

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; authorizing the

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

76 | 288.101, F.S.; removing a provision authorizing the
 77 | Governor to approve certain infrastructure funding;
 78 | repealing ss. 288.1045 and 288.106, F.S., relating to
 79 | the qualified defense contractor and space flight
 80 | business tax refund program and a tax refund program
 81 | for qualified target industry businesses,
 82 | respectively; amending s. 288.107, F.S.; authorizing
 83 | the department to adopt certain rules; conforming
 84 | provisions to changes made by the act; amending s.
 85 | 288.108, F.S.; conforming provisions to changes made
 86 | by the act; repealing ss. 288.1081, 288.1082,
 87 | 288.1088, and 288.1089, F.S., relating to the Economic
 88 | Gardening Business Loan Pilot Program, the Economic
 89 | Gardening Technical Assistance Pilot Program, the
 90 | Quick Action Closing Fund, and the Innovation
 91 | Incentive Program, respectively; amending s. 288.111,
 92 | F.S.; conforming a provision to changes made by the
 93 | act; amending s. 288.11621, F.S.; conforming a
 94 | provision to changes made by the act; amending s.
 95 | 288.11631, F.S.; conforming a cross-reference;
 96 | repealing ss. 288.1168, 288.1169, and 288.1171, F.S.,
 97 | relating to the professional golf hall of fame
 98 | facility, the International Game Fish Association
 99 | World Center facility, and motorsports entertainment
 100 | complexes, respectively; amending ss. 288.122 and

101 288.1226, F.S.; conforming provisions to changes made
102 by the act; amending s. 288.12265, F.S.; transferring
103 responsibility for administering and operating welcome
104 centers from Enterprise Florida, Inc., to the Florida
105 Tourism Industry Marketing Corporation; amending s.
106 288.125, F.S.; conforming a cross-reference; repealing
107 ss. 288.125, 288.1251, 288.1252, 288.1253, and
108 288.1254, F.S., relating to a definition of the term
109 "entertainment industry," the promotion and
110 development of the entertainment industry by the
111 Office of Film and Entertainment, the Florida Film and
112 Entertainment Advisory Council, certain travel and
113 entertainment expenses, and an entertainment industry
114 financial incentive program, respectively; amending
115 ss. 288.1258, 288.7015, 288.706, 288.773, 288.776,
116 288.7771, and 288.816, F.S.; conforming provisions to
117 changes made by the act; amending s. 288.826, F.S.;
118 providing that moneys deposited in the trust fund may
119 be administered for the operation of Florida
120 International Trade, Inc.; repealing ss. 288.901,
121 288.9015, 288.903, 288.904, 288.905, and 288.906,
122 F.S., relating to Enterprise Florida, Inc., powers of
123 board of directors of Enterprise Florida, Inc., duties
124 of Enterprise Florida, Inc., funding for Enterprise
125 Florida, Inc., the president and employees of

126 Enterprise Florida, Inc., and the annual report and
127 audits of Enterprise Florida, Inc., and its divisions,
128 respectively; transferring, renumbering, and amending
129 s. 288.907, F.S.; conforming provisions to changes
130 made by the act; repealing s. 288.911, F.S., relating
131 to the creation and implementation of a marketing and
132 image campaign; transferring, renumbering, and
133 amending s. 288.912, F.S.; conforming provisions to
134 changes made by the act; repealing ss. 288.92,
135 288.923, 288.95155, and 288.9519, F.S., relating to
136 relating to the divisions of Enterprise Florida, Inc.,
137 the Division of Tourism Marketing, the Florida Small
138 Business Technology Growth Program, and a not-for-
139 profit corporation intended to promote the
140 competitiveness and profitability of high-technology
141 business and industry, respectively; amending s.
142 288.9520, F.S.; conforming provisions to changes made
143 by the act; repealing s. 288.955, F.S., relating to
144 the Scripps Florida Funding Corporation; amending s.
145 288.9604, F.S.; providing a date after which the
146 Florida Development Finance Corporation may not enter
147 into specified agreements; removing the scheduled
148 repeal of the corporation; amending ss. 288.9603,
149 288.9605, 288.9614, and 288.9624, F.S.; conforming
150 provisions to changes made by the act; amending s.

151 288.96255, F.S.; conforming a cross-reference;
 152 amending ss. 288.980 and 288.987, F.S.; conforming a
 153 provision to changes made by the act; repealing ss.
 154 288.991, 288.9912, 288.9913, 288.9914, 288.9915,
 155 288.9916, 288.9917, 288.9918, 288.9919, 288.9920,
 156 288.9921, and 288.9922, F.S., relating to the New
 157 Markets Development Program; repealing ss. 288.993,
 158 288.9931, 288.9932, 288.9933, 288.9934, 288.9935,
 159 288.9936, and 288.9937, F.S., relating to the Florida
 160 Microfinance Act, definitions relating to certain
 161 programs, the Microfinance Loan Program, the
 162 Microfinance Guarantee Program, annual reports for
 163 certain programs, and the evaluation of certain
 164 programs, respectively; amending ss. 288.9961,
 165 290.0056, 290.0065, 290.00677, 290.053, 295.22,
 166 320.08058, and 331.3051, F.S.; conforming provisions
 167 to changes made by the act; conforming cross-
 168 references; amending s. 331.3081, F.S.; revising the
 169 board of directors of Space Florida; amending s.
 170 339.08, F.S.; conforming provisions to changes made by
 171 the act; repealing s. 339.2821, F.S., relating to
 172 economic development transportation projects; amending
 173 ss. 377.703, 377.804, 377.809, 380.0657, 401.23,
 174 403.7032, 403.973, 443.091, 445.004, 445.045, 446.44,
 175 465.003, 477.0135, 570.81, and 570.85, F.S.;

176 conforming provisions to changes made by the act;
 177 amending s. 625.3255, F.S.; conforming provisions to
 178 changes made by the act; amending ss. 657.042, 658.67,
 179 1004.015, 1004.65, 1004.78, and 1011.76, F.S.;
 180 conforming provisions to changes made by the act;
 181 providing appropriations and authorizing positions;
 182 providing a directive to the Division of Law Revision;
 183 providing legislative intent; providing an effective
 184 date.

185

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

187

188 Section 1. Paragraph (i) of subsection (3) of section
 189 11.45, Florida Statutes, is amended to read:

190 11.45 Definitions; duties; authorities; reports; rules.—

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

196 ~~(i) Enterprise Florida, Inc., including any of its boards,~~
 197 ~~advisory committees, or similar groups created by Enterprise~~
 198 ~~Florida, Inc., and programs. The audit report may not reveal the~~
 199 ~~identity of any person who has anonymously made a donation to~~
 200 ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~

201 ~~identity of a donor or prospective donor to Enterprise Florida,~~
 202 ~~Inc., who desires to remain anonymous and all information~~
 203 ~~identifying such donor or prospective donor are confidential and~~
 204 ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~
 205 ~~of the State Constitution. Such anonymity shall be maintained in~~
 206 ~~the auditor's report.~~

207 Section 2. Paragraph (a) of subsection (3) of section
 208 14.32, Florida Statutes, is amended to read:

209 14.32 Office of Chief Inspector General.—

210 (3) Related to public-private partnerships, the Chief
 211 Inspector General:

212 (a) Shall advise public-private partnerships, ~~including~~
 213 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
 214 improvement of internal control measures necessary to ensure
 215 fiscal accountability.

216 Section 3. Section 15.18, Florida Statutes, is amended to
 217 read:

218 15.18 International and cultural relations.—The Divisions
 219 of Arts and Culture, Historical Resources, and Library and
 220 Information Services of the Department of State promote programs
 221 having substantial cultural, artistic, and indirect economic
 222 significance that emphasize American creativity. The Secretary
 223 of State, as the head administrator of these divisions, shall
 224 hereafter be known as "Florida's Chief Arts and Culture
 225 Officer." As this officer, the Secretary of State is encouraged

226 | to initiate and develop relationships between the state and
 227 | foreign cultural officers, their representatives, and other
 228 | foreign governmental officials in order to promote Florida as
 229 | the center of American creativity. The Secretary of State shall
 230 | coordinate international activities pursuant to this section
 231 | with the Department of Commerce ~~Enterprise Florida, Inc.~~, and
 232 | any other organization the secretary deems appropriate. For the
 233 | accomplishment of this purpose, the Secretary of State shall
 234 | have the power and authority to:

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

237 | (2) Plan and carry out activities designed to cause
 238 | improved cultural and governmental programs and exchanges with
 239 | foreign countries.

240 | (3) Plan and implement cultural and social activities for
 241 | visiting foreign heads of state, diplomats, dignitaries, and
 242 | exchange groups.

243 | (4) Encourage and cooperate with other public and private
 244 | organizations or groups in their efforts to promote the cultural
 245 | advantages of Florida.

246 | (5) Serve as the liaison with all foreign consular and
 247 | ambassadorial corps, as well as international organizations,
 248 | that are consistent with the purposes of this section.

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

251 section.

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

254 15.182 International travel by state-funded musical,
 255 cultural, or artistic organizations; notification to the
 256 Department of State.—

257 (2) The Department of State, in conjunction with the
 258 Department of Commerce ~~Economic Opportunity and Enterprise~~
 259 ~~Florida, Inc.~~, shall act as an intermediary between performing
 260 musical, cultural, and artistic organizations and Florida
 261 businesses to encourage and coordinate joint undertakings. Such
 262 coordination may include, but is not limited to, encouraging
 263 business and industry to sponsor cultural events, assistance
 264 with travel of such organizations, and coordinating travel
 265 schedules of cultural performance groups and international trade
 266 missions.

267 Section 5. Paragraph (a) of subsection (7) of section
 268 20.435, Florida Statutes, is amended to read:

269 20.435 Department of Health; trust funds.—The following
 270 trust funds shall be administered by the Department of Health:

271 (7) Biomedical Research Trust Fund.

272 (a) Funds to be credited to the trust fund shall consist
 273 of funds appropriated by the Legislature. Funds shall be used
 274 for the purposes of the James and Esther King Biomedical
 275 Research Program, the Casey DeSantis Cancer Research Program,

276 and the William G. "Bill" Bankhead, Jr., and David Coley Cancer
 277 Research Program as specified in ss. 215.5602, ~~288.955~~, 381.915,
 278 and 381.922. The trust fund is exempt from the service charges
 279 imposed by s. 215.20.

280 Section 6. Section 20.60, Florida Statutes, is amended to
 281 read:

282 20.60 Department of Commerce ~~Economic Opportunity~~;
 283 creation; powers and duties.—

284 (1) There is created the Department of Commerce ~~Economic~~
 285 ~~Opportunity~~.

286 (2) The head of the department is the Secretary of
 287 Commerce ~~Economic Opportunity~~, who shall be appointed by the
 288 Governor, subject to confirmation by the Senate. The secretary
 289 shall serve at the pleasure of and report to the Governor and
 290 shall serve as the Governor's chief negotiator for business
 291 recruitment and expansion and economic development. The
 292 secretary may appoint deputy and assistant secretaries as
 293 necessary to aid the secretary in fulfilling his or her
 294 statutory obligations.

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

- 297 1. The Division of Economic ~~Strategic Business~~
 298 Development.
- 299 2. The Division of Community Development.
- 300 3. The Division of Workforce Services.

- 301 4. The Division of Finance and Administration.
- 302 5. The Division of Information Technology.
- 303 6. The Office of the Secretary.
- 304 7. The Office of Economic Accountability and Transparency,
- 305 which shall:
- 306 a. Oversee the department's critical objectives as
- 307 determined by the secretary and make sure that the department's
- 308 key objectives are clearly communicated to the public.
- 309 b. Organize department resources, expertise, data, and
- 310 research to focus on and solve the complex economic challenges
- 311 facing the state.
- 312 c. Provide leadership for the department's priority issues
- 313 that require integration of policy, management, and critical
- 314 objectives from multiple programs and organizations internal and
- 315 external to the department; and organize and manage external
- 316 communication on such priority issues.
- 317 d. Promote and facilitate key department initiatives to
- 318 address priority economic issues and explore data and identify
- 319 opportunities for innovative approaches to address such economic
- 320 issues.
- 321 e. Promote strategic planning for the department.
- 322 (b) The secretary:
- 323 1. May create offices within the Office of the Secretary
- 324 and within the divisions established in paragraph (a) to promote
- 325 efficient and effective operation of the department.

326 2. Shall appoint a director for each division, who shall
327 directly administer his or her division and be responsible to
328 the secretary.

329 (4) The purpose of the department is to assist the
330 Governor in working with the Legislature, state agencies,
331 business leaders, and economic development professionals to
332 formulate and implement coherent and consistent policies and
333 strategies designed to promote economic opportunities for all
334 Floridians. The department is the Governor's chief agency for
335 business recruitment and expansion and economic development. To
336 accomplish such purposes, the department shall:

337 (a) Facilitate the direct involvement of the Governor and
338 the Lieutenant Governor in economic development and workforce
339 development projects designed to create, expand, and retain
340 businesses in this state, to recruit business from around the
341 world, to promote the state as a probusiness location for new
342 investment, and to facilitate other job-creating efforts.

343 (b) Recruit new businesses to this state and promote the
344 expansion of existing businesses by expediting permitting and
345 location decisions, worker placement and training, and incentive
346 awards.

347 (c) Promote viable, sustainable communities by providing
348 technical assistance and guidance on growth and development
349 issues, grants, and other assistance to local communities.

350 (d) Ensure that the state's goals and policies relating to

351 economic development, workforce development, community planning
352 and development, and affordable housing are fully integrated
353 with appropriate implementation strategies.

354 (e) Manage the activities of public-private partnerships
355 and state agencies in order to avoid duplication and promote
356 coordinated and consistent implementation of programs in areas
357 including, but not limited to, tourism; international trade and
358 investment; business recruitment, creation, retention, and
359 expansion; minority and small business development; rural
360 community development; and the development and promotion of
361 professional and amateur sporting events.

362 (f) Coordinate with state agencies on the processing of
363 state development approvals or permits to minimize the
364 duplication of information provided by the applicant and the
365 time before approval or disapproval.

366 (g) Contract with the Florida Sports Foundation to guide,
367 stimulate, and promote the sports industry in this state, to
368 promote the participation of residents of this state in amateur
369 athletic competition, and to promote this state as a host for
370 national and international amateur athletic competitions.

371 (h) Encourage and oversee the coordination of
372 international trade development efforts of public institutions,
373 business associations, economic development councils, and
374 private industry.

375 (i) Contract with Florida International Trade, Inc., to

376 assist with coordination, provide services through the State of
 377 Florida international offices, and assist in developing and
 378 carrying out the 5-year statewide strategic plan as it relates
 379 to foreign investment, international partnerships, and other
 380 international business and trade development.

