s. 24(a), Art. I of the State Constitution, except that a
 3523 recipient of department Enterprise Florida, Inc., research funds
 3524 shall make available, upon request, the title and description of
 3525 the research project, the name of the researcher, and the amount
 3526 and source of funding provided for the project.

3527 Section 91. Section 288.955, Florida Statutes, is
 3528 repealed.

3529 Section 92. Subsection (10) of section 288.9603, Florida
 3530 Statutes, is amended to read:

3531 288.9603 Definitions.—

3532 (10) "Partnership" means the department Enterprise
 3533 Florida, Inc.

3534 Section 93. Paragraph (v) of subsection (2) of section
 3535 288.9605, Florida Statutes, is amended to read:

3536 288.9605 Corporation powers.—

3537 (2) The corporation is authorized and empowered to:

3538 (v) Enter into investment agreements with the department
 3539 ~~Enterprise Florida, Inc.~~, concerning the issuance of bonds and
 3540 other forms of indebtedness and capital.

3541 Section 94. Section 288.9614, Florida Statutes, is amended
 3542 to read:

3543 288.9614 Authorized programs.—The department ~~Enterprise~~
 3544 ~~Florida, Inc.~~, may take any action that it deems necessary to
 3545 achieve the purposes of this act in partnership with private
 3546 enterprises, public agencies, and other organizations,
 3547 including, but not limited to, efforts to address the long-term
 3548 debt needs of small-sized and medium-sized firms, to address the
 3549 needs of microenterprises, to expand availability of venture
 3550 capital, and to increase international trade and export finance
 3551 opportunities for firms critical to achieving the purposes of
 3552 this act.

3553 Section 95. Paragraphs (a) and (b) of subsection (1) of
 3554 section 288.9624, Florida Statutes, are amended to read:

3555 288.9624 Florida Opportunity Fund; creation; duties.—

3556 (1) (a) ~~Enterprise Florida, Inc.~~, shall facilitate the
 3557 ~~creation of~~ The Florida Opportunity Fund is, a private, not-for-
 3558 profit corporation organized and operated under chapter 617.
 3559 ~~Enterprise Florida, Inc.~~, shall be the fund's sole shareholder
 3560 ~~or member~~. The fund is not a public corporation or

3561 instrumentality of the state. The fund shall manage its business
 3562 affairs and conduct business consistent with its organizational
 3563 documents and the purposes set forth in this section and under
 3564 contract with the department. Notwithstanding the powers granted
 3565 under chapter 617, the corporation may not amend, modify, or
 3566 repeal a bylaw or article of incorporation without the express
 3567 written consent of the department ~~Enterprise Florida, Inc.~~

3568 (b) The board of directors of the Florida Opportunity Fund
 3569 shall have five members, appointed by the Governor ~~vote of the~~
 3570 ~~board of directors of Enterprise Florida, Inc.~~ Board members
 3571 shall serve terms as provided in the fund's organizational
 3572 documents. Within 90 days before an anticipated vacancy by
 3573 expiration of the term of a board member, the board of directors
 3574 of the fund shall submit a list of three eligible nominees,
 3575 which may include the incumbent, to the Governor. The Governor
 3576 ~~board of directors of Enterprise Florida, Inc.~~ ~~The board of~~
 3577 ~~directors of Enterprise Florida, Inc.,~~ may appoint a board
 3578 member from the nominee list or may request and appoint from a
 3579 new list of three nominees not included on the previous list.

3580 Section 96. Paragraph (c) of subsection (4) of section
 3581 288.96255, Florida Statutes, is amended to read:

3582 288.96255 Florida Technology Seed Capital Fund; creation;
 3583 duties.—

3584 (4) The private fund manager shall use a thorough and
 3585 detailed process that is modeled after investment industry

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3586 practices to evaluate a proposal. In order to approve a company
3587 for investment, the private fund manager, on behalf of the
3588 institute, must consider if:

3589 (c) The company is a target industry business as defined
3590 in s. 288.005 ~~s. 288.106(2)~~; and

3591 Section 97. Paragraph (b) of subsection (1) of section
3592 288.980, Florida Statutes, is amended to read:

3593 288.980 Military base retention; legislative intent;
3594 grants program.—

3595 (1)

3596 (b) The Florida Defense Alliance, an organization within
3597 the department ~~Enterprise Florida, Inc.~~, is designated as the
3598 organization to ensure that Florida, its resident military bases
3599 and missions, and its military host communities are in
3600 competitive positions as the United States continues its defense
3601 realignment and downsizing. The defense alliance shall serve as
3602 an overall advisory body for defense-related activity of the
3603 department ~~Enterprise Florida, Inc.~~ The Florida Defense Alliance
3604 may receive funding from appropriations made for that purpose
3605 administered by the department.

3606 Section 98. Subsection (7) of section 288.987, Florida
3607 Statutes, is amended to read:

3608 288.987 Florida Defense Support Task Force.—

3609 (7) The department shall support the task force and
3610 contract with the task force for expenditure of appropriated

3611 funds, which may be used by the task force for economic and
3612 product research and development, joint planning with host
3613 communities to accommodate military missions and prevent base
3614 encroachment, advocacy on the state's behalf with federal
3615 civilian and military officials, assistance to school districts
3616 in providing a smooth transition for large numbers of additional
3617 military-related students, job training and placement for
3618 military spouses in communities with high proportions of active
3619 duty military personnel, and promotion of the state to military
3620 and related contractors and employers. The task force may
3621 annually spend up to \$250,000 of funds appropriated to the
3622 department for the task force for staffing and administrative
3623 expenses of the task force, including travel and per diem costs
3624 incurred by task force members who are not otherwise eligible
3625 for state reimbursement.

3626 Section 99. Section 288.991, Florida Statutes, is
3627 repealed.

3628 Section 100. Section 288.9912, Florida Statutes, is
3629 repealed.

3630 Section 101. Section 288.9913, Florida Statutes, is
3631 repealed.

3632 Section 102. Section 288.9914, Florida Statutes, is
3633 repealed.

3634 Section 103. Section 288.9915, Florida Statutes, is
3635 repealed.

3636 Section 104. Section 288.9916, Florida Statutes, is
 3637 repealed.

3638 Section 105. Section 288.9917, Florida Statutes, is
 3639 repealed.

3640 Section 106. Section 288.9918, Florida Statutes, is
 3641 repealed.

3642 Section 107. Section 288.9919, Florida Statutes, is
 3643 repealed.

3644 Section 108. Section 288.9920, Florida Statutes, is
 3645 repealed.

3646 Section 109. Section 288.9921, Florida Statutes, is
 3647 repealed.

3648 Section 110. Section 288.9922, Florida Statutes, is
 3649 repealed.

3650 Section 111. Section 288.993, Florida Statutes, is
 3651 repealed.

3652 Section 112. Section 288.9931, Florida Statutes, is
 3653 repealed.

3654 Section 113. Section 288.9932, Florida Statutes, is
 3655 repealed.

3656 Section 114. Section 288.9933, Florida Statutes, is
 3657 repealed.

3658 Section 115. Section 288.9934, Florida Statutes, is
 3659 repealed.

3660 Section 116. Section 288.9935, Florida Statutes, is

3661 repealed.