381 (j) Support Florida's defense, space, and aerospace
 382 industries, including research and development, and strengthen
 383 this state's existing leadership in defense, space, and
 384 aerospace activity and economic growth.

385 (k) Assist, promote, and enhance economic opportunities
 386 for this state's minority-owned businesses and rural and urban
 387 communities.

388 (5) The divisions within the department have specific
 389 responsibilities to achieve the duties, responsibilities, and
 390 goals of the department. Specifically:

391 (a) The Division of Economic ~~Strategic Business~~
 392 Development shall:

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

395 2. Administer certain tax refund, tax credit, and grant
 396 programs created in law. Notwithstanding any other provision of
 397 law, the department may expend interest earned from the
 398 investment of program funds deposited in the Grants and
 399 Donations Trust Fund to contract for the administration of those
 400 programs, or portions of the programs, assigned to the

401 department by law, by the appropriations process, or by the
402 Governor. Such expenditures shall be subject to review under
403 chapter 216.

404 3. Develop measurement protocols for the state incentive
405 programs and for the contracted entities which will be used to
406 determine their performance and competitive value to the state.
407 Performance measures, benchmarks, and sanctions must be
408 developed in consultation with the legislative appropriations
409 committees and the appropriate substantive committees, and are
410 subject to the review and approval process provided in s.
411 216.177. The approved performance measures, standards, and
412 sanctions shall be included and made a part of the strategic
413 plan for contracts entered into for delivery of programs
414 authorized by this section.

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

417 a. Strategies for the promotion of business formation,
418 expansion, recruitment, and retention through aggressive
419 marketing, attraction of venture capital and finance
420 development, domestic trade, international development, and
421 export assistance, which lead to more and better jobs and higher
422 wages for all geographic regions, disadvantaged communities, and
423 populations of the state, including rural areas, minority
424 businesses, and urban core areas.

425 b. The development of realistic policies and programs to

426 further the economic diversity of the state, its regions, and
427 their associated industrial clusters.

428 c. Specific provisions for the stimulation of economic
429 development and job creation in rural areas and midsize cities
430 and counties of the state, including strategies for rural
431 marketing and the development of infrastructure in rural areas.

432 d. Provisions for the promotion of the successful long-
433 term economic development of the state with increased emphasis
434 in market research and information.

435 e. Plans for the generation of foreign investment in the
436 state which create jobs paying above-average wages and which
437 result in reverse investment in the state, including programs
438 that establish viable overseas markets, assist in meeting the
439 financing requirements of export-ready firms, broaden
440 opportunities for international joint venture relationships, use
441 the resources of academic and other institutions, coordinate
442 trade assistance and facilitation services, and facilitate
443 availability of and access to education and training programs
444 that assure requisite skills and competencies necessary to
445 compete successfully in the global marketplace.

446 f. The identification of business sectors that are of
447 current or future importance to the state's economy and to the
448 state's global business image, and development of specific
449 strategies to promote the development of such sectors.

450 g. Strategies for talent development necessary in the

451 state to encourage economic development growth, taking into
452 account factors such as the state's talent supply chain,
453 education and training opportunities, and available workforce.

454 h. Strategies and plans to support this state's defense,
455 space, and aerospace industries and the emerging complementary
456 business activities and industries that support the development
457 and growth of defense, space, and aerospace in this state.

458 5. Update the strategic plan every 5 years.

459 6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
460 Inc.; direct-support organizations of the department; local
461 governments; the general public; local and regional economic
462 development organizations; other local, state, and federal
463 economic, international, and workforce development entities; the
464 business community; and educational institutions to assist with
465 the strategic plan.

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

469 8. Administer the entities and programs created pursuant
470 to ss. 288.9622-288.9624.

471 9. Provide the Governor, the President of the Senate, and
472 the Speaker of the House of Representatives a detailed
473 incentives report quantifying the economic benefits for all of
474 the economic development incentive programs offered by the state
475 as required under s. 288.0065.

- 476 (b) The Division of Community Development shall:
- 477 1. Assist local governments and their communities in
- 478 finding creative planning solutions to help them foster vibrant,
- 479 healthy communities, while protecting the functions of important
- 480 state resources and facilities.
- 481 2. Administer state and federal grant programs as provided
- 482 by law to provide community development and project planning
- 483 activities to maintain viable communities, revitalize existing
- 484 communities, and expand economic development and employment
- 485 opportunities, including:
- 486 a. The Community Services Block Grant Program.
- 487 b. The Community Development Block Grant Program in
- 488 chapter 290.
- 489 c. The Low-Income Home Energy Assistance Program in
- 490 chapter 409.
- 491 d. The Weatherization Assistance Program in chapter 409.
- 492 e. The Neighborhood Stabilization Program.
- 493 f. The local comprehensive planning process and the
- 494 development of regional impact process.
- 495 g. The Front Porch Florida Initiative through the Office
- 496 of Urban Opportunity, which is created within the division. The
- 497 purpose of the office is to administer the Front Porch Florida
- 498 initiative, a comprehensive, community-based urban core
- 499 redevelopment program that enables urban core residents to craft
- 500 solutions to the unique challenges of each designated community.

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

503 (c) The Division of Workforce Services shall:

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

507 2. Ensure that the state appropriately administers federal
508 and state workforce funding by administering plans and policies
509 of the state board as defined in s. 445.002. The operating
510 budget and midyear amendments thereto must be part of such
511 contract.

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

517 b. Unless otherwise provided by agreement with the state
518 board as defined in s. 445.002, administrative and personnel
519 policies of the Department of Commerce ~~Economic Opportunity~~
520 apply.

521 3. Implement the state's reemployment assistance program.
522 The Department of Commerce ~~Economic Opportunity~~ shall ensure
523 that the state appropriately administers the reemployment
524 assistance program pursuant to state and federal law.

525 4. Assist in developing the 5-year statewide strategic
526 plan required by this section, including identifying education
527 and training programs to ensure that the state has the skilled
528 and competent workforce necessary to attract and grow business
529 in this state and allow such businesses to compete successfully
530 in domestic and global markets.

531 (6)(a) The Department of Commerce ~~Economic Opportunity~~ is
532 the administrative agency designated for receipt of federal
533 workforce development grants and other federal funds. The
534 department shall administer the duties and responsibilities
535 assigned by the Governor under each federal grant assigned to
536 the department. The department shall expend each revenue source
537 as provided by federal and state law and as provided in plans
538 developed by and agreements with the state board as defined in
539 s. 445.002. The department may serve as the contract
540 administrator for contracts entered into by the state board
541 under s. 445.004(5).

542 (b) The Department of Commerce ~~Economic Opportunity~~ shall
543 serve as the designated agency for purposes of each federal
544 workforce development grant assigned to it for administration.
545 The department shall carry out the duties assigned to it by the
546 Governor, under the terms and conditions of each grant. The
547 department shall have the level of authority and autonomy
548 necessary to be the designated recipient of each federal grant
549 assigned to it and shall disburse such grants pursuant to the

550 plans and policies of the state board as defined in s. 445.002.
 551 The secretary may, upon delegation from the Governor and
 552 pursuant to agreement with the state board, sign contracts,
 553 grants, and other instruments as necessary to execute functions
 554 assigned to the department. Notwithstanding other provisions of
 555 law, the department shall administer other programs funded by
 556 federal or state appropriations, as determined by the
 557 Legislature in the General Appropriations Act or other law.

558 (7) The department may provide or contract for training
 559 for employees of administrative entities and case managers of
 560 any contracted providers to ensure they have the necessary
 561 competencies and skills to provide adequate administrative
 562 oversight and delivery of the full array of client services.

563 (8) The Reemployment Assistance Appeals Commission,
 564 authorized by s. 443.012, is not subject to control,
 565 supervision, or direction by the department in the performance
 566 of its powers and duties but shall receive any and all support
 567 and assistance from the department which is required for the
 568 performance of its duties.

569 (9) The secretary shall:

570 (a) Manage all activities and responsibilities of the
 571 department.

572 (b) Serve as the manager for the state with respect to
 573 contracts with the Florida Tourism Industry Marketing
 574 Corporation ~~Enterprise Florida, Inc.~~, and all other applicable

575 direct-support organizations. To accomplish the provisions of
 576 this section and applicable provisions of chapter 288, and
 577 notwithstanding the provisions of part I of chapter 287, the
 578 secretary shall enter into specific contracts with the Florida
 579 Tourism Industry Marketing Corporation ~~Enterprise Florida, Inc.~~,
 580 and all other applicable ~~appropriate~~ direct-support
 581 organizations. Such contracts may be for multiyear terms and
 582 must include specific performance measures for each year. For
 583 purposes of this section, ~~the Florida Tourism Industry Marketing~~
 584 ~~Corporation and~~ the Institute for Commercialization of Florida
 585 Technology ~~is are~~ not an appropriate direct-support organization
 586 organizations.

587 (c) Serve as a member of the board of directors of the
 588 Florida Development Finance Corporation. The secretary may
 589 designate an employee of the department to serve in this
 590 capacity.

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

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

598 (b) The department shall collect and maintain data on the
 599 development and utilization of international trade development

600 programs for inclusion in the report.

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

603 ~~1. Information provided by the Department of Revenue under~~
604 ~~s. 290.014.~~

605 ~~2. Information provided by enterprise zone development~~
606 ~~agencies under s. 290.0056 and an analysis of the activities and~~
607 ~~accomplishments of each enterprise zone.~~

608 ~~3. The Economic Gardening Business Loan Pilot Program~~
609 ~~established under s. 288.1081 and the Economic Gardening~~
610 ~~Technical Assistance Pilot Program established under s.~~
611 ~~288.1082.~~

612 1.4. A detailed report of the performance of the Black
613 Business Loan Program and a cumulative summary of quarterly
614 report data required under s. 288.714.

615 2.5. The Rural Economic Development Initiative established
616 under s. 288.0656.

617 3.6. The Florida Unique Abilities Partner Program.

618 4.7. A detailed report of the performance of the Florida
619 Development Finance Corporation and a summary of the
620 corporation's report required under s. 288.9610.

621 (11) The department shall establish annual performance
622 standards for ~~Enterprise Florida, Inc.;~~ CareerSource Florida,
623 Inc.; the Florida Tourism Industry Marketing Corporation; Space
624 Florida; ~~and~~ the Florida Development Finance Corporation; and

625 any other direct-support organization of the department and
626 report annually on how these performance measures are being met
627 in the annual report required under subsection (10).

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

631 (13) The department shall administer the role of state
632 government under part I of chapter 421, relating to public
633 housing; chapter 422, relating to housing cooperation law; and
634 chapter 423, tax exemption of housing authorities. The
635 department is the agency of state government responsible for the
636 state's role in housing and urban development.

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

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

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

650 (b) Any funds held in trust which were donated to or
651 earned by the Florida Sports Foundation may be used by that
652 foundation for the original purposes for which the funds were
653 received.

654 (3) It is the intent of the Legislature that the changes
655 made by this act be accomplished with minimal disruption of
656 services provided to the public and with minimal disruption to
657 employees of any organization. To that end, the Legislature
658 directs all applicable units of state government to contribute
659 to the successful implementation of this act, and the
660 Legislature believes that a transition period between July 1,
661 2023, and December 1, 2023, is appropriate and warranted.

662 (4) (a) The Department of Commerce, as created by this act,
663 and Enterprise Florida, Inc., shall each coordinate the
664 development and implementation of a transition plan that
665 supports the implementation of this act within 30 days after
666 July 1, 2023. The department shall coordinate the submission of
667 any budget amendments, in accordance with chapter 216, Florida
668 Statutes, which may be necessary to implement this act.

669 (b) The Legislature directs that notwithstanding the
670 changes made by this act, Enterprise Florida, Inc., may continue
671 with such powers, duties, functions, records, offices,
672 personnel, property, pending issues, and existing contracts as
673 provided in Florida Statutes 2022 until December 1, 2023, except
674 that the board of directors shall stand repealed on October 1,

675 2023. The president of Enterprise Florida, Inc., shall continue
676 the operations of the direct-support organization until full
677 implementation of the transition plan or December 1, 2023,
678 whichever comes first. The transition plan shall provide for
679 transfer of powers, duties, functions, records, offices,
680 personnel, property, pending issues, and existing contracts,
681 related to international business development and trade to the
682 direct-support organization created under s. 288.012, Florida
683 Statutes.

684 Section 9. The Legislature recognizes that there is a need
685 to conform the Florida Statutes to the policy decisions
686 reflected in this act and that there is a need to resolve
687 apparent conflicts between any other legislation that has been
688 or may be enacted during the 2023 Regular Session of the
689 Legislature and the transfer of duties made by this act.
690 Therefore, in the interim between this act becoming law and the
691 2024 Regular Session of the Legislature or an earlier special
692 session addressing this issue, the Division of Law Revision
693 shall provide the relevant substantive committees of the Senate
694 and the House of Representatives with assistance, upon request,
695 to enable such committees to prepare draft legislation to
696 conform the Florida Statutes and any legislation enacted during
697 2023 to the provisions of this act.

698 Section 10. For programs established pursuant to ss.
699 220.1899, 220.194, 288.1045, 288.106, 288.1081, 288.1082,

700 288.1088, 288.1089, 288.1169, 288.1171, 288.95155, 288.955,
 701 288.9916, 288.9934, 288.9935, and 339.2821, Florida Statutes, no
 702 new or additional applications or certifications shall be
 703 approved, no new letters of certification may be issued, no new
 704 contracts or agreements may be executed, and no new awards may
 705 be made. All certifications are rescinded except for those
 706 certified applicants or projects that continue to meet the
 707 criteria in effect before July 1, 2023. Any existing contracts
 708 or agreements authorized under any of these programs shall
 709 continue in full force and effect in accordance with the
 710 statutory requirements in effect when the contract or agreement
 711 was executed or last modified. However, no further
 712 modifications, extensions, or waivers may be made or granted
 713 relating to such contracts or agreements except computations by
 714 the Department of Revenue of the income generated by or arising
 715 out of the qualifying project.

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

718 159.803 Definitions.—As used in this part, the term:

719 (11) "Florida First Business project" means any project
 720 which is certified by the Department of Commerce ~~Economic~~
 721 ~~Opportunity~~ as eligible to receive an allocation from the
 722 Florida First Business allocation pool established pursuant to
 723 s. 159.8083. The Department of Commerce ~~Economic Opportunity~~ may
 724 certify those projects proposed by a business which qualifies as

725 a target industry business as defined in s. 288.005 ~~meeting the~~
726 ~~criteria set forth in s. 288.106(4) (b) or any project providing~~
727 ~~a substantial economic benefit to this state. The department~~
728 shall develop measurement protocols and performance measures to
729 determine what competitive value a project by a target industry
730 business will bring to the state pursuant to s. 20.60(5)(a)3.

731 Section 12. Section 189.033, Florida Statutes, is amended
732 to read:

733 189.033 Independent special district services in
734 disproportionally affected county; rate reduction for providers
735 providing economic benefits.—If the governing body of an
736 independent special district that provides water, wastewater,
737 and sanitation services in a disproportionally affected county,
738 as defined in s. 288.8012 ~~s. 288.106(8)~~, determines that a new
739 user or the expansion of an existing user of one or more of its
740 utility systems will provide a significant benefit to the
741 community in terms of increased job opportunities, economies of
742 scale, or economic development in the area, the governing body
743 may authorize a reduction of its rates, fees, or charges for
744 that user for a specified period of time. A governing body that
745 exercises this power must do so by resolution that states the
746 anticipated economic benefit justifying the reduction as well as
747 the period of time that the reduction will remain in place.

748 Section 13. Subsections (11) through (19) of section
749 196.012, Florida Statutes, are renumbered as subsections (12)

750 through (20), respectively, paragraph (a) of present subsection
751 (14), paragraph (a) of present subsection (15), and present
752 subsection (16) of that section are amended, and a new
753 subsection (11) is added to that section, to read:

754 196.012 Definitions.—For the purpose of this chapter, the
755 following terms are defined as follows, except where the context
756 clearly indicates otherwise:

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

759 (15)~~(14)~~ "New business" means:

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

765 a. manufactures, processes, compounds, fabricates, or
766 produces for sale items of tangible personal property at a fixed
767 location and which comprises an industrial or manufacturing
768 plant; or

769 b. Is a target industry business as defined in subsection
770 (11) s. 288.106(2)(a);

771 2. A business or organization establishing 25 or more new
772 jobs to employ 25 or more full-time employees in this state, the
773 sales factor of which, as defined by s. 220.15(5), for the
774 facility with respect to which it requests an economic

775 development ad valorem tax exemption is less than 0.50 for each
 776 year the exemption is claimed; or

777 3. An office space in this state owned and used by a
 778 business or organization newly domiciled in this state; provided
 779 such office space houses 50 or more full-time employees of such
 780 business or organization; provided that such business or
 781 organization office first begins operation on a site clearly
 782 separate from any other commercial or industrial operation owned
 783 by the same business or organization.

784 (16)~~(15)~~ "Expansion of an existing business" means:

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

791 2. A business or organization establishing 25 or more new
 792 jobs to employ 25 or more full-time employees in this state, the
 793 sales factor of which, as defined by s. 220.15(5), for the
 794 facility with respect to which it requests an economic
 795 development ad valorem tax exemption is less than 0.50 for each
 796 year the exemption is claimed; provided that such business
 797 increases operations on a site located within the same county,
 798 municipality, or both colocated with a commercial or industrial
 799 operation owned by the same business or organization under

800 common control with the same business or organization, resulting
801 in a net increase in employment of not less than 10 percent or
802 an increase in productive output or sales of not less than 10
803 percent.

804 (17)~~(16)~~ "Permanent resident" means a person who has
805 established a permanent residence as defined in subsection (18)
806 ~~(17)~~.

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

809 196.101 Exemption for totally and permanently disabled
810 persons.—

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

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

818 196.121 Homestead exemptions; forms.—

819 (2) The forms shall require the taxpayer to furnish
820 certain information to the property appraiser for the purpose of
821 determining that the taxpayer is a permanent resident as defined
822 in s. 196.012(17) ~~s. 196.012(16)~~. Such information may include,
823 but need not be limited to, the factors enumerated in s.
824 196.015.

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

827 196.1995 Economic development ad valorem tax exemption.—

828 (6) With respect to a new business as defined in s.
 829 196.012(15)(c) ~~by s. 196.012(14)(e)~~, the municipality annexing
 830 the property on which the business is situated may grant an
 831 economic development ad valorem tax exemption under this section
 832 to that business for a period that will expire upon the
 833 expiration of the exemption granted by the county. If the county
 834 renews the exemption under subsection (7), the municipality may
 835 also extend its exemption. A municipal economic development ad
 836 valorem tax exemption granted under this subsection may not
 837 extend beyond the duration of the county exemption.

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

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

843 (b) The total amount of revenue available to the county or
 844 municipality from ad valorem tax sources for the current fiscal
 845 year, the total amount of revenue lost to the county or
 846 municipality for the current fiscal year by virtue of economic
 847 development ad valorem tax exemptions currently in effect, and
 848 the estimated revenue loss to the county or municipality for the
 849 current fiscal year attributable to the exemption of the

850 business named in the ordinance;

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

855 (d) A finding that the business named in the ordinance
 856 meets the requirements of s. 196.012(15) or (16) ~~s. 196.012(14)~~
 857 ~~or (15)~~.

858 Section 17. Paragraph (e) of subsection (1) of section
 859 197.3181, Florida Statutes, is amended to read:

860 197.3181 Refund of taxes for residential improvements
 861 rendered uninhabitable by Hurricane Ian or Hurricane Nicole.—

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

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

872 Section 18. Paragraph (f) of subsection (1) of section
 873 197.319, Florida Statutes, is amended to read:

874 197.319 Refund of taxes for residential improvements

875 rendered uninhabitable by a catastrophic event.—

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

877 (f) "Residential improvement" means real estate used and
 878 owned as a homestead as defined in s. 196.012(14) ~~s. 196.012(13)~~
 879 or nonhomestead residential property as defined in s.

880 193.1554(1). A residential improvement does not include a
 881 structure that is not essential to the use and occupancy of the
 882 residential dwelling or house, including, but not limited to, a
 883 detached utility building, detached carport, detached garage,
 884 bulkhead, fence, or swimming pool, and does not include land.

885 Section 19. Paragraphs (r) through (u) of subsection (5)
 886 of section 212.08, Florida Statutes, are redesignated as
 887 paragraphs (q) through (t), respectively, and paragraphs (j) and
 888 (q) of subsection (5) are amended, to read:

889 212.08 Sales, rental, use, consumption, distribution, and
 890 storage tax; specified exemptions.—The sale at retail, the
 891 rental, the use, the consumption, the distribution, and the
 892 storage to be used or consumed in this state of the following
 893 are hereby specifically exempt from the tax imposed by this
 894 chapter.

895 (5) EXEMPTIONS; ACCOUNT OF USE.—

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

898 1.a. Industrial machinery and equipment used in
 899 semiconductor technology facilities certified under subparagraph

900 5. to manufacture, process, compound, or produce semiconductor
 901 technology products for sale or for use by these facilities are
 902 exempt from the tax imposed by this chapter. For purposes of
 903 this paragraph, industrial machinery and equipment includes
 904 molds, dies, machine tooling, other appurtenances or accessories
 905 to machinery and equipment, testing equipment, test beds,
 906 computers, and software, whether purchased or self-fabricated,
 907 and, if self-fabricated, includes materials and labor for
 908 design, fabrication, and assembly.

909 b. Industrial machinery and equipment used in defense or
 910 space technology facilities certified under subparagraph 5. to
 911 design, manufacture, assemble, process, compound, or produce
 912 defense technology products or space technology products for
 913 sale or for use by these facilities are exempt from the tax
 914 imposed by this chapter.

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

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

922 4. For items purchased tax-exempt pursuant to this
 923 paragraph, possession of a written certification from the
 924 purchaser, certifying the purchaser's entitlement to the

925 exemption, relieves the seller of the responsibility of
926 collecting the tax on the sale of such items, and the department
927 shall look solely to the purchaser for recovery of the tax if it
928 determines that the purchaser was not entitled to the exemption.

929 5.a. To be eligible to receive the exemption provided by
930 subparagraph 1. or subparagraph 2., a qualifying business entity
931 shall initially apply to the Department of Commerce ~~Enterprise~~
932 ~~Florida, Inc.~~ The original certification is valid for a period
933 of 2 years. In lieu of submitting a new application, the
934 original certification may be renewed biennially by submitting
935 to the Department of Commerce ~~Economic Opportunity~~ a statement,
936 certified under oath, that there has not been a material change
937 in the conditions or circumstances entitling the business entity
938 to the original certification. The initial application and the
939 certification renewal statement shall be developed by the
940 Department of Commerce ~~Economic Opportunity~~.

941 b. The Division of Economic ~~Strategic Business~~ Development
942 of the Department of Commerce ~~Economic Opportunity~~ shall review
943 each submitted initial application and determine whether or not
944 the application is complete within 5 working days. Once
945 complete, the division shall, within 10 working days, evaluate
946 the application and recommend approval or disapproval to the
947 Department of Commerce ~~Economic Opportunity~~.

948 c. Upon receipt of the initial application and
949 recommendation from the division or upon receipt of a

950 certification renewal statement, the Department of Commerce
 951 ~~Economic Opportunity~~ shall certify within 5 working days those
 952 applicants who are found to meet the requirements of this
 953 section and notify the applicant of the original certification
 954 or certification renewal. If the Department of Commerce ~~Economic~~
 955 ~~Opportunity~~ finds that the applicant does not meet the
 956 requirements, it shall notify the applicant ~~and Enterprise~~
 957 ~~Florida, Inc.~~, within 10 working days that the application for
 958 certification has been denied and the reasons for denial. The
 959 Department of Commerce ~~Economic Opportunity~~ has final approval
 960 authority for certification under this section.

961 d. The initial application and certification renewal
 962 statement must indicate, for program evaluation purposes only,
 963 the average number of full-time equivalent employees at the
 964 facility over the preceding calendar year, the average wage and
 965 benefits paid to those employees over the preceding calendar
 966 year, the total investment made in real and tangible personal
 967 property over the preceding calendar year, and the total value
 968 of tax-exempt purchases and taxes exempted during the previous
 969 year. The department shall assist the Department of Commerce
 970 ~~Economic Opportunity~~ in evaluating and verifying information
 971 provided in the application for exemption.

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

975 6. A business certified to receive this exemption may
976 elect to designate one or more state universities or community
977 colleges as recipients of up to 100 percent of the amount of the
978 exemption. To receive these funds, the institution must agree to
979 match the funds with equivalent cash, programs, services, or
980 other in-kind support on a one-to-one basis for research and
981 development projects requested by the certified business. The
982 rights to any patents, royalties, or real or intellectual
983 property must be vested in the business unless otherwise agreed
984 to by the business and the university or community college.

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

986 a. "Semiconductor technology products" means raw
987 semiconductor wafers or semiconductor thin films that are
988 transformed into semiconductor memory or logic wafers, including
989 wafers containing mixed memory and logic circuits; related
990 assembly and test operations; active-matrix flat panel displays;
991 semiconductor chips; semiconductor lasers; optoelectronic
992 elements; and related semiconductor technology products as
993 determined by the Department of Commerce ~~Economic Opportunity~~.

994 b. "Clean rooms" means manufacturing facilities enclosed
995 in a manner that meets the clean manufacturing requirements
996 necessary for high-technology semiconductor-manufacturing
997 environments.

998 c. "Defense technology products" means products that have
999 a military application, including, but not limited to, weapons,

1000 weapons systems, guidance systems, surveillance systems,
 1001 communications or information systems, munitions, aircraft,
 1002 vessels, or boats, or components thereof, which are intended for
 1003 military use and manufactured in performance of a contract with
 1004 the United States Department of Defense or the military branch
 1005 of a recognized foreign government or a subcontract thereunder
 1006 which relates to matters of national defense.

1007 d. "Space technology products" means products that are
 1008 specifically designed or manufactured for application in space
 1009 activities, including, but not limited to, space launch
 1010 vehicles, space flight vehicles, missiles, satellites or
 1011 research payloads, avionics, and associated control systems and
 1012 processing systems and components of any of the foregoing. The
 1013 term does not include products that are designed or manufactured
 1014 for general commercial aviation or other uses even though those
 1015 products may also serve an incidental use in space applications.

1016 ~~(q) Entertainment industry tax credit; authorization;~~
 1017 ~~eligibility for credits. The credits against the state sales tax~~
 1018 ~~authorized pursuant to s. 288.1254 shall be deducted from any~~
 1019 ~~sales and use tax remitted by the dealer to the department by~~
 1020 ~~electronic funds transfer and may only be deducted on a sales~~
 1021 ~~and use tax return initiated through electronic data~~
 1022 ~~interchange. The dealer shall separately state the credit on the~~
 1023 ~~electronic return. The net amount of tax due and payable must be~~
 1024 ~~remitted by electronic funds transfer. If the credit for the~~

1025 ~~qualified expenditures is larger than the amount owed on the~~
 1026 ~~sales and use tax return that is eligible for the credit, the~~
 1027 ~~unused amount of the credit may be carried forward to a~~
 1028 ~~succeeding reporting period as provided in s. 288.1254(4)(c). A~~
 1029 ~~dealer may only obtain a credit using the method described in~~
 1030 ~~this subparagraph. A dealer is not authorized to obtain a credit~~
 1031 ~~by applying for a refund.~~

1032 Section 20. Paragraph (a) of subsection (1) of section
 1033 212.098, Florida Statutes, is amended to read:

1034 212.098 Rural Job Tax Credit Program.—

1035 (1) As used in this section, the term:

1036 (a) "Eligible business" means any sole proprietorship,
 1037 firm, partnership, or corporation that is located in a qualified
 1038 county and is predominantly engaged in, or is headquarters for a
 1039 business predominantly engaged in, activities usually provided
 1040 for consideration by firms classified within the following
 1041 standard industrial classifications: SIC 01-SIC 09 (agriculture,
 1042 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
 1043 (public warehousing and storage); SIC 70 (hotels and other
 1044 lodging places); SIC 7391 (research and development); SIC 781
 1045 (motion picture production and allied services); SIC 7992
 1046 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
 1047 ~~targeted industry eligible for the qualified target industry~~
 1048 ~~business tax refund under s. 288.106.~~ A call center or similar
 1049 customer service operation that services a multistate market or

1050 an international market is also an eligible business. In
 1051 addition, the Department of Commerce ~~Economic Opportunity~~ may,
 1052 as part of its final budget request submitted pursuant to s.
 1053 216.023, recommend additions to or deletions from the list of
 1054 standard industrial classifications used to determine an
 1055 eligible business, and the Legislature may implement such
 1056 recommendations. Excluded from eligible receipts are receipts
 1057 from retail sales, except such receipts for hotels and other
 1058 lodging places classified in SIC 70, public golf courses in SIC
 1059 7992, and amusement parks in SIC 7996. For purposes of this
 1060 paragraph, the term "predominantly" means that more than 50
 1061 percent of the business's gross receipts from all sources is
 1062 generated by those activities usually provided for consideration
 1063 by firms in the specified standard industrial classification.
 1064 The determination of whether the business is located in a
 1065 qualified county and the tier ranking of that county must be
 1066 based on the date of application for the credit under this
 1067 section. Commonly owned and controlled entities are to be
 1068 considered a single business entity.