3662 Section 117. Section 288.9936, Florida Statutes, is
 3663 repealed.

3664 Section 118. Section 288.9937, Florida Statutes, is
 3665 repealed.

3666 Section 119. Subsection (3) of section 288.9961, Florida
 3667 Statutes, is amended to read:

3668 288.9961 Promotion of broadband adoption; Florida Office
 3669 of Broadband.—

3670 (3) STATE AGENCY.—The department is designated as the lead
 3671 state agency to facilitate the expansion of broadband Internet
 3672 service in this state. The department shall work collaboratively
 3673 with private businesses and receive staffing support and other
 3674 resources from ~~Enterprise Florida, Inc.~~, state agencies, local
 3675 governments, and community organizations.

3676 Section 120. Paragraph (h) of subsection (8) of section
 3677 290.0056, Florida Statutes, is amended to read:

3678 290.0056 Enterprise zone development agency.—

3679 (8) The enterprise zone development agency shall have the
 3680 following powers and responsibilities:

3681 (h) To work with the department ~~and Enterprise Florida,~~
 3682 ~~Inc.~~, to ensure that the enterprise zone coordinator receives
 3683 training on an annual basis.

3684 Section 121. Paragraph (b) of subsection (4) and
 3685 subsection (7) of section 290.0065, Florida Statutes, are

3686 amended to read:

3687 290.0065 State designation of enterprise zones.—

3688 (4)

3689 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The
 3690 department shall, based on the enterprise zone profile and the
 3691 grounds for redesignation expressed in the resolution, determine
 3692 whether the enterprise zone merits redesignation. The department
 3693 may also examine and consider the following:

3694 1. Progress made, if any, in the enterprise zone's
 3695 strategic plan.

3696 2. Use of enterprise zone incentives during the life of
 3697 the enterprise zone.

3698
 3699 If the department determines that the enterprise zone merits
 3700 redesignation, the department shall notify the governing body in
 3701 writing of its approval of redesignation.

3702 (7) Upon approval by the department of a resolution
 3703 authorizing an area to be an enterprise zone pursuant to this
 3704 section, the department shall assign a unique identifying number
 3705 to that resolution. The department shall provide the Department
 3706 of Revenue ~~and Enterprise Florida, Inc.,~~ with a copy of each
 3707 resolution approved, together with its identifying number.

3708 Section 122. Section 290.00677, Florida Statutes, is
 3709 amended to read:

3710 290.00677 Rural enterprise zones; special qualifications.—

3711 (1) Notwithstanding the enterprise zone residency
 3712 requirements set out in s. 212.096(1)(c), eligible businesses as
 3713 defined in s. 212.096(1)(a) located in rural enterprise zones as
 3714 defined in s. 290.004 may receive the basic minimum credit
 3715 provided under s. 212.096 for creating a new job and hiring a
 3716 person residing within the jurisdiction of a rural community ~~as~~
 3717 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,
 3718 including, but not limited to, those relating to the award of
 3719 enhanced credits, apply to such businesses.

3720 (2) Notwithstanding the enterprise zone residency
 3721 requirements set out in s. 220.03(1)(q), businesses as defined
 3722 in s. 220.03(1)(c) located in rural enterprise zones as defined
 3723 in s. 290.004 may receive the basic minimum credit provided
 3724 under s. 220.181 for creating a new job and hiring a person
 3725 residing within the jurisdiction of a rural community ~~as defined~~
 3726 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,
 3727 but not limited to, those relating to the award of enhanced
 3728 credits, apply to such businesses.

3729 (3) As used in this section, the term "rural community"
 3730 means:

3731 (a) A county having a population of 75,000 or fewer.

3732 (b) A county having a population of 125,000 or fewer that
 3733 is contiguous to a county having a population of 75,000 or
 3734 fewer.

3735 (c) A municipality within a county described in paragraph

3736 (a) or paragraph (b).

3737

3738 For purposes of this subsection, population shall be determined
3739 in accordance with the most recent official estimate pursuant to
3740 s. 186.901.

3741 Section 123. Subsections (3) and (4) of section 290.053,
3742 Florida Statutes, are amended to read:

3743 290.053 Response to economic emergencies in small
3744 communities.—

3745 (3) A local government entity shall notify the Governor
3746 and, the Department of Commerce Economic Opportunity, ~~and~~
3747 ~~Enterprise Florida, Inc.~~, when one or more of the conditions
3748 specified in subsection (2) have occurred or will occur if
3749 action is not taken to assist the local governmental entity or
3750 the affected community.

3751 (4) Upon notification that one or more of the conditions
3752 described in subsection (2) exist, the Governor or his or her
3753 designee shall contact the local governmental entity to
3754 determine what actions have been taken by the local governmental
3755 entity or the affected community to resolve the economic
3756 emergency. The Governor may waive the eligibility criteria of
3757 any program or activity administered by the Department of
3758 Commerce Economic Opportunity ~~or Enterprise Florida, Inc.~~, to
3759 provide economic relief to the affected community by granting
3760 participation in such programs or activities. The Governor shall

3761 consult with the President of the Senate and the Speaker of the
3762 House of Representatives and shall take other action, as
3763 necessary, to resolve the economic emergency in the most
3764 expedient manner possible. All actions taken pursuant to this
3765 section shall be within current appropriations and shall have no
3766 annualized impact beyond normal growth.

3767 Section 124. Paragraph (d) of subsection (3) and
3768 subsection (4) of section 295.22, Florida Statutes, are amended
3769 to read:

3770 295.22 Veterans Employment and Training Services Program.—

3771 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
3772 administer the Veterans Employment and Training Services Program
3773 and perform all of the following functions:

3774 (d) Create a grant program to provide funding to assist
3775 veterans in meeting the workforce-skill needs of businesses
3776 seeking to hire, promote, or generally improve specialized
3777 skills of veterans, establish criteria for approval of requests
3778 for funding, and maximize the use of funding for this program.
3779 Grant funds may be used only in the absence of available
3780 veteran-specific federally funded programs. Grants may fund
3781 specialized training specific to a particular business.

3782 1. If grant funds are used to provide a technical
3783 certificate, a licensure, or a degree, funds may be allocated
3784 only upon a review that includes, but is not limited to,
3785 documentation of accreditation and licensure. Instruction funded

3786 through the program terminates when participants demonstrate
3787 competence at the level specified in the request but may not
3788 exceed 12 months. Preference shall be given to ~~target industry~~
3789 ~~businesses, as defined in s. 288.106,~~ and to businesses in the
3790 defense supply, cloud virtualization, or commercial aviation
3791 manufacturing industries.

3792 2. Costs and expenditures shall be limited to \$8,000 per
3793 veteran trainee. Qualified businesses must cover the entire cost
3794 for all of the training provided before receiving reimbursement
3795 from the corporation equal to 50 percent of the cost to train a
3796 veteran who is a permanent, full-time employee. Eligible costs
3797 and expenditures include:

- 3798 a. Tuition and fees.
3799 b. Books and classroom materials.
3800 c. Rental fees for facilities.

3801 3. Before funds are allocated for a request pursuant to
3802 this section, the corporation shall prepare a grant agreement
3803 between the business requesting funds and the corporation. Such
3804 agreement must include, but need not be limited to:

3805 a. Identification of the personnel necessary to conduct
3806 the instructional program, instructional program description,
3807 and any vendors used to conduct the instructional program.

3808 b. Identification of the estimated duration of the
3809 instructional program.

3810 c. Identification of all direct, training-related costs.

3811 d. Identification of special program requirements that are
 3812 not otherwise addressed in the agreement.

3813 e. Permission to access aggregate information specific to
 3814 the wages and performance of participants upon the completion of
 3815 instruction for evaluation purposes. The agreement must specify
 3816 that any evaluation published subsequent to the instruction may
 3817 not identify the employer or any individual participant.

3818 4. A business may receive a grant under the Quick-Response
 3819 Training Program created under s. 288.047 and a grant under this
 3820 section for the same veteran trainee. If a business receives
 3821 funds under both programs, one grant agreement may be entered
 3822 into with CareerSource Florida, Inc., as the grant
 3823 administrator.

3824 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~
 3825 ~~Inc., shall provide information about the corporation and its~~
 3826 ~~services to prospective, new, expanding, and relocating~~
 3827 ~~businesses seeking to conduct business in this state. Enterprise~~
 3828 ~~Florida, Inc., shall, to the greatest extent possible,~~
 3829 ~~collaborate with the corporation to meet the employment needs,~~
 3830 ~~including meeting the job-creation requirements, of any business~~
 3831 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3832 Section 125. Paragraph (a) of subsection (6), paragraph
 3833 (b) of subsection (9), paragraph (a) of subsection (34),
 3834 subsection (57), and paragraph (b) of subsection (61) of section
 3835 320.08058, Florida Statutes, are amended to read:

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3836 | 320.08058 Specialty license plates.—
 3837 | (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
 3838 | PLATES.—
 3839 | (a) Because the United States Olympic Committee has
 3840 | selected this state to participate in a combined fundraising
 3841 | program that provides for one-half of all money raised through
 3842 | volunteer giving to stay in this state and be administered by
 3843 | the Florida Sports Foundation ~~Enterprise Florida, Inc.,~~ to
 3844 | support amateur sports, and because the United States Olympic
 3845 | Committee and the Florida Sports Foundation ~~Enterprise Florida,~~
 3846 | ~~Inc.,~~ are nonprofit organizations dedicated to providing
 3847 | athletes with support and training and preparing athletes of all
 3848 | ages and skill levels for sports competition, and because the
 3849 | Florida Sports Foundation ~~Enterprise Florida, Inc.,~~ assists in
 3850 | the bidding for sports competitions that provide significant
 3851 | impact to the economy of this state, and the Legislature
 3852 | supports the efforts of the United States Olympic Committee and
 3853 | the Florida Sports Foundation ~~Enterprise Florida, Inc.,~~ the
 3854 | Legislature establishes a Florida United States Olympic
 3855 | Committee license plate for the purpose of providing a
 3856 | continuous funding source to support this worthwhile effort.
 3857 | Florida United States Olympic Committee license plates must
 3858 | contain the official United States Olympic Committee logo and
 3859 | must bear a design and colors that are approved by the

3860 department. The word "Florida" must be centered at the top of
 3861 the plate.

3862 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

3863 (b) The license plate annual use fees are to be annually
 3864 distributed as follows:

3865 1. Fifty-five percent of the proceeds from the Florida
 3866 Professional Sports Team plate must be deposited into the
 3867 Professional Sports Development Trust Fund within the Department
 3868 of Commerce ~~Economic Opportunity~~. These funds must be used
 3869 solely to attract and support major sports events in this state.
 3870 As used in this subparagraph, the term "major sports events"
 3871 means, but is not limited to, championship or all-star contests
 3872 of Major League Baseball, the National Basketball Association,
 3873 the National Football League, the National Hockey League, Major
 3874 League Soccer, the men's and women's National Collegiate
 3875 Athletic Association Final Four basketball championship, or a
 3876 horseracing or dogracing Breeders' Cup. All funds must be used
 3877 to support and promote major sporting events, and the uses must
 3878 be approved by the Department of Commerce ~~Economic Opportunity~~.

3879 2. The remaining proceeds of the Florida Professional
 3880 Sports Team license plate must be allocated to the Florida
 3881 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
 3882 deposited into the Professional Sports Development Trust Fund
 3883 within the Department of Commerce ~~Economic Opportunity~~. These
 3884 funds must be used by the Florida Sports Foundation ~~Enterprise~~

3885 ~~Florida, Inc.,~~ to promote the economic development of the sports
3886 industry; to distribute licensing and royalty fees to
3887 participating professional sports teams; to promote education
3888 programs in Florida schools that provide an awareness of the
3889 benefits of physical activity and nutrition standards; to
3890 partner with the Department of Education and the Department of
3891 Health to develop a program that recognizes schools whose
3892 students demonstrate excellent physical fitness or fitness
3893 improvement; to institute a grant program for communities
3894 bidding on minor sporting events that create an economic impact
3895 for the state; to distribute funds to Florida-based charities
3896 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
3897 ~~Inc.,~~ and the participating professional sports teams; and to
3898 fulfill the sports promotion responsibilities of the Department
3899 of Commerce ~~Economic Opportunity~~.

3900 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~
3901 shall provide an annual financial audit in accordance with s.
3902 215.981 of its financial accounts and records by an independent
3903 certified public accountant pursuant to the contract established
3904 by the Department of Commerce ~~Economic Opportunity~~. The auditor
3905 shall submit the audit report to the Department of Commerce
3906 ~~Economic Opportunity~~ for review and approval. If the audit
3907 report is approved, the Department of Commerce ~~Economic~~
3908 ~~Opportunity~~ shall certify the audit report to the Auditor
3909 General for review.

3910 4. Notwithstanding the provisions of subparagraphs 1. and
 3911 2., proceeds from the Professional Sports Development Trust Fund
 3912 may also be used for operational expenses of the Florida Sports
 3913 Foundation ~~Enterprise Florida, Inc.~~, and financial support of
 3914 the Sunshine State Games.

3915 (34) FLORIDA GOLF LICENSE PLATES.—

3916 (a) The Department of Highway Safety and Motor Vehicles
 3917 shall develop a Florida Golf license plate as provided in this
 3918 section. The word "Florida" must appear at the bottom of the
 3919 plate. The Dade Amateur Golf Association, following consultation
 3920 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~
 3921 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a
 3922 revised sample plate for consideration by the department.

3923 (57) FLORIDA NASCAR LICENSE PLATES.—

3924 (a) The department shall develop a Florida NASCAR license
 3925 plate as provided in this section. Florida NASCAR license plates
 3926 must bear the colors and design approved by the department. The
 3927 word "Florida" must appear at the top of the plate, and the term
 3928 "NASCAR" must appear at the bottom of the plate. The National
 3929 Association for Stock Car Auto Racing, following consultation
 3930 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
 3931 submit a sample plate for consideration by the department.

3932 (b) The license plate annual use fees shall be distributed
 3933 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
 3934 license plate annual use fees shall be annually allocated as

3935 follows:

3936 1. Up to 5 percent of the proceeds from the annual use
 3937 fees may be used by the Florida Sports Foundation ~~Enterprise~~
 3938 ~~Florida, Inc.,~~ for the administration of the NASCAR license
 3939 plate program.

3940 2. The National Association for Stock Car Auto Racing
 3941 shall receive up to \$60,000 in proceeds from the annual use fees
 3942 to be used to pay startup costs, including costs incurred in
 3943 developing and issuing the plates. Thereafter, 10 percent of the
 3944 proceeds from the annual use fees shall be provided to the
 3945 association for the royalty rights for the use of its marks.

3946 3. The remaining proceeds from the annual use fees shall
 3947 be distributed to the Florida Sports Foundation ~~Enterprise~~
 3948 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~
 3949 ~~Inc.,~~ will retain 15 percent to support its regional grant
 3950 program, attracting sporting events to Florida; 20 percent to
 3951 support the marketing of motorsports-related tourism in the
 3952 state; and 50 percent to be paid to the NASCAR Foundation, a s.
 3953 501(c)(3) charitable organization, to support Florida-based
 3954 charitable organizations.