1069 Section 21. Paragraph (d) of subsection (6) of section
 1070 212.20, Florida Statutes, is amended to read:

1071 212.20 Funds collected, disposition; additional powers of
 1072 department; operational expense; refund of taxes adjudicated
 1073 unconstitutionally collected.—

1074 (6) Distribution of all proceeds under this chapter and

1075 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1076 (d) The proceeds of all other taxes and fees imposed
 1077 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
 1078 and (2)(b) shall be distributed as follows:

1079 1. In any fiscal year, the greater of \$500 million, minus
 1080 an amount equal to 4.6 percent of the proceeds of the taxes
 1081 collected pursuant to chapter 201, or 5.2 percent of all other
 1082 taxes and fees imposed pursuant to this chapter or remitted
 1083 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
 1084 monthly installments into the General Revenue Fund.

1085 2. After the distribution under subparagraph 1., 8.9744
 1086 percent of the amount remitted by a sales tax dealer located
 1087 within a participating county pursuant to s. 218.61 shall be
 1088 transferred into the Local Government Half-cent Sales Tax
 1089 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
 1090 transferred shall be reduced by 0.1 percent, and the department
 1091 shall distribute this amount to the Public Employees Relations
 1092 Commission Trust Fund less \$5,000 each month, which shall be
 1093 added to the amount calculated in subparagraph 3. and
 1094 distributed accordingly.

1095 3. After the distribution under subparagraphs 1. and 2.,
 1096 0.0966 percent shall be transferred to the Local Government
 1097 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
 1098 to s. 218.65.

1099 4. After the distributions under subparagraphs 1., 2., and

1100 3., 2.0810 percent of the available proceeds shall be
 1101 transferred monthly to the Revenue Sharing Trust Fund for
 1102 Counties pursuant to s. 218.215.

1103 5. After the distributions under subparagraphs 1., 2., and
 1104 3., 1.3653 percent of the available proceeds shall be
 1105 transferred monthly to the Revenue Sharing Trust Fund for
 1106 Municipalities pursuant to s. 218.215. If the total revenue to
 1107 be distributed pursuant to this subparagraph is at least as
 1108 great as the amount due from the Revenue Sharing Trust Fund for
 1109 Municipalities and the former Municipal Financial Assistance
 1110 Trust Fund in state fiscal year 1999-2000, no municipality shall
 1111 receive less than the amount due from the Revenue Sharing Trust
 1112 Fund for Municipalities and the former Municipal Financial
 1113 Assistance Trust Fund in state fiscal year 1999-2000. If the
 1114 total proceeds to be distributed are less than the amount
 1115 received in combination from the Revenue Sharing Trust Fund for
 1116 Municipalities and the former Municipal Financial Assistance
 1117 Trust Fund in state fiscal year 1999-2000, each municipality
 1118 shall receive an amount proportionate to the amount it was due
 1119 in state fiscal year 1999-2000.

1120 6. Of the remaining proceeds:

1121 a. In each fiscal year, the sum of \$29,915,500 shall be
 1122 divided into as many equal parts as there are counties in the
 1123 state, and one part shall be distributed to each county. The
 1124 distribution among the several counties must begin each fiscal

1125 | year on or before January 5th and continue monthly for a total
 1126 | of 4 months. If a local or special law required that any moneys
 1127 | accruing to a county in fiscal year 1999-2000 under the then-
 1128 | existing provisions of s. 550.135 be paid directly to the
 1129 | district school board, special district, or a municipal
 1130 | government, such payment must continue until the local or
 1131 | special law is amended or repealed. The state covenants with
 1132 | holders of bonds or other instruments of indebtedness issued by
 1133 | local governments, special districts, or district school boards
 1134 | before July 1, 2000, that it is not the intent of this
 1135 | subparagraph to adversely affect the rights of those holders or
 1136 | relieve local governments, special districts, or district school
 1137 | boards of the duty to meet their obligations as a result of
 1138 | previous pledges or assignments or trusts entered into which
 1139 | obligated funds received from the distribution to county
 1140 | governments under then-existing s. 550.135. This distribution
 1141 | specifically is in lieu of funds distributed under s. 550.135
 1142 | before July 1, 2000.

1143 | b. The department shall distribute \$166,667 monthly to
 1144 | each applicant certified as a facility for a new or retained
 1145 | professional sports franchise pursuant to s. 288.1162. Up to
 1146 | \$41,667 shall be distributed monthly by the department to each
 1147 | certified applicant as defined in s. 288.11621 for a facility
 1148 | for a spring training franchise. However, not more than \$416,670
 1149 | may be distributed monthly in the aggregate to all certified

1150 applicants for facilities for spring training franchises.
1151 Distributions begin 60 days after such certification and
1152 continue for not more than 30 years, except as otherwise
1153 provided in s. 288.11621. A certified applicant identified in
1154 this sub-subparagraph may not receive more in distributions than
1155 expended by the applicant for the public purposes provided in s.
1156 288.1162(5) or s. 288.11621(3).

1157 ~~e. Beginning 30 days after notice by the Department of~~
1158 ~~Economic Opportunity to the Department of Revenue that an~~
1159 ~~applicant has been certified as the professional golf hall of~~
1160 ~~fame pursuant to s. 288.1168 and is open to the public, \$166,667~~
1161 ~~shall be distributed monthly, for up to 300 months, to the~~
1162 ~~applicant.~~

1163 ~~d. Beginning 30 days after notice by the Department of~~
1164 ~~Economic Opportunity to the Department of Revenue that the~~
1165 ~~applicant has been certified as the International Game Fish~~
1166 ~~Association World Center facility pursuant to s. 288.1169, and~~
1167 ~~the facility is open to the public, \$83,333 shall be distributed~~
1168 ~~monthly, for up to 168 months, to the applicant. This~~
1169 ~~distribution is subject to reduction pursuant to s. 288.1169.~~

1170 c.e. The department shall distribute up to \$83,333 monthly
1171 to each certified applicant as defined in s. 288.11631 for a
1172 facility used by a single spring training franchise, or up to
1173 \$166,667 monthly to each certified applicant as defined in s.
1174 288.11631 for a facility used by more than one spring training

1175 franchise. Monthly distributions begin 60 days after such
1176 certification or July 1, 2016, whichever is later, and continue
1177 for not more than 20 years to each certified applicant as
1178 defined in s. 288.11631 for a facility used by a single spring
1179 training franchise or not more than 25 years to each certified
1180 applicant as defined in s. 288.11631 for a facility used by more
1181 than one spring training franchise. A certified applicant
1182 identified in this sub-subparagraph may not receive more in
1183 distributions than expended by the applicant for the public
1184 purposes provided in s. 288.11631(3).

1185 d.f. The Department shall distribute \$15,333 monthly to the
1186 State Transportation Trust Fund.

1187 e.g. (I) On or before July 25, 2021, August 25, 2021, and
1188 September 25, 2021, the department shall distribute \$324,533,334
1189 in each of those months to the Unemployment Compensation Trust
1190 Fund, less an adjustment for refunds issued from the General
1191 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
1192 distribution. The adjustments made by the department to the
1193 total distributions shall be equal to the total refunds made
1194 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
1195 subtracted from any single distribution exceeds the
1196 distribution, the department may not make that distribution and
1197 must subtract the remaining balance from the next distribution.

1198 (II) Beginning July 2022, and on or before the 25th day of
1199 each month, the department shall distribute \$90 million monthly

1200 to the Unemployment Compensation Trust Fund.

1201 (III) If the ending balance of the Unemployment
 1202 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
 1203 of any month, as determined from United States Department of the
 1204 Treasury data, the Office of Economic and Demographic Research
 1205 shall certify to the department that the ending balance of the
 1206 trust fund exceeds such amount.

1207 (IV) This sub-subparagraph is repealed, and the department
 1208 shall end monthly distributions under sub-sub-subparagraph (II),
 1209 on the date the department receives certification under sub-sub-
 1210 subparagraph (III).

1211 7. All other proceeds must remain in the General Revenue
 1212 Fund.

1213 Section 22. Paragraph (aa) of subsection (8) of section
 1214 213.053, Florida Statutes, is amended to read:

1215 213.053 Confidentiality and information sharing.—

1216 (8) Notwithstanding any other provision of this section,
 1217 the department may provide:

1218 (aa) Information relating to tax credits taken under
 1219 former s. 220.194 to Space Florida.

1220
 1221 Disclosure of information under this subsection shall be
 1222 pursuant to a written agreement between the executive director
 1223 and the agency. Such agencies, governmental or nongovernmental,
 1224 shall be bound by the same requirements of confidentiality as

1225 the Department of Revenue. Breach of confidentiality is a
 1226 misdemeanor of the first degree, punishable as provided by s.
 1227 775.082 or s. 775.083.

1228 Section 23. Subsection (3) of section 218.64, Florida
 1229 Statutes, is amended to read:

1230 218.64 Local government half-cent sales tax; uses;
 1231 limitations.—

1232 (3) Subject to ordinances enacted by the majority of the
 1233 members of the county governing authority and by the majority of
 1234 the members of the governing authorities of municipalities
 1235 representing at least 50 percent of the municipal population of
 1236 such county, counties may use up to \$3 million annually of the
 1237 local government half-cent sales tax allocated to that county
 1238 for any of the following purposes:

1239 (a) Funding a certified applicant as a facility for a new
 1240 or retained professional sports franchise under s. 288.1162 or a
 1241 certified applicant as defined in s. 288.11621 for a facility
 1242 for a spring training franchise. It is the Legislature's intent
 1243 that the provisions of s. 288.1162, including, but not limited
 1244 to, the evaluation process by the Department of Commerce
 1245 ~~Economic Opportunity~~ except for the limitation on the number of
 1246 certified applicants or facilities as provided in that section
 1247 and the restrictions set forth in s. 288.1162(8), shall apply to
 1248 an applicant's facility to be funded by local government as
 1249 provided in this subsection.

1250 (b) Funding a certified applicant as a "motorsport
1251 entertainment complex," as provided for in former s. 288.1171.
1252 Funding for each franchise or motorsport complex shall begin 60
1253 days after certification and shall continue for not more than 30
1254 years.

1255 Section 24. Subsection (8) of section 220.02, Florida
1256 Statutes, is amended to read:

1257 220.02 Legislative intent.—

1258 (8) It is the intent of the Legislature that credits
1259 against either the corporate income tax or the franchise tax be
1260 applied in the following order: those enumerated in s. 631.828,
1261 those enumerated in s. 220.191, those enumerated in s. 220.181,
1262 those enumerated in s. 220.183, those enumerated in s. 220.182,
1263 those enumerated in s. 220.1895, those enumerated in s. 220.195,
1264 those enumerated in s. 220.184, those enumerated in s. 220.186,
1265 those enumerated in s. 220.1845, those enumerated in s. 220.19,
1266 those enumerated in s. 220.185, those enumerated in s. 220.1875,
1267 those enumerated in s. 220.1876, those enumerated in s.
1268 220.1877, those enumerated in s. 220.193, those enumerated in
1269 former s. 288.9916, those enumerated in former s. 220.1899,
1270 those enumerated in former s. 220.194, those enumerated in s.
1271 220.196, those enumerated in s. 220.198, and those enumerated in
1272 s. 220.1915.

1273 Section 25. Paragraph (a) of subsection (1) of section
1274 220.13, Florida Statutes, is amended to read:

1275 | 220.13 "Adjusted federal income" defined.—
 1276 | (1) The term "adjusted federal income" means an amount
 1277 | equal to the taxpayer's taxable income as defined in subsection
 1278 | (2), or such taxable income of more than one taxpayer as
 1279 | provided in s. 220.131, for the taxable year, adjusted as
 1280 | follows:
 1281 | (a) Additions.—There shall be added to such taxable
 1282 | income:
 1283 | 1.a. The amount of any tax upon or measured by income,
 1284 | excluding taxes based on gross receipts or revenues, paid or
 1285 | accrued as a liability to the District of Columbia or any state
 1286 | of the United States which is deductible from gross income in
 1287 | the computation of taxable income for the taxable year.
 1288 | b. Notwithstanding sub-subparagraph a., if a credit taken
 1289 | under s. 220.1875, s. 220.1876, or s. 220.1877 is added to
 1290 | taxable income in a previous taxable year under subparagraph 11.
 1291 | and is taken as a deduction for federal tax purposes in the
 1292 | current taxable year, the amount of the deduction allowed shall
 1293 | not be added to taxable income in the current year. The
 1294 | exception in this sub-subparagraph is intended to ensure that
 1295 | the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is
 1296 | added in the applicable taxable year and does not result in a
 1297 | duplicate addition in a subsequent year.
 1298 | 2. The amount of interest which is excluded from taxable
 1299 | income under s. 103(a) of the Internal Revenue Code or any other

1300 federal law, less the associated expenses disallowed in the
 1301 computation of taxable income under s. 265 of the Internal
 1302 Revenue Code or any other law, excluding 60 percent of any
 1303 amounts included in alternative minimum taxable income, as
 1304 defined in s. 55(b)(2) of the Internal Revenue Code, if the
 1305 taxpayer pays tax under s. 220.11(3).

1306 3. In the case of a regulated investment company or real
 1307 estate investment trust, an amount equal to the excess of the
 1308 net long-term capital gain for the taxable year over the amount
 1309 of the capital gain dividends attributable to the taxable year.

1310 4. That portion of the wages or salaries paid or incurred
 1311 for the taxable year which is equal to the amount of the credit
 1312 allowable for the taxable year under s. 220.181. This
 1313 subparagraph shall expire on the date specified in s. 290.016
 1314 for the expiration of the Florida Enterprise Zone Act.

1315 5. That portion of the ad valorem school taxes paid or
 1316 incurred for the taxable year which is equal to the amount of
 1317 the credit allowable for the taxable year under s. 220.182. This
 1318 subparagraph shall expire on the date specified in s. 290.016
 1319 for the expiration of the Florida Enterprise Zone Act.

1320 6. The amount taken as a credit under s. 220.195 which is
 1321 deductible from gross income in the computation of taxable
 1322 income for the taxable year.

1323 7. That portion of assessments to fund a guaranty
 1324 association incurred for the taxable year which is equal to the

1325 amount of the credit allowable for the taxable year.

1326 8. In the case of a nonprofit corporation which holds a
 1327 pari-mutuel permit and which is exempt from federal income tax
 1328 as a farmers' cooperative, an amount equal to the excess of the
 1329 gross income attributable to the pari-mutuel operations over the
 1330 attributable expenses for the taxable year.

1331 9. The amount taken as a credit for the taxable year under
 1332 s. 220.1895.

1333 10. Up to nine percent of the eligible basis of any
 1334 designated project which is equal to the credit allowable for
 1335 the taxable year under s. 220.185.

1336 11. Any amount taken as a credit for the taxable year under
 1337 s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this
 1338 subparagraph is intended to ensure that the same amount is not
 1339 allowed for the tax purposes of this state as both a deduction
 1340 from income and a credit against the tax. This addition is not
 1341 intended to result in adding the same expense back to income
 1342 more than once.