3955 (c) The Florida Sports Foundation ~~Enterprise Florida,~~
 3956 ~~Inc.,~~ shall provide an annual financial audit in accordance with
 3957 s. 215.981 of its financial accounts and records by an
 3958 independent certified public accountant pursuant to the contract
 3959 established by the Department of Commerce ~~Economic Opportunity~~.

3960 The auditor shall submit the audit report to the Department of
 3961 Commerce ~~Economic Opportunity~~ for review and approval. If the
 3962 audit report is approved, the Department of Commerce ~~Economic~~
 3963 ~~Opportunity~~ shall certify the audit report to the Auditor
 3964 General for review.

3965 (61) FLORIDA TENNIS LICENSE PLATES.—

3966 (b) The department shall distribute the annual use fees to
 3967 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
 3968 license plate annual use fees shall be annually allocated as
 3969 follows:

3970 1. Up to 5 percent of the proceeds from the annual use
 3971 fees may be used by the Florida Sports Foundation ~~Enterprise~~
 3972 ~~Florida, Inc.~~, to administer the license plate program.

3973 2. The United States Tennis Association Florida Section
 3974 Foundation shall receive the first \$60,000 in proceeds from the
 3975 annual use fees to reimburse it for startup costs,
 3976 administrative costs, and other costs it incurs in the
 3977 development and approval process.

3978 3. Up to 5 percent of the proceeds from the annual use
 3979 fees may be used for promoting and marketing the license plates.
 3980 The remaining proceeds shall be available for grants by the
 3981 United States Tennis Association Florida Section Foundation to
 3982 nonprofit organizations to operate youth tennis programs and
 3983 adaptive tennis programs for special populations of all ages,
 3984 and for building, renovating, and maintaining public tennis

3985 courts.

3986 Section 126. Subsections (2), (3), and (6) of section
 3987 331.3051, Florida Statutes, are amended to read:

3988 331.3051 Duties of Space Florida.—Space Florida shall:

3989 (2) Enter into agreement with the Department of Education,
 3990 the Department of Transportation, the Department of Commerce
 3991 ~~Enterprise Florida, Inc.~~, and CareerSource Florida, Inc., for
 3992 the purpose of implementing this act.

3993 (3) In cooperation with the Department of Commerce
 3994 ~~Enterprise Florida, Inc.~~, develop a plan to retain, expand,
 3995 attract, and create aerospace industry entities, public or
 3996 private, which results in the creation of high-value-added
 3997 businesses and jobs in this state.

3998 (6) Develop, in cooperation with the Department of
 3999 Commerce ~~Enterprise Florida, Inc.~~, a plan to provide financing
 4000 assistance to aerospace businesses. The plan may include the
 4001 following activities:

4002 (a) Assembling, publishing, and disseminating information
 4003 concerning financing opportunities and techniques for aerospace
 4004 projects, programs, and activities; sources of public and
 4005 private aerospace financing assistance; and sources of
 4006 aerospace-related financing.

4007 (b) Organizing, hosting, and participating in seminars and
 4008 other forums designed to disseminate information and technical
 4009 assistance regarding aerospace-related financing.

4010 (c) Coordinating with programs and goals of the Department
 4011 of Defense, the National Aeronautics and Space Administration,
 4012 the Export-Import Bank of the United States, the International
 4013 Trade Administration of the United States Department of
 4014 Commerce, the Foreign Credit Insurance Association, and other
 4015 private and public programs and organizations, domestic and
 4016 foreign.

4017 (d) Establishing a network of contacts among those
 4018 domestic and foreign public and private organizations that
 4019 provide information, technical assistance, and financial support
 4020 to the aerospace industry.

4021 (e) Financing aerospace business development projects or
 4022 initiatives using funds provided by the Legislature.

4023 Section 127. Section 331.3081, Florida Statutes, is
 4024 amended to read:

4025 331.3081 Board of directors.—

4026 (1) Space Florida shall be governed by an ~~a 13-member~~
 4027 independent board of directors that consists of the Governor,
 4028 who shall serve ex officio, or who may appoint a designee to
 4029 serve, as the chair and a voting member of the board, and the
 4030 following appointed members:

4031 (a) The Secretary of Transportation or his or her
 4032 designee.

4033 (b) Five members appointed by the Governor who must each
 4034 reflect the state's interests in the aerospace sector and

4035 represent the intent, duties, and purpose of Space Florida, or
4036 have at least 5 years of experience in at least one of the
4037 following areas:

4038 1. The aerospace industry. Such member may not be
4039 currently employed by an entity that is under contract with
4040 Space Florida.

4041 2. Bond financing.

4042 3. Academic experience in aerospace, aviation, or a
4043 relevant science.

4044 4. An aircraft facilities manager, a fixed-based operator,
4045 or a commercial airport operator.

4046 (c) One member appointed by the President of the Senate,
4047 who has at least 5 years of experience as provided in paragraph
4048 (b).

4049 (d) One member appointed by the Speaker of the House of
4050 Representatives, who has at least 5 years of experience as
4051 provided in paragraph (b).

4052 (e) A representative of each of the following entities,
4053 who shall serve as an ex officio, nonvoting member of the board,
4054 appointed by the Governor:

4055 1. The Jacksonville Aviation Authority.

4056 2. The Titusville-Cocoa Airport Authority.

4057 3. An employee or official of a port district or port
4058 authority as defined in s. 315.02(2).

4059 (2) (a) Appointed members shall serve 4-year terms, except

4060 that initially, to provide for staggered terms, the Governor
4061 shall appoint two members to serve 2-year terms and two members
4062 to serve 3-year terms. All subsequent appointments shall be for
4063 4-year terms.

4064 (b) Initial appointments must be made by October 1, 2023.
4065 Terms end on September 30.

4066 (c) Any member is eligible for reappointment, except that
4067 a member may not serve more than two 4-year terms.

4068 (d) A vacancy on the board of directors shall be filled
4069 for the remainder of the unexpired term in the same manner as
4070 the original appointment.

4071 (e) Appointed members may be removed by the appointing
4072 official for cause. Absence from three consecutive meetings is
4073 cause for removal.

4074 (3) Board members shall serve without compensation, but
4075 are entitled to receive reimbursement for per diem and travel
4076 expenses pursuant to s. 112.061. Such expenses must be paid out
4077 of funds of Space Florida.

4078 (4)(a) The board of directors shall meet at least
4079 quarterly, upon the call of the chairperson, or at the request
4080 of a majority of the membership.

4081 (b) A majority of the total number of current voting
4082 members shall constitute a quorum. The board of directors may
4083 take official action by a majority vote of the members present
4084 at any meeting at which a quorum is present.

4085 (c) Meetings may be held via teleconference or other
 4086 electronic means.

4087 (5) The board shall conduct education for newly appointed
 4088 board members as provided by the Department of Commerce in
 4089 accordance with s. 189.063.