1343 12. The amount taken as a credit for the taxable year
 1344 under s. 220.193.

1345 ~~13. Any portion of a qualified investment, as defined in~~
 1346 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~
 1347 ~~taken as a credit against income tax pursuant to s. 288.9916.~~

1348 ~~14. The costs to acquire a tax credit pursuant to s.~~
 1349 ~~288.1254(5) that are deducted from or otherwise reduce federal~~

1350 ~~taxable income for the taxable year.~~

1351 ~~15. The amount taken as a credit for the taxable year~~
1352 ~~pursuant to s. 220.194.~~

1353 13.16. The amount taken as a credit for the taxable year
1354 under s. 220.196. The addition in this subparagraph is intended
1355 to ensure that the same amount is not allowed for the tax
1356 purposes of this state as both a deduction from income and a
1357 credit against the tax. The addition is not intended to result
1358 in adding the same expense back to income more than once.

1359 ~~14.17.~~ The amount taken as a credit for the taxable year
1360 pursuant to s. 220.198.

1361 ~~15.18.~~ The amount taken as a credit for the taxable year
1362 pursuant to s. 220.1915.

1363 Section 26. Subsection (5) of section 220.16, Florida
1364 Statutes, is amended to read:

1365 220.16 Allocation of nonbusiness income.—Nonbusiness
1366 income shall be allocated as follows:

1367 ~~(5) The amount of payments received in exchange for~~
1368 ~~transferring a net operating loss authorized by s. 220.194 is~~
1369 ~~allocable to the state.~~

1370 Section 27. Section 220.1899, Florida Statutes, is
1371 repealed.

1372 Section 28. Paragraphs (a) through (g) of subsection (1)
1373 of section 220.191, Florida Statutes, are redesignated as
1374 paragraphs (b) through (h), respectively, present paragraph (g)

1375 of subsection (1), paragraph (a) of subsection (3), and
 1376 subsections (5) and (6) of that section are amended, and a new
 1377 paragraph (a) is added to subsection (1) of that section, to
 1378 read:

1379 220.191 Capital investment tax credit.—

1380 (1) DEFINITIONS.—For purposes of this section:

1381 (a) "Average private sector wage in the area" means the
 1382 statewide private sector average wage or the average of all
 1383 private sector wages and salaries in the county or in the
 1384 standard metropolitan area in which the business is located.

1385 (h)-(g) "Qualifying project" means a facility in this state
 1386 meeting one or more of the following criteria:

1387 1. A new or expanding facility in this state which creates
 1388 at least 100 new jobs in this state and is in one of the high-
 1389 impact sectors identified and designated ~~by Enterprise Florida,~~
 1390 ~~Inc., and certified~~ by the Department of Commerce Economic
 1391 ~~Opportunity~~ pursuant to s. 288.108(6), including, but not
 1392 limited to, aviation, aerospace, automotive, and silicon
 1393 technology industries. However, between July 1, 2011, and June
 1394 30, 2014, the requirement that a facility be in a high-impact
 1395 sector is waived for any otherwise eligible business from
 1396 another state which locates all or a portion of its business to
 1397 a Disproportionally Affected County. For purposes of this
 1398 section, the term "Disproportionally Affected County" means Bay
 1399 County, Escambia County, Franklin County, Gulf County, Okaloosa

1400 County, Santa Rosa County, Walton County, or Wakulla County.

1401 2. A new or expanded facility in this state which is
 1402 engaged in a target industry designated pursuant to the
 1403 procedure specified in s. 288.005(6) ~~s. 288.106(2)~~ and which is
 1404 induced by this credit to create or retain at least 1,000 jobs
 1405 in this state, provided that at least 100 of those jobs are new,
 1406 pay an annual average wage of at least 130 percent of the
 1407 average private sector wage in the area ~~as defined in s.~~
 1408 ~~288.106(2)~~, and make a cumulative capital investment of at least
 1409 \$100 million. Jobs may be considered retained only if there is
 1410 significant evidence that the loss of jobs is imminent.
 1411 Notwithstanding subsection (2), annual credits against the tax
 1412 imposed by this chapter may not exceed 50 percent of the
 1413 increased annual corporate income tax liability or the premium
 1414 tax liability generated by or arising out of a project
 1415 qualifying under this subparagraph. A facility that qualifies
 1416 under this subparagraph for an annual credit against the tax
 1417 imposed by this chapter may take the tax credit for a period not
 1418 to exceed 5 years.

1419 3. A new or expanded headquarters facility in this state
 1420 which locates in an enterprise zone and brownfield area and is
 1421 induced by this credit to create at least 1,500 jobs which on
 1422 average pay at least 200 percent of the statewide average annual
 1423 private sector wage, as published by the Department of Commerce
 1424 ~~Economic Opportunity~~, and which new or expanded headquarters

1425 facility makes a cumulative capital investment in this state of
 1426 at least \$250 million.

1427 (3)(a) Notwithstanding subsection (2), an annual credit
 1428 against the tax imposed by this chapter shall be granted to a
 1429 qualifying business which establishes a qualifying project
 1430 pursuant to subparagraph (1)(h)3. ~~(1)(g)3.~~, in an amount equal
 1431 to the lesser of \$15 million or 5 percent of the eligible
 1432 capital costs made in connection with a qualifying project, for
 1433 a period not to exceed 20 years beginning with the commencement
 1434 of operations of the project. The tax credit shall be granted
 1435 against the corporate income tax liability of the qualifying
 1436 business and as further provided in paragraph (c). The total tax
 1437 credit provided pursuant to this subsection shall be equal to no
 1438 more than 100 percent of the eligible capital costs of the
 1439 qualifying project.

1440 (5) Applications shall be reviewed and certified pursuant
 1441 to s. 288.061. The Department of Commerce ~~Economic Opportunity,~~
 1442 ~~upon a recommendation by Enterprise Florida, Inc.,~~ shall first
 1443 certify a business as eligible to receive tax credits pursuant
 1444 to this section prior to the commencement of operations of a
 1445 qualifying project, and such certification shall be transmitted
 1446 to the Department of Revenue. Upon receipt of the certification,
 1447 the Department of Revenue shall enter into a written agreement
 1448 with the qualifying business specifying, at a minimum, the
 1449 method by which income generated by or arising out of the

1450 qualifying project will be determined.

1451 (6) The Department of Commerce ~~Economic Opportunity, in~~
 1452 ~~consultation with Enterprise Florida, Inc.,~~ is authorized to
 1453 develop the necessary guidelines and application materials for
 1454 the certification process described in subsection (5).

1455 Section 29. Section 220.194, Florida Statutes, is
 1456 repealed.

1457 Section 30. Subsection (1) and paragraph (a) of subsection
 1458 (2) of section 220.196, Florida Statutes, are amended to read:

1459 220.196 Research and development tax credit.—

1460 (1) DEFINITIONS.—As used in this section, the term:

1461 (a) "Base amount" means the average of the business
 1462 enterprise's qualified research expenses in this state allowed
 1463 under 26 U.S.C. s. 41 for the 4 taxable years preceding the
 1464 taxable year for which the credit is determined. The qualified
 1465 research expenses taken into account in computing the base
 1466 amount shall be determined on a basis consistent with the
 1467 determination of qualified research expenses for the taxable
 1468 year.

1469 (b) "Business enterprise" means any corporation as defined
 1470 in s. 220.03 which meets the definition of a target industry
 1471 business as defined in s. 288.005 ~~s. 288.106~~.

1472 (c) "Qualified research expenses" means research expenses
 1473 qualifying for the credit under 26 U.S.C. s. 41 for in-house
 1474 research expenses incurred in this state or contract research

1475 | expenses incurred in this state. The term does not include
 1476 | research conducted outside this state or research expenses that
 1477 | do not qualify for a credit under 26 U.S.C. s. 41.

1478 | (2) TAX CREDIT.—

1479 | (a) As provided in this section, a business enterprise is
 1480 | eligible for a credit against the tax imposed by this chapter if
 1481 | it:

1482 | 1. Has qualified research expenses in this state in the
 1483 | taxable year exceeding the base amount;

1484 | 2. Claims and is allowed a research credit for such
 1485 | qualified research expenses under 26 U.S.C. s. 41 for the same
 1486 | taxable year as subparagraph 1.; and

1487 | 3. Is a qualified target industry business as defined in
 1488 | former s. 288.106(2)(n), Florida Statutes 2022. Only qualified
 1489 | target industry businesses in the manufacturing, life sciences,
 1490 | information technology, aviation and aerospace, homeland
 1491 | security and defense, cloud information technology, marine
 1492 | sciences, materials science, and nanotechnology industries may
 1493 | qualify for a tax credit under this section. A business applying
 1494 | for a credit pursuant to this section shall include a letter
 1495 | from the Department of Commerce ~~Economic Opportunity~~ certifying
 1496 | whether the business meets the requirements of this subparagraph
 1497 | with its application for credit. The Department Commerce of
 1498 | ~~Economic Opportunity~~ shall provide such a letter upon receiving
 1499 | a request.

1500 Section 31. Section 272.11, Florida Statutes, is amended
 1501 to read:

1502 272.11 Capitol information center.—The Florida Tourism
 1503 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, shall
 1504 establish, maintain, and operate a Capitol information center
 1505 somewhere within the area of the Capitol Center and employ
 1506 personnel or enter into contracts to maintain same.

1507 Section 32. Paragraph (f) of subsection (1) of section
 1508 287.0947, Florida Statutes, is amended to read:

1509 287.0947 Florida Advisory Council on Small and Minority
 1510 Business Development; creation; membership; duties.—

1511 (1) The Secretary of Management Services may create the
 1512 Florida Advisory Council on Small and Minority Business
 1513 Development with the purpose of advising and assisting the
 1514 secretary in carrying out the secretary's duties with respect to
 1515 minority businesses and economic and business development. It is
 1516 the intent of the Legislature that the membership of such
 1517 council include practitioners, laypersons, financiers, and
 1518 others with business development experience who can provide
 1519 invaluable insight and expertise for this state in the
 1520 diversification of its markets and networking of business
 1521 opportunities. The council shall initially consist of 19
 1522 persons, each of whom is or has been actively engaged in small
 1523 and minority business development, either in private industry,
 1524 in governmental service, or as a scholar of recognized

1525 achievement in the study of such matters. Initially, the council
1526 shall consist of members representing all regions of the state
1527 and shall include at least one member from each group identified
1528 within the definition of "minority person" in s. 288.703(4),
1529 considering also gender and nationality subgroups, and shall
1530 consist of the following:

1531 (f) The Secretary of Commerce or his or her designee A
1532 ~~member from the board of directors of Enterprise Florida, Inc.~~

1533
1534 A candidate for appointment may be considered if eligible to be
1535 certified as an owner of a minority business enterprise, or if
1536 otherwise qualified under the criteria above. Vacancies may be
1537 filled by appointment of the secretary, in the manner of the
1538 original appointment.

1539 Section 33. Paragraph (e) of subsection (1) of section
1540 287.137, Florida Statutes, is amended to read:

1541 287.137 Antitrust violations; denial or revocation of the
1542 right to transact business with public entities; denial of
1543 economic benefits.—

1544 (1) As used in this section, the term:

1545 (e) "Economic incentives" means state grants, cash grants,
1546 tax exemptions, tax refunds, tax credits, state funds, and other
1547 state incentives under chapter 288 or administered by the
1548 Department of Commerce ~~Enterprise Florida, Inc.~~

1549 Section 34. Subsections (2) and (4) of section 288.0001,

1550 Florida Statutes, are amended to read:

1551 288.0001 Economic Development Programs Evaluation.—The
 1552 Office of Economic and Demographic Research and the Office of
 1553 Program Policy Analysis and Government Accountability (OPPAGA)
 1554 shall develop and present to the Governor, the President of the
 1555 Senate, the Speaker of the House of Representatives, and the
 1556 chairs of the legislative appropriations committees the Economic
 1557 Development Programs Evaluation.

1558 (2) The Office of Economic and Demographic Research and
 1559 OPPAGA shall provide a detailed analysis of economic development
 1560 programs as provided in the following schedule:

1561 (a) By January 1, 2014, and every 3 years thereafter, an
 1562 analysis of the following:

1563 1. The capital investment tax credit established under s.
 1564 220.191.

1565 ~~2. The qualified target industry tax refund established~~
 1566 ~~under s. 288.106.~~

1567 2.3. The brownfield redevelopment bonus refund established
 1568 under s. 288.107.

1569 3.4. High-impact business performance grants established
 1570 under s. 288.108.

1571 ~~5. The Quick Action Closing Fund established under s.~~
 1572 ~~288.1088.~~

1573 ~~6. The Innovation Incentive Program established under s.~~
 1574 ~~288.1089.~~

1575 | ~~7. Enterprise Zone Program incentives established under~~
 1576 | ~~ss. 212.08(5) and (15), 212.096, 220.181, and 220.182.~~

1577 | ~~8. The New Markets Development Program established under~~
 1578 | ~~ss. 288.991-288.9922.~~

1579 | (b) By January 1, 2015, and every 3 years thereafter, an
 1580 | analysis of ~~the following:~~

1581 | ~~1. The entertainment industry financial incentive program~~
 1582 | ~~established under s. 288.1254.~~

1583 | 1.2. The entertainment industry sales tax exemption
 1584 | program established under s. 288.1258.

1585 | 2.3. VISIT Florida and its programs established or funded
 1586 | under ss. 288.122, 288.1226, 288.12265, and 288.124.

1587 | 3.4. The Florida Sports Foundation and related programs
 1588 | established under ss. 288.1162, 288.11621, 288.1166, and
 1589 | ~~288.1167, 288.1168, 288.1169, and 288.1171.~~

1590 | (c) By January 1, 2016, and every 3 years thereafter, an
 1591 | analysis of the following:

1592 | ~~1. The qualified defense contractor and space flight~~
 1593 | ~~business tax refund program established under s. 288.1045.~~

1594 | 1.2. The tax exemption for semiconductor, defense, or
 1595 | space technology sales established under s. 212.08(5)(j).

1596 | 2.3. The Military Base Protection Program established
 1597 | under s. 288.980.

1598 | 3.4. The Quick Response Training Program established under
 1599 | s. 288.047.

1600 ~~4.5.~~ The Incumbent Worker Training Program established
 1601 under s. 445.003.

1602 ~~5.6.~~ International trade and business development programs
 1603 established under s. 288.012 or funded under s. 288.826.

1604 (d) By January 1, 2019, and every 3 years thereafter, an
 1605 analysis of the grant and entrepreneur initiative programs
 1606 established under s. 295.22 (3) (d) and (e).

1607 (4) Pursuant to the schedule established in subsection
 1608 (2), OPPAGA shall evaluate each program over the previous 3
 1609 years for its effectiveness and value to the taxpayers of this
 1610 state and include recommendations on each program for
 1611 consideration by the Legislature. The analysis may include
 1612 relevant economic development reports or analyses prepared by
 1613 the department ~~of Economic Opportunity, Enterprise Florida,~~
 1614 ~~Inc.~~ or local or regional economic development organizations, +
 1615 interviews with the parties involved, + or any other relevant
 1616 data.

1617 Section 35. Paragraph (b) of subsection (4) of section
 1618 288.001, Florida Statutes, is amended to read:

1619 288.001 The Florida Small Business Development Center
 1620 Network.—

1621 (4) STATEWIDE ADVISORY BOARD.—

1622 (b) The statewide advisory board shall consist of 19
 1623 members from across the state. At least 12 members must be
 1624 representatives of the private sector who are knowledgeable of

1625 the needs and challenges of small businesses. The members must
1626 represent various segments and industries of the economy in this
1627 state and must bring knowledge and skills to the statewide
1628 advisory board which would enhance the board's collective
1629 knowledge of small business assistance needs and challenges.
1630 Minority and gender representation must be considered when
1631 making appointments to the board. The board must include the
1632 following members:

1633 1. Three members appointed from the private sector by the
1634 President of the Senate.

1635 2. Three members appointed from the private sector by the
1636 Speaker of the House of Representatives.

1637 3. Three members appointed from the private sector by the
1638 Governor.

1639 4. Three members appointed from the private sector by the
1640 network's statewide director.

1641 5. One member appointed by the host institution.

1642 6. The Secretary of Commerce ~~The President of Enterprise~~
1643 ~~Florida, Inc.,~~ or his or her designee.

1644 7. The Chief Financial Officer or his or her designee.

1645 8. The President of the Florida Chamber of Commerce or his
1646 or her designee.

1647 9. The Small Business Development Center Project Officer
1648 from the U.S. Small Business Administration at the South Florida
1649 District Office or his or her designee.

1650 10. The executive director of the National Federation of
 1651 Independent Businesses, Florida, or his or her designee.

1652 11. The executive director of the Florida United Business
 1653 Association or his or her designee.

1654 Section 36. Subsections (1) and (2) of section 288.005,
 1655 Florida Statutes, are renumbered as subsections (2) and (1),
 1656 respectively, and subsections (6) through (9) are added to that
 1657 section to read:

1658 288.005 Definitions.—As used in this chapter, the term:

1659 (6) "Target industry business" means a corporate
 1660 headquarters business or any business that is engaged in one of
 1661 the target industries identified pursuant to the following
 1662 criteria developed by the department:

1663 (a) Future growth.—The industry forecast indicates strong
 1664 expectation for future growth in employment and output,
 1665 according to the most recent available data. Special
 1666 consideration shall be given to businesses that export goods to,
 1667 or provide services in, international markets and businesses
 1668 that replace domestic and international imports of goods or
 1669 services.

1670 (b) Stability.—The industry is not subject to periodic
 1671 layoffs, whether due to seasonality or sensitivity to volatile
 1672 economic variables such as weather. The industry is also
 1673 relatively resistant to recession, so that the demand for
 1674 products of this industry is not typically subject to decline

1675 during an economic downturn.

1676 (c) High wage.—The industry pays relatively high wages
1677 compared to statewide or area averages.

1678 (d) Market and resource independent.—The industry business
1679 location is not dependent on markets or resources in the state
1680 as indicated by industry analysis, except for businesses in the
1681 renewable energy industry.

1682 (e) Industrial base diversification and strengthening.—The
1683 industry contributes toward expanding or diversifying the
1684 state's or area's economic base, as indicated by analysis of
1685 employment and output shares compared to national and regional
1686 trends. Special consideration shall be given to industries that
1687 strengthen regional economies by adding value to basic products
1688 or building regional industrial clusters as indicated by
1689 industry analysis. Special consideration shall also be given to
1690 the development of strong industrial clusters that include
1691 defense and homeland security businesses.

1692 (f) Positive economic impact.—The industry has strong
1693 positive economic impacts on or benefits to the state or
1694 regional economies. Special consideration shall be given to
1695 industries that facilitate the development of the state as a hub
1696 for domestic and global trade and logistics.

1697
1698 The term does not include any business engaged in retail
1699 industry activities; any electrical utility company as defined

1700 in s. 366.02(4); any phosphate or other solid minerals
1701 severance, mining, or processing operation; any oil or gas
1702 exploration or production operation; or any business subject to
1703 regulation by the Division of Hotels and Restaurants of the
1704 Department of Business and Professional Regulation. Any business
1705 classified under NAICS code 5611, related to office
1706 administrative services, or NAICS code 5614, related to business
1707 support services, may be considered a target industry business
1708 only after the local governing body and the Department of
1709 Commerce determine that within the community in which the
1710 business may locate, conditions exist that affect the fiscal and
1711 economic viability of the local community or area, including,
1712 but not limited to, low per capita income, high unemployment,
1713 high underemployment, and a lack of year-round stable employment
1714 opportunities, and such conditions may be improved by the
1715 business locating in such community. By January 1 of every 3rd
1716 year, beginning January 1, 2011, the department, in consultation
1717 with economic development organizations, the State University
1718 System, local governments, employee and employer organizations,
1719 market analysts, and economists, shall review and, as
1720 appropriate, revise the list of target industries and submit the
1721 list to the Governor, the President of the Senate, and the
1722 Speaker of the House of Representatives.

1723 (7) "Tourism marketing" means any effort exercised to
1724 attract domestic and international visitors from outside the

1725 state to destinations in this state and to stimulate Florida
1726 resident tourism to areas within the state.

1727 (8) "Tourist" means any person who participates in trade
1728 or recreation activities outside the county of his or her
1729 permanent residence or who rents or leases transient living
1730 quarters or accommodations as described in s. 125.0104(3)(a).

1731 (9) "County destination marketing organization" means a
1732 public or private agency that is funded by local option tourist
1733 development tax revenues under s. 125.0104, or local option
1734 convention development tax revenues under s. 212.0305, and is
1735 officially designated by a county commission to market and
1736 promote the area for tourism or convention business or, in any
1737 county that has not levied such taxes, a public or private
1738 agency that is officially designated by the county commission to
1739 market and promote the area for tourism or convention business.

1740 Section 37. Section 288.012, Florida Statutes, are amended
1741 to read:

1742 288.012 State of Florida international offices; direct-
1743 support organization.—The Legislature finds that the expansion
1744 of international trade and tourism is vital to the overall
1745 health and growth of the economy of this state. This expansion
1746 is hampered by the lack of technical and business assistance,
1747 financial assistance, and information services for businesses in
1748 this state. The Legislature finds that these businesses could be
1749 assisted by providing these services at State of Florida

1750 international offices. The Legislature further finds that the
1751 accessibility and provision of services at these offices can be
1752 enhanced through cooperative agreements or strategic alliances
1753 between private businesses and state, local, and international
1754 governmental entities.

1755 (1) The department is authorized to:

1756 (a) Establish and operate offices in other countries for
1757 the purpose of promoting trade and economic development
1758 opportunities of the state, and promoting the gathering of trade
1759 data information and research on trade opportunities in specific
1760 countries.

1761 (b) Enter into agreements with governmental and private
1762 sector entities to establish and operate offices in other
1763 countries which contain provisions that may conflict with the
1764 general laws of the state pertaining to the purchase of office
1765 space, employment of personnel, and contracts for services. When
1766 agreements pursuant to this section are made which set
1767 compensation in another country's currency, such agreements
1768 shall be subject to the requirements of s. 215.425, but the
1769 purchase of another country's currency by the department to meet
1770 such obligations shall be subject only to s. 216.311.

1771 (2) Each international office shall have in place an
1772 operational plan approved by the participating boards or other
1773 governing authority, a copy of which shall be provided to the
1774 department. These operating plans shall be reviewed and updated

1775 each fiscal year and shall include, at a minimum, the following:

1776 (a) Specific policies and procedures encompassing the

1777 entire scope of the operation and management of each office.

1778 (b) A comprehensive, commercial strategic plan identifying

1779 marketing opportunities and industry sector priorities for the

1780 country in which an international office is located.

1781 (c) Provisions for access to information for Florida

1782 businesses related to trade leads and inquiries.

1783 (d) Identification of new and emerging market

1784 opportunities for Florida businesses. This information shall be

1785 provided either free of charge or on a fee basis with fees set

1786 only to recover the costs of providing the information.

1787 (e) Provision of access for Florida businesses to

1788 international trade assistance services provided by state and

1789 local entities, seaport and airport information, and other

1790 services identified by the department.

1791 (f) Qualitative and quantitative performance measures for

1792 each office, including, but not limited to, the number of

1793 businesses assisted, the number of trade leads and inquiries

1794 generated, the number of international buyers and importers

1795 contacted, and the amount and type of marketing conducted.

1796 (3) Each international office shall annually submit to the

1797 department ~~Enterprise Florida, Inc.~~, a complete and detailed

1798 report on its activities and accomplishments during the previous

1799 fiscal year. ~~for inclusion in the annual report required under~~

1800 ~~s. 288.906. In the format and by the annual date prescribed by~~
 1801 ~~Enterprise Florida, Inc.,~~ The report must set forth information
 1802 on:

- 1803 (a) The number of Florida companies assisted.
- 1804 (b) The number of inquiries received about investment
 1805 opportunities in this state.
- 1806 (c) The number of trade leads generated.
- 1807 (d) The number of investment projects announced.
- 1808 (e) The estimated U.S. dollar value of sales
 1809 confirmations.
- 1810 (f) The number of representation agreements.
- 1811 (g) The number of company consultations.
- 1812 (h) Barriers or other issues affecting the effective
 1813 operation of the office.
- 1814 (i) Changes in office operations which are planned for the
 1815 current fiscal year.
- 1816 (j) Marketing activities conducted.
- 1817 (k) Strategic alliances formed with organizations in the
 1818 country in which the office is located.
- 1819 (l) Activities conducted with Florida's other
 1820 international offices.
- 1821 (m) Any other information that the office believes would
 1822 contribute to an understanding of its activities.
- 1823 (4) The department ~~of Economic Opportunity,~~ in connection
 1824 with the establishment, operation, and management of any of its

1825 offices located in another country, is exempt from the
1826 provisions of ss. 255.21, 255.25, and 255.254 relating to
1827 leasing of buildings; ss. 283.33 and 283.35 relating to bids for
1828 printing; ss. 287.001-287.20 relating to purchasing and motor
1829 vehicles; and ss. 282.003-282.00515 and 282.702-282.7101
1830 relating to communications, and from all statutory provisions
1831 relating to state employment.

1832 (a) The department may exercise such exemptions only upon
1833 prior approval of the Governor.

1834 (b) If approval for an exemption under this section is
1835 granted as an integral part of a plan of operation for a
1836 specified international office, such action shall constitute
1837 continuing authority for the department to exercise the
1838 exemption, but only in the context and upon the terms originally
1839 granted. Any modification of the approved plan of operation with
1840 respect to an exemption contained therein must be resubmitted to
1841 the Governor for his or her approval. An approval granted to
1842 exercise an exemption in any other context shall be restricted
1843 to the specific instance for which the exemption is to be
1844 exercised.

1845 (c) As used in this subsection, the term "plan of
1846 operation" means the plan developed pursuant to subsection (2).

1847 (d) Upon final action by the Governor with respect to a
1848 request to exercise the exemption authorized in this subsection,
1849 the department shall report such action, along with the original

1850 request and any modifications thereto, to the President of the
 1851 Senate and the Speaker of the House of Representatives within 30
 1852 days.

1853 (5) Where feasible and appropriate, international offices
 1854 established and operated under this section may provide one-stop
 1855 access to the economic development, trade, and tourism
 1856 information, services, and programs of the state. Where feasible
 1857 and appropriate, such offices may also be collocated with other
 1858 international offices of the state.

1859 ~~(6) The department is authorized to make and to enter into~~
 1860 ~~contracts with Enterprise Florida, Inc., to carry out the~~
 1861 ~~provisions of this section. The authority, duties, and~~
 1862 ~~exemptions provided in this section apply to Enterprise Florida,~~
 1863 ~~Inc., to the same degree and subject to the same conditions as~~
 1864 ~~applied to the department. To the greatest extent possible, such~~
 1865 ~~contracts shall include provisions for cooperative agreements or~~
 1866 ~~strategic alliances between private businesses and state,~~
 1867 ~~international, and local governmental entities to operate~~
 1868 ~~international offices.~~

1869 (a) The department shall establish a direct-support
 1870 organization, organized as a nonprofit under chapter 617 and
 1871 recognized under s. 501(c)(3) of the Internal Revenue Code, that
 1872 is authorized to make and to enter into contracts with the
 1873 department to carry out the provisions of this section; assist
 1874 with the coordination of international trade development

1875 efforts; and assist in development and planning related to
1876 foreign investment, international partnerships, and other
1877 international business and trade development. The organization
1878 shall operate under a written contract with the department. The
1879 organization is exempt from paying fees under s. 617.0122.

1880 (b) The department must approve the articles of
1881 incorporation and bylaws of the direct-support organization,
1882 which shall include the formation of a board of directors and
1883 the development of an implementation plan that supports the
1884 goals of this section in coordination with the department, which
1885 must be completed within 30 days of formation of Florida
1886 International Trade, Inc. Such direct-support organization shall
1887 be designated Florida International Trade, Inc.

1888 (c) Florida International Trade, Inc., is a direct-support
1889 organization of the department that may contract with the
1890 department to provide assistance, funding, and promotional
1891 support for international offices, trade and promotion,
1892 development and planning related to foreign investment,
1893 international partnerships, and other international business and
1894 trade development in conjunction with the department.

1895 (d) The following provisions shall govern the creation,
1896 use, powers, and duties of Florida International Trade, Inc.:

1897 1. The department shall enter into a contract with Florida
1898 International Trade, Inc., which shall specify the approval of
1899 the department, the powers and duties of Florida International

1900 Trade, Inc., and rules with which the direct-support
 1901 organization must comply.

1902 2. As specified in the contract between the department and
 1903 Florida International Trade, Inc., the department may authorize,
 1904 without charge, appropriate use of property, facilities, and
 1905 personnel of the department by Florida International Trade, Inc.
 1906 The use shall be for the approved purposes as identified in the
 1907 contract between the department and Florida International Trade,
 1908 Inc.

1909 3. The department shall prescribe by contract conditions
 1910 with which Florida International Trade, Inc., must comply in
 1911 order to use property, facilities, or personnel of the
 1912 department. Such conditions shall provide for budget and audit
 1913 review and oversight by the department.

1914 4. The department may not authorize the use of property,
 1915 facilities, or personnel of department by Florida International
 1916 Trade, Inc., that does not provide equal employment
 1917 opportunities to all persons regardless of race, color,
 1918 religion, sex, age, or national origin.