4090 (6) Space Florida may not endorse any candidate for
 4091 elected public office or contribute moneys to the campaign of
 4092 any such candidate ~~the members appointed to the board of~~
 4093 ~~directors of Enterprise Florida, Inc., by the Governor, the~~
 4094 ~~President of the Senate, and the Speaker of the House of~~
 4095 ~~Representatives pursuant to s. 288.901(5)(a)8. and the Governor,~~
 4096 ~~who shall serve ex officio, or who may appoint a designee to~~
 4097 ~~serve, as the chair and a voting member of the board.~~

4098 Section 128. Paragraph (f) of subsection (1) of section
 4099 339.08, Florida Statutes, is amended to read:

4100 339.08 Use of moneys in State Transportation Trust Fund.—

4101 (1) The department shall expend moneys in the State
 4102 Transportation Trust Fund accruing to the department, in
 4103 accordance with its annual budget. The use of such moneys shall
 4104 be restricted to the following purposes:

4105 ~~(f) To pay the cost of economic development transportation~~
 4106 ~~projects in accordance with s. 339.2821.~~

4107 Section 129. Section 339.2821, Florida Statutes, is
 4108 repealed.

4109 Section 130. Paragraph (h) of subsection (2) of section

4110 | 377.703, Florida Statutes, is amended to read:

4111 | 377.703 Additional functions of the Department of
4112 | Agriculture and Consumer Services.—

4113 | (2) DUTIES.—The department shall perform the following
4114 | functions, unless as otherwise provided, consistent with the
4115 | development of a state energy policy:

4116 | (h) The department shall promote the development and use
4117 | of renewable energy resources, in conformance with chapter 187
4118 | and s. 377.601, by:

4119 | 1. Establishing goals and strategies for increasing the
4120 | use of renewable energy in this state.

4121 | 2. Aiding and promoting the commercialization of renewable
4122 | energy resources, in cooperation with the Florida Energy Systems
4123 | Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~
4124 | ~~Inc.~~, and any other federal, state, or local governmental agency
4125 | that may seek to promote research, development, and the
4126 | demonstration of renewable energy equipment and technology.

4127 | 3. Identifying barriers to greater use of renewable energy
4128 | resources in this state, and developing specific recommendations
4129 | for overcoming identified barriers, with findings and
4130 | recommendations to be submitted annually in the report to the
4131 | Governor and Legislature required under paragraph (f).

4132 | 4. In cooperation with the Department of Environmental
4133 | Protection, the Department of Transportation, the Department of
4134 | Commerce ~~Economic Opportunity~~, ~~Enterprise Florida, Inc.~~, the

4135 Florida Energy Systems Consortium, the Florida Solar Energy
 4136 Center, and the Florida Solar Energy Industries Association,
 4137 investigating opportunities, pursuant to the national Energy
 4138 Policy Act of 1992, the Housing and Community Development Act of
 4139 1992, and any subsequent federal legislation, for renewable
 4140 energy resources, electric vehicles, and other renewable energy
 4141 manufacturing, distribution, installation, and financing efforts
 4142 that enhance this state's position as the leader in renewable
 4143 energy research, development, and use.

4144 5. Undertaking other initiatives to advance the
 4145 development and use of renewable energy resources in this state.

4146
 4147 In the exercise of its responsibilities under this paragraph,
 4148 the department shall seek the assistance of the renewable energy
 4149 industry in this state and other interested parties and may
 4150 enter into contracts, retain professional consulting services,
 4151 and expend funds appropriated by the Legislature for such
 4152 purposes.

4153 Section 131. Subsection (5) of section 377.804, Florida
 4154 Statutes, is amended to read:

4155 377.804 Renewable Energy and Energy-Efficient Technologies
 4156 Grants Program.—

4157 (5) The department shall solicit the expertise of state
 4158 agencies, ~~Enterprise Florida, Inc.,~~ and state universities, and
 4159 may solicit the expertise of other public and private entities

4160 it deems appropriate, in evaluating project proposals. State
 4161 agencies shall cooperate with the department and provide such
 4162 assistance as requested.

4163 Section 132. Paragraph (a) of subsection (4) of section
 4164 377.809, Florida Statutes, is amended to read:

4165 377.809 Energy Economic Zone Pilot Program.—

4166 (4)(a) Beginning July 1, 2012, all the incentives and
 4167 benefits provided for enterprise zones pursuant to state law
 4168 shall be available to the energy economic zones designated
 4169 pursuant to this section on or before July 1, 2010. In order to
 4170 provide incentives, by March 1, 2012, each local governing body
 4171 that has jurisdiction over an energy economic zone must, by
 4172 local ordinance, establish the boundary of the energy economic
 4173 zone, specify applicable energy-efficiency standards, and
 4174 determine eligibility criteria for the application of state and
 4175 local incentives and benefits in the energy economic zone.
 4176 ~~However, in order to receive benefits provided under s. 288.106,~~
 4177 ~~a business must be a qualified target industry business under s.~~
 4178 ~~288.106 for state purposes.~~ An energy economic zone's boundary
 4179 may be revised by local ordinance. Such incentives and benefits
 4180 include those in ss. 212.08, 212.096, 220.181, 220.182, 220.183,
 4181 ~~288.106,~~ and 624.5105 and the public utility discounts provided
 4182 in s. 290.007(8). The exemption provided in s. 212.08(5)(c)
 4183 shall be for renewable energy as defined in s. 377.803. For
 4184 purposes of this section, any applicable requirements for

4185 employee residency for higher refund or credit thresholds must
4186 be based on employee residency in the energy economic zone or an
4187 enterprise zone. A business in an energy economic zone may also
4188 be eligible for funding under ss. 288.047 and 445.003, ~~and a~~
4189 ~~transportation project in an energy economic zone shall be~~
4190 ~~provided priority in funding under s. 339.2821.~~ Other projects
4191 shall be given priority ranking to the extent practicable for
4192 grants administered under state energy programs.

4193 Section 133. Subsections (1) and (5) of section 380.0657,
4194 Florida Statutes, are amended to read:

4195 380.0657 Expedited permitting process for economic
4196 development projects.—

4197 (1) The Department of Environmental Protection and, as
4198 appropriate, the water management districts created under
4199 chapter 373 shall adopt programs to expedite the processing of
4200 wetland resource and environmental resource permits for ~~economic~~
4201 ~~development projects that have been identified by a municipality~~
4202 ~~or county as meeting the definition of target industry~~
4203 ~~businesses under s. 288.106, or any intermodal logistics center~~
4204 receiving or sending cargo to or from Florida ports, with the
4205 exception of those projects requiring approval by the Board of
4206 Trustees of the Internal Improvement Trust Fund.

4207 (5) Notwithstanding the provisions of this section, permit
4208 applications for projects to be located in a charter county that
4209 has a population of 1.2 million or more and has entered into a

4210 delegation agreement with the Department of Environmental
4211 Protection or the applicable water management district to
4212 process environmental resource permits, wetland resource
4213 management permits, or surface water management permits pursuant
4214 to chapter 373 are eligible for expedited permitting under this
4215 section only upon designation by resolution of the charter
4216 county's governing board. ~~Before the governing board decides~~
4217 ~~that a project is eligible for expedited permitting, it may~~
4218 ~~require the county's economic development agency, or such other~~
4219 ~~agency that provides advice to the governing board on economic~~
4220 ~~matters, to review and recommend whether the project meets the~~
4221 ~~definition of a target industry business as defined in s.~~
4222 ~~288.106 and to identify the tangible benefits and impacts of the~~
4223 ~~project.~~ The governing board's decision shall be made without
4224 consideration of the project's geographic location within the
4225 charter county. ~~If the governing board designates the project as~~
4226 ~~a target industry business, the permit application for the~~
4227 ~~project shall be approved or denied within the timeframe~~
4228 ~~provided in subsection (4).~~

4229 Section 134. Subsection (1) of section 401.23, Florida
4230 Statutes, is amended to read:

4231 401.23 Definitions.—As used in this part, the term:

4232 (1) "Acute and postacute hospital care at home" means
4233 acute and postacute health care services provided in a
4234 clinically qualified patient's permanent residence, as defined

4235 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by
4236 the Centers for Medicare and Medicaid Services and the Agency
4237 for Health Care Administration.

4238 Section 135. Subsection (5) of section 403.7032, Florida
4239 Statutes, is amended to read:

4240 403.7032 Recycling.—

4241 (5) The Department of Environmental Protection shall
4242 create the Recycling Business Assistance Center by December 1,
4243 2010. In carrying out its duties under this subsection, the
4244 department shall consult with state agency personnel appointed
4245 to serve as economic development liaisons under s. 288.021 ~~and~~
4246 ~~seek technical assistance from Enterprise Florida, Inc., to~~
4247 ensure the Recycling Business Assistance Center is positioned to
4248 succeed. The purpose of the center shall be to serve as the
4249 mechanism for coordination among state agencies and the private
4250 sector in order to coordinate policy and overall strategic
4251 planning for developing new markets and expanding and enhancing
4252 existing markets for recyclable materials in this state, other
4253 states, and foreign countries. The duties of the center must
4254 include, at a minimum:

4255 (a) Identifying and developing new markets and expanding
4256 and enhancing existing markets for recyclable materials.

4257 (b) Pursuing expanded end uses for recycled materials.

4258 (c) Targeting materials for concentrated market
4259 development efforts.

4260 (d) Developing proposals for new incentives for market
4261 development, particularly focusing on targeted materials.

4262 (e) Providing guidance on issues such as permitting,
4263 finance options for recycling market development, site location,
4264 research and development, grant program criteria for recycled
4265 materials markets, recycling markets education and information,
4266 and minimum content.

4267 (f) Coordinating the efforts of various governmental
4268 entities having market development responsibilities in order to
4269 optimize supply and demand for recyclable materials.

4270 (g) Evaluating source-reduced products as they relate to
4271 state procurement policy. The evaluation shall include, but is
4272 not limited to, the environmental and economic impact of source-
4273 reduced product purchases to the state. For the purposes of this
4274 paragraph, the term "source-reduced" means any method, process,
4275 product, or technology that significantly or substantially
4276 reduces the volume or weight of a product while providing, at a
4277 minimum, equivalent or generally similar performance and service
4278 to and for the users of such materials.

4279 (h) Providing evaluation of solid waste management grants,
4280 pursuant to s. 403.7095, to reduce the flow of solid waste to
4281 disposal facilities and encourage the sustainable recovery of
4282 materials from Florida's waste stream.

4283 (i) Providing below-market financing for companies that
4284 manufacture products from recycled materials or convert

4285 recyclable materials into raw materials for use in manufacturing
 4286 pursuant to the Florida Recycling Loan Program as administered
 4287 by the Florida First Capital Finance Corporation.

4288 (j) Maintaining a continuously updated online directory
 4289 listing the public and private entities that collect, transport,
 4290 broker, process, or remanufacture recyclable materials in the
 4291 state.

4292 (k) Providing information on the availability and benefits
 4293 of using recycled materials to private entities and industries
 4294 in the state.

4295 (l) Distributing any materials prepared in implementing
 4296 this subsection to the public, private entities, industries,
 4297 governmental entities, or other organizations upon request.

4298 (m) Coordinating with the Department of Commerce ~~Economic~~
 4299 ~~Opportunity~~ and its partners to provide job placement and job
 4300 training services to job seekers through the state's workforce
 4301 services programs.

4302 Section 136. Paragraphs (f) through (h) of subsection (3)
 4303 of section 403.973, Florida Statutes, are redesignated as
 4304 paragraphs (e) through (g), respectively, subsections (16)
 4305 through (19) are renumbered as subsections (15) through (18),
 4306 respectively, and present paragraph (e) of subsection (3),
 4307 paragraph (b) of subsection (14), and present subsections (15)
 4308 and (17) of that section are amended, to read:

4309 403.973 Expedited permitting; amendments to comprehensive

4310 plans.-
 4311 (3)
 4312 ~~(c) Projects that are part of the state-of-the-art~~
 4313 ~~biomedical research institution and campus to be established in~~
 4314 ~~this state by the grantee under s. 288.955 are eligible for the~~
 4315 ~~expedited permitting process, if the projects are designated as~~
 4316 ~~part of the institution or campus by the board of county~~
 4317 ~~commissioners of the county in which the institution and campus~~
 4318 ~~are established.~~
 4319 (14)
 4320 (b) Projects identified in paragraphs (3) (e) - (g) ~~(3) (f) -~~
 4321 ~~(h) or challenges to state agency action in the expedited~~
 4322 ~~permitting process for establishment of a state-of-the-art~~
 4323 ~~biomedical research institution and campus in this state by the~~
 4324 ~~grantee under s. 288.955 are subject to the same requirements as~~
 4325 ~~challenges brought under paragraph (a), except that,~~
 4326 ~~notwithstanding s. 120.574, summary proceedings must be~~
 4327 ~~conducted within 30 days after a party files the motion for~~
 4328 ~~summary hearing, regardless of whether the parties agree to the~~
 4329 ~~summary proceeding.~~
 4330 ~~(15) The Department of Economic Opportunity, working with~~
 4331 ~~the agencies providing cooperative assistance and input~~
 4332 ~~regarding the memoranda of agreement, shall review sites~~
 4333 ~~proposed for the location of facilities that the Department of~~
 4334 ~~Economic Opportunity has certified to be eligible for the~~

4335 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
 4336 ~~after the request for the review by the Department of Economic~~
 4337 ~~Opportunity, the agencies shall provide to the Department of~~
 4338 ~~Economic Opportunity a statement as to each site's necessary~~
 4339 ~~permits under local, state, and federal law and an~~
 4340 ~~identification of significant permitting issues, which if~~
 4341 ~~unresolved, may result in the denial of an agency permit or~~
 4342 ~~approval or any significant delay caused by the permitting~~
 4343 ~~process.~~

4344 ~~(16)-(17)~~ The Department of Commerce ~~Economic Opportunity~~
 4345 shall be responsible for certifying a business as eligible for
 4346 undergoing expedited review under this section. ~~Enterprise~~
 4347 ~~Florida, Inc.,~~ A county or municipal government, or the Rural
 4348 Economic Development Initiative may recommend to the Department
 4349 of Commerce Economic Opportunity that a project meeting the
 4350 minimum job creation threshold undergo expedited review.

4351 Section 137. Paragraph (c) of subsection (1) of section
 4352 443.091, Florida Statutes, is amended to read:

4353 443.091 Benefit eligibility conditions.—

4354 (1) An unemployed individual is eligible to receive
 4355 benefits for any week only if the Department of Commerce
 4356 ~~Economic Opportunity~~ finds that:

4357 (c) To make continued claims for benefits, she or he is
 4358 reporting to the department in accordance with this paragraph
 4359 and department rules. Department rules may not conflict with s.

4360 443.111(1)(b), which requires that each claimant continue to
4361 report regardless of any pending appeal relating to her or his
4362 eligibility or disqualification for benefits.

4363 1. For each week of unemployment claimed, each report
4364 must, at a minimum, include the name and address of each
4365 prospective employer contacted, or the date the claimant
4366 reported to a one-stop career center, pursuant to paragraph (d).
4367 For the purposes of this subparagraph, the term "address" means
4368 a website address, a physical address, or an e-mail address.

4369 2. The department shall offer an online assessment aimed
4370 at identifying an individual's skills, abilities, and career
4371 aptitude. The skills assessment must be voluntary, and the
4372 department shall allow a claimant to choose whether to take the
4373 skills assessment. The online assessment shall be made available
4374 to any person seeking services from a local workforce
4375 development board or a one-stop career center.