1919 (7) Florida International Trade, Inc., may conduct
 1920 programs and activities; raise funds; request and receive
 1921 grants, gifts, and bequests of money; acquire, receive, hold,
 1922 invest, and administer, in its own name, securities, funds,
 1923 objects of value, or other property, real or personal; and make
 1924 expenditures to or for the direct or indirect benefit of Florida

1925 International Trade, Inc., if such furthers the duties and
 1926 mission of Florida International Trade, Inc., and is in the best
 1927 interests of this state.

1928 (8) Florida International Trade, Inc., shall provide for
 1929 an annual financial audit in accordance with s. 215.981.

1930 (9) All moneys received by Florida International Trade,
 1931 Inc., shall be deposited into an account of the direct-support
 1932 organization and shall be used by the organization in a manner
 1933 consistent with the goals of Florida International Trade, Inc.,
 1934 or a designated program.

1935 (10) The department may terminate its contract with
 1936 Florida International Trade, Inc., at any time if the department
 1937 determines that the direct-support organization no longer meets
 1938 the objectives of this section.

1939 (11) Upon termination of Florida International Trade,
 1940 Inc., the assets of Florida International Trade, Inc., shall be
 1941 distributed pursuant to its articles of incorporation or bylaws
 1942 or, if not provided for, to the department.

1943 (12) The Legislature determines it is in the public
 1944 interest and reflects the state's public policy that Florida
 1945 International Trade, Inc., operate in the most open and
 1946 accessible manner consistent with its public purposes. As such,
 1947 its divisions, boards, and advisory councils, or similar
 1948 entities created or managed by Florida International Trade,
 1949 Inc., are subject to the provisions of chapter 119 relating to

1950 public records and those provisions of chapter 286 relating to
1951 public meetings and records.

1952 (13) The president, senior managers, and members of the
1953 board of directors of Florida International Trade, Inc., are
1954 subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135;
1955 and 112.3143(2). For purposes of applying ss. 112.313(1)-(8),
1956 (10), (12), and (15); 112.3135; and 112.3143(2) to activities of
1957 the president, senior managers, and members of the board of
1958 directors, those persons shall be considered public officers or
1959 employees and the corporation shall be considered their agency.
1960 The exemption set forth in s. 112.313(12) for advisory boards
1961 applies to the members of Florida International Trade, Inc.,
1962 board of directors. Further, each member of the board of
1963 directors who is not otherwise required to file financial
1964 disclosures pursuant to s. 8, Art. II of the State Constitution
1965 or s. 112.3144, shall file disclosure of financial interests
1966 pursuant to s. 112.3145.

1967 (14) Florida International Trade, Inc., shall act as the
1968 international trade and travel mission organization for the
1969 state, utilizing private sector and public sector expertise in
1970 collaboration with the department.

1971 (15) Florida International Trade, Inc., shall enter into a
1972 performance-based contract with the department, pursuant to s.
1973 20.60, which includes annual measurements of the performance of
1974 Florida International Trade, Inc.

1975 (16) Florida International Trade, Inc., shall be governed
 1976 by a board of directors. The Secretary of Commerce, or his or
 1977 her designee, shall appoint a president of the board. The board
 1978 of directors shall be appointed by the president of the board.

1979 (a) Appointed members must represent and reflect the
 1980 state's interest in international trade and development efforts,
 1981 and have experience or knowledge that will assist in development
 1982 and planning related to foreign investment, international
 1983 partnerships, and other international business and trade
 1984 development. All appointments must be made by December 1, 2023.
 1985 Members shall serve for a term of 4 years. However, if members
 1986 of the Legislature are appointed to the board, those members
 1987 shall serve until the expiration of their legislative term and
 1988 may be reappointed once. A vacancy shall be filled for the
 1989 remainder of the unexpired term in the same manner as the
 1990 initial appointment. All members of the board are eligible for
 1991 reappointment. A member who serves in the Legislature may
 1992 participate in all activities but may only vote on matters that
 1993 are advisory.

1994 (b) The Secretary of Commerce, or his or her designee,
 1995 shall serve as the ex officio, nonvoting executive director of
 1996 the board.

1997 (c) The board of directors shall meet at least quarterly
 1998 and at other times upon the call of the chair, and may use any
 1999 method of telecommunications to conduct, or establish a quorum

2000 at, its meetings or the meetings of a subcommittee or other
 2001 subdivision if the public is given proper notice of the
 2002 telecommunications meeting and provided reasonable access to
 2003 observe and, if appropriate, to participate.

2004 (d) A majority of the total current membership of the
 2005 board of directors constitutes a quorum of the board.

2006 (e) Members of the board of directors, and the board's
 2007 subcommittees or other subdivisions shall serve without
 2008 compensation; however, the members may be reimbursed for
 2009 reasonable, necessary, and actual travel expenses pursuant to s.
 2010 112.061.

2011 (17) The department must determine and annually certify
 2012 that the direct-support organization is complying with the terms
 2013 of the contract and is doing so consistent with the goals and
 2014 purposes of the organization and in the best interests of the
 2015 state. The organization is required to annually submit to the
 2016 department its federal Internal Revenue Service Application for
 2017 Recognition of Exemption form (Form 1023) and federal Internal
 2018 Revenue Service Return of Organization Exempt from Income Tax
 2019 form (Form 990); an annual budget for approval by the
 2020 department; and an annual financial audit in accordance with s.
 2021 215.981.

2022 (18) The fiscal year of the direct-support organization
 2023 begins on July 1 of each year and ends on June 30 of the
 2024 following year. By August 15 of each fiscal year, the department

2025 shall submit a proposed operating budget for the direct-support
 2026 organization, including amounts to be expended on international
 2027 offices, trade missions, events, other operating capital outlay,
 2028 salaries and benefits for each employee, and contributions and
 2029 expenditures, to the Governor, the President of the Senate, and
 2030 the Speaker of the House of Representatives.

2031 (19) Subsections (6) through (18) and this subsection are
 2032 repealed October 1, 2028, unless reviewed and saved from repeal
 2033 by the Legislature.

2034 Section 38. Section 288.017, Florida Statutes, is amended
 2035 to read:

2036 288.017 Cooperative advertising matching grants program.—

2037 (1) The Florida Tourism Industry Marketing Corporation
 2038 ~~Enterprise Florida, Inc.,~~ is authorized to establish a
 2039 cooperative advertising matching grants program and, pursuant
 2040 thereto, to make expenditures and enter into contracts with
 2041 local governments and nonprofit corporations for the purpose of
 2042 publicizing the tourism advantages of the state. The department,
 2043 based on recommendations from the corporation ~~Enterprise~~
 2044 ~~Florida, Inc.,~~ shall have final approval of grants awarded
 2045 through this program. ~~Enterprise Florida, Inc., may contract~~
 2046 ~~with its direct-support organization to administer the program.~~

2047 (2) The total annual allocation of funds for this grant
 2048 program may not exceed \$40,000. Each grant awarded under the
 2049 program shall be limited to no more than \$2,500 and shall be

2050 matched by nonstate dollars. All grants shall be restricted to
 2051 local governments and nonprofit corporations serving and located
 2052 in municipalities having a population of 50,000 persons or less
 2053 or in counties with an unincorporated area having a population
 2054 of 200,000 persons or less.

2055 (3) The Florida Tourism Marketing Corporation ~~Enterprise~~
 2056 ~~Florida, Inc.,~~ shall conduct an annual competitive selection
 2057 process for the award of grants under the program. In
 2058 determining its recommendations for the grant awards, the
 2059 corporation ~~commission~~ shall consider the demonstrated need of
 2060 the applicant for advertising assistance, the feasibility and
 2061 projected benefit of the applicant's proposal, the amount of
 2062 nonstate funds that will be leveraged, and such other criteria
 2063 as the department ~~commission~~ deems appropriate. In evaluating
 2064 grant applications, the department shall consider
 2065 recommendations from the corporation ~~Enterprise Florida, Inc.~~
 2066 The department, however, has final approval authority for any
 2067 grant under this section.

2068 Section 39. Subsection (4) of section 288.018, Florida
 2069 Statutes, is amended to read:

2070 288.018 Regional Rural Development Grants Program.—

2071 (4) The department may expend up to \$750,000 each fiscal
 2072 year from funds appropriated to the Rural Community Development
 2073 Revolving Loan Fund for the purposes outlined in this section.
 2074 ~~The department may contract with Enterprise Florida, Inc., for~~

2075 ~~the administration of the purposes specified in this section.~~
 2076 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
 2077 ~~shall be released quarterly and shall be calculated based on the~~
 2078 ~~applications in process.~~

2079 Section 40. Subsections (1), (9), and (10) of section
 2080 288.047, Florida Statutes, are amended, to read:

2081 288.047 Quick-response training for economic development.—

2082 (1) The Quick-Response Training Program is created to meet
 2083 the workforce-skill needs of existing, new, and expanding
 2084 industries. The program shall be administered by CareerSource
 2085 Florida, Inc., in conjunction with ~~Enterprise Florida, Inc.,~~ and
 2086 the Department of Education. CareerSource Florida, Inc., shall
 2087 adopt guidelines for the administration of this program, shall
 2088 provide technical services, and shall identify businesses that
 2089 seek services through the program. ~~CareerSource Florida, Inc.,~~
 2090 ~~may contract with Enterprise Florida, Inc., or administer this~~
 2091 ~~program directly, if it is determined that such an arrangement~~
 2092 ~~maximizes the amount of the Quick Response grant going to direct~~
 2093 ~~services.~~

2094 ~~(9) Notwithstanding any other provision of law, eligible~~
 2095 ~~matching contributions received under this section from the~~
 2096 ~~Quick-Response Training Program may be counted toward the~~
 2097 ~~private sector support of Enterprise Florida, Inc., under s.~~
 2098 ~~288.904.~~

2099 ~~(10) CareerSource Florida, Inc., and Enterprise Florida,~~

2100 ~~Inc., shall coordinate and cooperate in administering this~~
 2101 ~~section so that any division of responsibility between the two~~
 2102 ~~organizations which relates to marketing or administering the~~
 2103 ~~Quick-Response Training Program is not apparent to a business~~
 2104 ~~that inquires about or applies for funding under this section. A~~
 2105 ~~business shall be provided with a single point of contact for~~
 2106 ~~information and assistance.~~

2107 Section 41. Subsections (1) and (4) of section 288.061,
 2108 Florida Statutes, are amended to read:

2109 288.061 Economic development incentive application
 2110 process.—

2111 (1) Upon receiving a submitted economic development
 2112 incentive application, the Division of Economic Strategie
 2113 ~~Business~~ Development of the department ~~of Economic Opportunity~~
 2114 ~~and designated staff of Enterprise Florida, Inc.,~~ shall review
 2115 the application to ensure that the application is complete,
 2116 whether and what type of state and local permits may be
 2117 necessary for the applicant's project, whether it is possible to
 2118 waive such permits, and what state incentives and amounts of
 2119 such incentives may be available to the applicant. The
 2120 department shall recommend to the Secretary of Commerce Economic
 2121 ~~Opportunity~~ to approve or disapprove an applicant business. If
 2122 review of the application demonstrates that the application is
 2123 incomplete, the secretary shall notify the applicant business
 2124 within the first 5 business days after receiving the

2125 application.

2126 (4) The department shall validate contractor performance
2127 and report such validation in the annual incentives report
2128 required under s. 288.0065 ~~s. 288.907~~.

2129 Section 42. Subsection (5) of section 288.0655, Florida
2130 Statutes, is renumbered as subsection (4), and paragraph (e) of
2131 subsection (2) and subsection (3) and present subsection (4) of
2132 that section are amended, to read:

2133 288.0655 Rural Infrastructure Fund.—

2134 (2)

2135 (e) To enable local governments to access the resources
2136 available pursuant to s. 403.973(17) ~~s. 403.973(18)~~, the
2137 department may award grants for surveys, feasibility studies,
2138 and other activities related to the identification and
2139 preclearance review of land which is suitable for preclearance
2140 review. Authorized grants under this paragraph may not exceed
2141 \$75,000 each, except in the case of a project in a rural area of
2142 opportunity, in which case the grant may not exceed \$300,000.
2143 Any funds awarded under this paragraph must be matched at a
2144 level of 50 percent with local funds, except that any funds
2145 awarded for a project in a rural area of opportunity must be
2146 matched at a level of 33 percent with local funds. If an
2147 application for funding is for a catalyst site, as defined in s.
2148 288.0656, the requirement for local match may be waived pursuant
2149 to the process in s. 288.06561. In evaluating applications under

2150 | this paragraph, the department shall consider the extent to
2151 | which the application seeks to minimize administrative and
2152 | consultant expenses.

2153 | (3) The department, in consultation with ~~Enterprise~~
2154 | ~~Florida, Inc.,~~ the Florida Tourism Industry Marketing
2155 | Corporation, the Department of Environmental Protection, and the
2156 | Florida Fish and Wildlife Conservation Commission, as
2157 | appropriate, shall review and certify applications pursuant to
2158 | s. 288.061. The review shall include an evaluation of the
2159 | economic benefit of the projects and their long-term viability.
2160 | The department shall have final approval for any grant under
2161 | this section.

2162 | ~~(4) By September 1, 2021, the department shall, in~~
2163 | ~~consultation with the organizations listed in subsection (3),~~
2164 | ~~and other organizations, reevaluate existing guidelines and~~
2165 | ~~criteria governing submission of applications for funding,~~
2166 | ~~review and evaluation of such applications, and approval of~~
2167 | ~~funding under this section. The department shall consider~~
2168 | ~~factors including, but not limited to, the project's potential~~
2169 | ~~for enhanced job creation or increased capital investment, the~~
2170 | ~~demonstration and level of local public and private commitment,~~
2171 | ~~whether the project is located in a community development~~
2172 | ~~corporation service area, or in an urban high-crime area as~~
2173 | ~~designated under s. 212.097, the unemployment rate of the county~~
2174 | ~~in which the project would be located, and the poverty rate of~~

2175 ~~the community.~~

2176 Section 43. Paragraph (a) of subsection (6) and paragraphs
 2177 (a) and (c) of subsection (7) of section 288.0656, Florida
 2178 Statutes, are amended to read:

2179 288.0656 Rural Economic Development Initiative.—

2180 (6)(a) By August 1 of each year, the head of each of the
 2181 following agencies and organizations shall designate a deputy
 2182 secretary or higher-level staff person from within the agency or
 2183 organization to serve as the REDI representative for the agency
 2184 or organization:

- 2185 1. The Department of Transportation.
- 2186 2. The Department of Environmental Protection.
- 2187 3. The Department of Agriculture and Consumer Services.
- 2188 4. The Department of State.
- 2189 5. The Department of Health.
- 2190 6. The Department of Children and Families.
- 2191 7. The Department of Corrections.
- 2192 8. The Department of Education.
- 2193 9. The Department of Juvenile Justice.
- 2194 10. The Fish and Wildlife Conservation Commission.
- 2195 11. Each water management district.
- 2196 ~~12. Enterprise Florida, Inc.~~
- 2197 12.13. CareerSource Florida, Inc.
- 2198 13.14. VISIT Florida.
- 2199 14.15. The Florida Regional Planning Council Association.