4376 a. If the claimant chooses to take the online assessment,
4377 the outcome of the assessment shall be made available to the
4378 claimant, local workforce development board, and one-stop career
4379 center. The department, local workforce development board, or
4380 one-stop career center shall use the assessment to develop a
4381 plan for referring individuals to training and employment
4382 opportunities. Aggregate data on assessment outcomes may be made
4383 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~
4384 ~~Inc.,~~ for use in the development of policies related to

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4385 education and training programs that will ensure that businesses
4386 in this state have access to a skilled and competent workforce.

4387 b. Individuals shall be informed of and offered services
4388 through the one-stop delivery system, including career
4389 counseling, the provision of skill match and job market
4390 information, and skills upgrade and other training
4391 opportunities, and shall be encouraged to participate in such
4392 services at no cost to the individuals. The department shall
4393 coordinate with CareerSource Florida, Inc., the local workforce
4394 development boards, and the one-stop career centers to identify,
4395 develop, and use best practices for improving the skills of
4396 individuals who choose to participate in skills upgrade and
4397 other training opportunities. The department may contract with
4398 an entity to create the online assessment in accordance with the
4399 competitive bidding requirements in s. 287.057. The online
4400 assessment must work seamlessly with the Reemployment Assistance
4401 Claims and Benefits Information System.

4402 Section 138. Paragraph (d) of subsection (3), paragraph
4403 (b) subsection (5), and paragraph (a) of subsection (6) of
4404 section 445.004, Florida Statutes, are amended, to read:

4405 445.004 CareerSource Florida, Inc., and the state board;
4406 creation; purpose; membership; duties and powers.—

4407 (3)

4408 (d) The state board must include the Secretary of Commerce
4409 ~~Economic Opportunity~~ or his or her designee, ~~the vice~~

4410 ~~chairperson of the board of directors of Enterprise Florida,~~
4411 ~~Inc.,~~ and one member representing each of the Workforce
4412 Innovation and Opportunity Act partners, including the Division
4413 of Career and Adult Education, the Division of Vocational
4414 Rehabilitation, the Division of Blind Services, the Department
4415 of Children and Families, and other entities representing
4416 programs identified in the Workforce Innovation and Opportunity
4417 Act, as determined necessary.

4418 (5) The state board has all the powers and authority not
4419 explicitly prohibited by statute which are necessary or
4420 convenient to carry out and effectuate its purposes as
4421 determined by statute, Pub. L. No. 113-128, and the Governor, as
4422 well as its functions, duties, and responsibilities, including,
4423 but not limited to, the following:

4424 (b) Providing policy direction to ensure that the
4425 following programs are administered by the department consistent
4426 with approved plans:

4427 1. Programs authorized under Title I of the Workforce
4428 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
4429 exception of programs funded directly by the United States
4430 Department of Labor under Title I, s. 167.

4431 2. Programs authorized under the Wagner-Peyser Act of
4432 1933, as amended, 29 U.S.C. ss. 49 et seq.

4433 3. Activities authorized under Title II of the Trade Act
4434 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade

4435 Adjustment Assistance Program.

4436 4. Activities authorized under 38 U.S.C. chapter 41,
4437 including job counseling, training, and placement for veterans.

4438 5. Employment and training activities carried out under
4439 funds awarded to this state by the United States Department of
4440 Housing and Urban Development.

4441 6. Welfare transition services funded by the Temporary
4442 Assistance for Needy Families Program, created under the
4443 Personal Responsibility and Work Opportunity Reconciliation Act
4444 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
4445 of the Social Security Act, as amended.

4446 7. The Florida Bonding Program, provided under Pub. L. No.
4447 97-300, s. 164(a)(1).

4448 8. The Food Assistance Employment and Training Program,
4449 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
4450 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
4451 the Hunger Prevention Act, Pub. L. No. 100-435; and the
4452 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

4453 9. The Quick-Response Training Program, provided under ss.
4454 288.046-288.047. ~~Matching funds and in-kind contributions that~~
4455 ~~are provided by clients of the Quick-Response Training Program~~
4456 ~~count toward the requirements of s. 288.904, pertaining to the~~
4457 ~~return on investment from activities of Enterprise Florida, Inc.~~

4458 10. The Work Opportunity Tax Credit, provided under the
4459 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,

4460 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

4461 11. Offender placement services, provided under ss.
4462 944.707-944.708.

4463 (6) The state board shall achieve the purposes of this
4464 section by:

4465 (a) Creating a state employment, education, and training
4466 policy that ensures workforce related programs are responsive to
4467 present and future business and industry needs ~~and complement~~
4468 ~~the initiatives of Enterprise Florida, Inc.~~

4469 Section 139. Subsection (5) of section 445.045, Florida
4470 Statutes, is amended to read:

4471 445.045 Development of an Internet-based system for
4472 information technology industry promotion and workforce
4473 recruitment.—

4474 (5) In furtherance of the requirements of this section
4475 that the website promote and market the information technology
4476 industry by communicating information on the scope of the
4477 industry in this state, CareerSource Florida, Inc., shall
4478 ~~coordinate its efforts with the high-technology industry~~
4479 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
4480 ~~Through links or actual content, the website developed under~~
4481 ~~this section shall serve as a forum for distributing the~~
4482 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
4483 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~
4484 solicit input from the not-for-profit corporation created to

4485 advocate on behalf of the information technology industry as an
 4486 outgrowth of the Information Service Technology Development Task
 4487 Force created under chapter 99-354, Laws of Florida.

4488 Section 140. Subsections (3), (4) and (5) of section
 4489 446.44, Florida Statutes, are renumbered as subsections (2),
 4490 (3), and (4) respectively, and present subsections (2) and (5)
 4491 of that section are amended, to read:

4492 446.44 Duties of Rural Workforce Services Program.—It
 4493 shall be the direct responsibility of the Rural Workforce
 4494 Services Program to promote and deliver employment and workforce
 4495 services and resources to the rural undeveloped and
 4496 underdeveloped counties of the state in an effort to:

4497 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
 4498 ~~pollution-free industry to the rural counties.~~

4499 (4)-(5) Develop rural workforce programs that will be
 4500 evaluated, planned, and implemented through communications and
 4501 planning with appropriate:

4502 (a) Departments of state and federal governments.

4503 ~~(b) Units of Enterprise Florida, Inc.~~

4504 (b)-(e) Agencies and organizations of the public and
 4505 private sectors at the state, regional, and local levels.

4506 Section 141. Subsection (1) of section 465.003, Florida
 4507 Statutes, is amended to read:

4508 465.003 Definitions.—As used in this chapter, the term:

4509 (1) "Acute and postacute hospital care at home" means

4510 acute and postacute health care services provided in a
 4511 clinically qualified patient's permanent residence, as defined
 4512 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by
 4513 the Centers for Medicare and Medicaid Services and the Agency
 4514 for Health Care Administration.

4515 Section 142. Subsection (5) of section 477.0135, Florida
 4516 Statutes, is amended to read:

4517 477.0135 Exemptions.—

4518 (5) A license is not required of any individual providing
 4519 makeup, special effects, or cosmetology services to an actor,
 4520 stunt person, musician, extra, or other talent during a
 4521 theatrical, film, or other entertainment production ~~recognized~~
 4522 ~~by the Office of Film and Entertainment as a qualified~~
 4523 ~~production as defined in s. 288.1254(1)~~. Such services are not
 4524 required to be performed in a licensed salon. Individuals exempt
 4525 under this subsection may not provide such services to the
 4526 general public.

4527 Section 143. Subsection (1) of section 570.81, Florida
 4528 Statutes, is amended to read:

4529 570.81 Agricultural Economic Development Project Review
 4530 Committee; powers and duties.—

4531 (1) There is created an Agricultural Economic Development
 4532 Project Review Committee consisting of five members appointed by
 4533 the commissioner. The members shall be appointed based upon the
 4534 recommendations submitted by each entity represented on the

4535 committee and shall include:

4536 (a) The commissioner or the commissioner's designee.

4537 (b) One representative from the Farm Credit Service.

4538 (c) One representative from the Department of Commerce
 4539 ~~Enterprise Florida, Inc.~~

4540 (d) One representative from the Florida Farm Bureau
 4541 Federation.

4542 (e) One agricultural economist from the Institute of Food
 4543 and Agricultural Sciences or from Florida Agricultural and
 4544 Mechanical University.

4545 Section 144. Subsection (2) of section 570.85, Florida
 4546 Statutes, is amended to read:

4547 570.85 Agritourism.—

4548 (2) The Department of Agriculture and Consumer Services
 4549 may provide marketing advice, technical expertise, promotional
 4550 support, and product development related to agritourism to
 4551 assist the following in their agritourism initiatives:

4552 ~~Enterprise Florida, Inc.;~~ convention and visitor bureaus, +
 4553 tourist development councils, + economic development
 4554 organizations, + and local governments. In carrying out this
 4555 responsibility, the department shall focus its agritourism
 4556 efforts on rural and urban communities.

4557 Section 145. Section 625.3255, Florida Statutes, is
 4558 repealed.

4559 Section 146. Subsection (4) of section 657.042, Florida

4560 Statutes, is amended to read:

4561 657.042 Investment powers and limitations.—A credit union
4562 may invest its funds subject to the following definitions,
4563 restrictions, and limitations:

4564 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
4565 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
4566 the credit union may be invested in ~~any of the following:~~

4567 ~~(a) corporate obligations of any one corporation which is~~
4568 ~~an affiliate or subsidiary of the credit union or a service~~
4569 ~~corporation, except that the total investment in all such~~
4570 ~~corporate obligations shall not exceed 10 percent of the capital~~
4571 ~~of the credit union.~~

4572 ~~(b) Any capital participation instrument or evidence of~~
4573 ~~indebtedness issued by Enterprise Florida, Inc., pursuant to the~~
4574 ~~Florida Small and Minority Business Assistance Act.~~

4575 Section 147. Paragraph (f) of subsection (4) of section
4576 658.67, Florida Statutes, is amended to read:

4577 658.67 Investment powers and limitations.—A bank may
4578 invest its funds, and a trust company may invest its corporate
4579 funds, subject to the following definitions, restrictions, and
4580 limitations:

4581 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR
4582 LESS OF CAPITAL ACCOUNTS.—

4583 ~~(f) Up to 10 percent of the capital accounts of a bank or~~
4584 ~~trust company may be invested in any capital participation~~

4585 ~~instrument or evidence of indebtedness issued by Enterprise~~
 4586 ~~Florida, Inc., pursuant to the Florida Small and Minority~~
 4587 ~~Business Assistance Act.~~

4588 Section 148. Paragraph (e) of subsection (2) of section
 4589 1004.015, Florida Statutes, is amended to read:

4590 1004.015 Florida Talent Development Council.—

4591 (2) Members of the council shall include:

4592 ~~(c) The president of Enterprise Florida, Inc.~~

4593 Section 149. Paragraph (d) of subsection (5) of section
 4594 1004.65, Florida Statutes, is amended to read:

4595 1004.65 Florida College System institutions; governance,
 4596 mission, and responsibilities.—

4597 (5) The primary mission and responsibility of Florida
 4598 College System institutions is responding to community needs for
 4599 postsecondary academic education and career degree education.
 4600 This mission and responsibility includes being responsible for:

4601 (d) Promoting economic development for the state within
 4602 each Florida College System institution district through the
 4603 provision of special programs, including, but not limited to,
 4604 the:

4605 ~~1. Enterprise Florida-related programs.~~

4606 1.2. Technology transfer centers.

4607 2.3. Economic development centers.

4608 3.4. Workforce literacy programs.

4609 Section 150. Paragraph (b) of subsection (10) of section

4610 1004.78, Florida Statutes, is amended to read:

4611 1004.78 Technology transfer centers at Florida College
4612 System institutions.—

4613 (10) The State Board of Education may award grants to
4614 Florida College System institutions, or consortia of public and
4615 private colleges and universities and other public and private
4616 entities, for the purpose of supporting the objectives of this
4617 section. Grants awarded pursuant to this subsection shall be in
4618 accordance with rules of the State Board of Education. Such
4619 rules shall include the following provisions:

4620 (b) Grants to centers funded with state revenues
4621 appropriated specifically for technology transfer activities
4622 shall be reviewed and approved by the State Board of Education
4623 using proposal solicitation, evaluation, and selection
4624 procedures established by the state board in consultation with
4625 the Department of Commerce ~~Enterprise Florida, Inc.~~ Such
4626 procedures may include designation of specific areas or
4627 applications of technology as priorities for the receipt of
4628 funding.

4629 Section 151. Subsection (4) of section 1011.76, Florida
4630 Statutes, is amended to read:

4631 1011.76 Small School District Stabilization Program.—

4632 (4) The Department of Education may award the school
4633 district a stabilization grant intended to protect the district
4634 from continued financial reductions. The amount of the grant

4635 will be determined by the Department of Education and may be
4636 equivalent to the amount of the decline in revenues projected
4637 for the next fiscal year. In addition, the Department of
4638 Commerce Economic Opportunity may implement a rural economic
4639 development initiative to identify the economic factors that are
4640 negatively impacting the community ~~and may consult with~~
4641 ~~Enterprise Florida, Inc., in developing a plan to assist the~~
4642 ~~county with its economic transition.~~ The grant will be available
4643 to the school district for a period of up to 5 years to the
4644 extent that funding is provided for such purpose in the General
4645 Appropriations Act.

4646 Section 152. (1) For the 2023-2024 fiscal year, 20 full-
4647 time equivalent positions with associated salary rate of
4648 1,406,860 are authorized and the sum of \$5,000,000 in recurring
4649 funds from the State Economic Enhancement and Development Trust
4650 Fund is appropriated to the Department of Commerce to be used to
4651 carry out the provisions of this act.

4652 (2) For the 2023-2024 fiscal year, the sum of \$5,000,000
4653 in recurring funds from the International Trade and Promotion
4654 Trust Fund is appropriated to the direct-support organization
4655 created under s. 288.012, Florida Statutes.

4656 Section 153. (1) The Division of Law Revision is directed
4657 to prepare a reviser's bill for the 2024 Regular Session of the
4658 Legislature to change the terms "Department of Economic
4659 Opportunity" and "Secretary of Economic Opportunity" to

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4660 "Department of Commerce" and "Secretary of Commerce",
4661 respectively, wherever the terms appear in the Florida Statutes.

4662 (2) It is the intent of the Legislature that, until the
4663 reviser's bill prepared pursuant to subsection (1) becomes law,
4664 the terms "Department of Economic Opportunity" and "Secretary of
4665 Economic Opportunity" shall be interpreted to mean "Department
4666 of Commerce" and "Secretary of Commerce", respectively, wherever
4667 the terms appear in the Florida Statutes.

4668 Section 154. This act shall take effect July 1, 2023.