2200 ~~15.16.~~ The Agency for Health Care Administration.
 2201 ~~16.17.~~ The Institute of Food and Agricultural Sciences
 2202 (IFAS).

2203
 2204 An alternate for each designee shall also be chosen, and the
 2205 names of the designees and alternates shall be sent to the
 2206 Secretary of Commerce ~~Economic Opportunity~~.

2207 (7)

2208 (a) REDI may recommend to the Governor up to three rural
 2209 areas of opportunity. The Governor may by executive order
 2210 designate up to three rural areas of opportunity which will
 2211 establish these areas as priority assignments for REDI as well
 2212 as to allow the Governor, acting through REDI, to waive
 2213 criteria, requirements, or similar provisions of any economic
 2214 development incentive. Such incentives shall include, but are
 2215 not limited to, ~~the Qualified Target Industry Tax Refund Program~~
 2216 ~~under s. 288.106,~~ the Quick Response Training Program under s.
 2217 288.047, the Quick Response Training Program for participants in
 2218 the welfare transition program under s. 288.047(8),
 2219 ~~transportation projects under s. 339.2821,~~ the brownfield
 2220 redevelopment bonus refund under s. 288.107, and the rural job
 2221 tax credit program under ss. 212.098 and 220.1895.

2222 (c) Each rural area of opportunity may designate catalyst
 2223 projects, provided that each catalyst project is specifically
 2224 recommended by REDI, ~~identified as a catalyst project by~~

2225 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by
 2226 the department. All state agencies and departments shall use all
 2227 available tools and resources to the extent permissible by law
 2228 to promote the creation and development of each catalyst project
 2229 and the development of catalyst sites.

2230 Section 44. Section 288.0658, Florida Statutes, is amended
 2231 to read:

2232 288.0658 Nature-based recreation; promotion and other
 2233 assistance by Fish and Wildlife Conservation Commission.—The
 2234 Florida Fish and Wildlife Conservation Commission is directed to
 2235 assist ~~Enterprise Florida, Inc.;~~ the Florida Tourism Industry
 2236 Marketing Corporation, doing business as VISIT Florida;
 2237 convention and visitor bureaus, and tourist development councils, and
 2238 economic development organizations, and local governments
 2239 through the provision of marketing advice, technical expertise,
 2240 promotional support, and product development related to nature-
 2241 based recreation and sustainable use of natural resources. In
 2242 carrying out this responsibility, the Florida Fish and Wildlife
 2243 Conservation Commission shall focus its efforts on fostering
 2244 nature-based recreation in rural communities and regions
 2245 encompassing rural communities. As used in this section, the
 2246 term "nature-based recreation" means leisure activities related
 2247 to the state's lands, waters, and fish and wildlife resources,
 2248 including, but not limited to, wildlife viewing, fishing,
 2249 hiking, canoeing, kayaking, camping, hunting, backpacking, and

2250 nature photography.

2251 Section 45. Subsection (6) of section 288.075, Florida
2252 Statutes, is amended to read:

2253 288.075 Confidentiality of records.—

2254 (6) ECONOMIC INCENTIVE PROGRAMS.—

2255 (a) The following information held by an economic
2256 development agency pursuant to the administration of an economic
2257 incentive program for qualified businesses is confidential and
2258 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
2259 Constitution for a period not to exceed the duration of the
2260 incentive agreement, including an agreement authorizing a tax
2261 refund or tax credit, or upon termination of the incentive
2262 agreement:

2263 1. The percentage of the business's sales occurring
2264 outside this state and, ~~for businesses applying under s.~~
2265 ~~288.1045, the percentage of the business's gross receipts~~
2266 ~~derived from Department of Defense contracts during the 5 years~~
2267 ~~immediately preceding the date the business's application is~~
2268 ~~submitted.~~

2269 2. An individual employee's personal identifying
2270 information that is held as evidence of the achievement or
2271 nonachievement of the wage requirements of the tax refund, tax
2272 credit, or incentive agreement programs or of the job creation
2273 requirements of such programs.

2274 3. The amount of:

- 2275 a. Taxes on sales, use, and other transactions paid
- 2276 pursuant to chapter 212;
- 2277 b. Corporate income taxes paid pursuant to chapter 220;
- 2278 c. Intangible personal property taxes paid pursuant to
- 2279 chapter 199;
- 2280 d. Insurance premium taxes paid pursuant to chapter 624;
- 2281 e. Excise taxes paid on documents pursuant to chapter 201;
- 2282 f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2283 g. State communications services taxes paid pursuant to
- 2284 chapter 202.

2285

2286 However, an economic development agency may disclose in the

2287 annual incentives report required under s. 288.0065 ~~s. 288.907~~

2288 the aggregate amount of each tax identified in this subparagraph

2289 and paid by all businesses participating in each economic

2290 incentive program.

2291 (b)~~1~~. The following information held by an economic

2292 development agency relating to a specific business participating

2293 in an economic incentive program is no longer confidential or

2294 exempt 180 days after a final project order for an economic

2295 incentive agreement is issued, until a date specified in the

2296 final project order, or if the information is otherwise

2297 disclosed, whichever occurs first:

- 2298 ~~1.a.~~ The name of the qualified business.
- 2299 ~~2.b.~~ The total number of jobs the business committed to

2300 create or retain.

2301 ~~3.e.~~ The total number of jobs created or retained by the
2302 business.

2303 ~~4.d.~~ Notwithstanding s. 213.053(2), the amount of tax
2304 refunds, tax credits, or incentives awarded to, claimed by, or,
2305 if applicable, refunded to the state by the business.

2306 ~~5.e.~~ The anticipated total annual wages of employees the
2307 business committed to hire or retain.

2308 ~~2. For a business applying for certification under s.~~
2309 ~~288.1045 which is based on obtaining a new Department of Defense~~
2310 ~~contract, the total number of jobs expected and the amount of~~
2311 ~~tax refunds claimed may not be released until the new Department~~
2312 ~~of Defense contract is awarded.~~

2313 Section 46. Paragraphs (a) and (c) of subsection (1),
2314 paragraph (e) of subsection (3), and subsections (6), (7), and
2315 (8) of section 288.076 are amended to read:

2316 288.076 Return on investment reporting for economic
2317 development programs.—

2318 (1) As used in this section, the term:

2319 (a) "Jobs" means full-time equivalent positions,
2320 including, but not limited to, positions obtained from a
2321 temporary employment agency or employee leasing company or
2322 through a union agreement or coemployment under a professional
2323 employer organization agreement, that result directly from a
2324 project in this state. The term does not include temporary

2325 construction jobs involved with the construction of facilities
2326 for the project or any jobs previously included in any
2327 application for tax refunds ~~has the same meaning as provided in~~
2328 ~~s. 288.106(2)(i).~~

2329 (c) "Project" means the creation of a new business or
2330 expansion of an existing business ~~has the same meaning as~~
2331 ~~provided in s. 288.106(2)(m).~~

2332 (3) Within 48 hours after expiration of the period of
2333 confidentiality for project information deemed confidential and
2334 exempt pursuant to s. 288.075, the department shall publish the
2335 following information pertaining to each project:

2336 (e) *Project performance goals.*—

2337 1. The incremental direct jobs attributable to the
2338 project, identifying the number of jobs generated and the number
2339 of jobs retained.

2340 2. The number of jobs generated and the number of jobs
2341 retained by the project, and ~~for projects commencing after~~
2342 ~~October 1, 2013,~~ the average annual wage of persons holding such
2343 jobs.

2344 3. The incremental direct capital investment in the state
2345 generated by the project.

2346 (6) Annually, the department shall publish information
2347 relating to the progress of Quick Action Closing Fund projects
2348 awarded under former s. 288.1088 until all contracts are
2349 complete or terminated ~~, including the average number of days~~

2350 ~~between the date the department receives a completed application~~
2351 ~~and the date on which the application is approved.~~

2352 (7)(a) Within 48 hours after expiration of the period of
2353 confidentiality provided under s. 288.075, the department shall
2354 publish the contract or agreement described in s. 288.061,
2355 redacted to protect the participant business from disclosure of
2356 information that remains confidential or exempt by law.

2357 ~~(b) Within 48 hours after submitting any report of~~
2358 ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~
2359 ~~concerning a business's failure to complete a tax refund~~
2360 ~~agreement pursuant to the tax refund program for qualified~~
2361 ~~target industry businesses, the department shall publish such~~
2362 ~~report.~~

2363 ~~(8) For projects completed before October 1, 2013, the~~
2364 ~~department shall compile and, by October 1, 2014, shall publish~~
2365 ~~the information described in subsections (3), (4), and (5), to~~
2366 ~~the extent such information is available and applicable.~~

2367 Section 47. Section 288.095, Florida Statutes, is amended
2368 to read:

2369 288.095 Economic Development Trust Fund.—

2370 (1) The Economic Development Trust Fund is created within
2371 the department ~~of Economic Opportunity~~. Moneys deposited into
2372 the fund must be used only to support the authorized activities
2373 and operations of the department.

2374 (2) There is created, within the Economic Development

2375 Trust Fund, the Economic Development Incentives Account. The
2376 Economic Development Incentives Account consists of moneys
2377 appropriated to the account for purposes of the tax incentives
2378 programs authorized under s. 288.107 and former s. 288.106 ~~ss.~~
2379 ~~288.1045 and 288.106~~, and local financial support provided under
2380 former s. 288.106 ~~ss. 288.1045 and 288.106~~. Moneys in the
2381 Economic Development Incentives Account shall be subject to the
2382 provisions of s. 216.301(1) (a).

2383 (3) (a) ~~The department may approve applications for~~
2384 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
2385 The total state share of tax refund payments may not exceed \$35
2386 million.

2387 (b) The total amount of tax refund claims approved for
2388 payment by the department based on actual project performance
2389 may not exceed the amount appropriated to the Economic
2390 Development Incentives Account for such purposes for the fiscal
2391 year. Claims for tax refunds under s. 288.107 and former s.
2392 288.106 ~~ss. 288.1045 and 288.106~~ shall be paid in the order the
2393 claims are approved by the department. In the event the
2394 Legislature does not appropriate an amount sufficient to satisfy
2395 the tax refunds under s. 288.107 and former s. 288.106 ~~ss.~~
2396 ~~288.1045 and 288.106~~ in a fiscal year, the department shall pay
2397 the tax refunds from the appropriation for the following fiscal
2398 year. By March 1 of each year, the department shall notify the
2399 legislative appropriations committees of the Senate and House of

2400 Representatives of any anticipated shortfall in the amount of
 2401 funds needed to satisfy claims for tax refunds from the
 2402 appropriation for the current fiscal year.

2403 (c) Moneys in the Economic Development Incentives Account
 2404 may be used only to pay tax refunds and make other payments on
 2405 agreements executed prior to July 1, 2023, authorized under ~~s.~~
 2406 ~~288.1045, s. 288.106, or s. 288.107,~~ or in agreements authorized
 2407 under former s. 288.106. The department shall report within 10
 2408 days after the end of each quarter to the Office of Policy and
 2409 Budget in the Executive Officer of the Governor, the chair of
 2410 the Senate Appropriations Committee or its successor, and the
 2411 chair of the House of Representatives Appropriations Committee
 2412 or its successor regarding the status of payments made for all
 2413 economic development programs administered by the department
 2414 under this chapter, including s. 288.107 and former s. 288.106.

2415 (d) The department may adopt rules necessary to carry out
 2416 ~~the provisions of~~ this subsection, including rules providing for
 2417 the use of moneys in the Economic Development Incentives Account
 2418 and for the administration of the Economic Development
 2419 Incentives Account.

2420 (4) The department shall create a separate account for
 2421 funds transferred from the former Enterprise Florida, Inc., held
 2422 for payments for agreements under the Quick Action Closing Fund
 2423 under former s. 288.1088 or the Innovation Incentive Program
 2424 under former s. 288.1089. The department shall report within 10

2425 days after the end of each quarter to the Office of Policy and
 2426 Budget in the Executive Office of the Governor, the chair of the
 2427 Senate Appropriations Committee or its successor, and the chair
 2428 of the House of Representatives Appropriations Committee or its
 2429 successor regarding all escrow activity relating to both
 2430 programs, including payments made pursuant to confirmed
 2431 performance under the remaining contracts, payments returned to
 2432 the state due to noncompliance, and contracts terminated due to
 2433 noncompliance. The department must transfer to the General
 2434 Revenue Fund any payments returned to the state, whether
 2435 returned by the recipient or through action by the department to
 2436 administratively or otherwise legally obtain repayment of funds,
 2437 and any funds associated with terminated contracts.

2438 Section 48. Subsection (2) and paragraph (c) of subsection
 2439 (3) of section 288.101, Florida Statutes, as amended by section
 2440 25 of chapter 2023-17, Laws of Florida, are amended to read:

2441 288.101 Florida Job Growth Grant Fund.—

2442 (2) The department ~~and Enterprise Florida, Inc.,~~ may
 2443 identify projects, solicit proposals, and make funding
 2444 recommendations to the Governor, who is authorized to approve:

2445 (a) State or local public infrastructure projects to
 2446 promote:

- 2447 1. Economic recovery in specific regions of this state;
- 2448 2. Economic diversification; or
- 2449 3. Economic enhancement in a targeted industry.

2450 (b) State or local public infrastructure projects to
 2451 facilitate the development or construction of affordable
 2452 housing. This paragraph is repealed July 1, 2033.

2453 ~~(c) Infrastructure funding to accelerate the~~
 2454 ~~rehabilitation of the Herbert Hoover Dike. The department or the~~
 2455 ~~South Florida Water Management District may enter into~~
 2456 ~~agreements, as necessary, with the United States Army Corps of~~
 2457 ~~Engineers to implement this paragraph.~~

2458 ~~(c)(d)~~ Workforce training grants to support programs at
 2459 state colleges and state technical centers that provide
 2460 participants with transferable, sustainable workforce skills
 2461 applicable to more than a single employer, and for equipment
 2462 associated with these programs. The department shall work with
 2463 CareerSource Florida, Inc., to ensure programs are offered to
 2464 the public based on criteria established by the state college or
 2465 state technical center and do not exclude applicants who are
 2466 unemployed or underemployed.

2467 (3) For purposes of this section:

2468 (c) "Targeted industry" means any industry identified in
 2469 the most recent list provided to the Governor, the President of
 2470 the Senate, and the Speaker of the House of Representatives in
 2471 accordance with s. 288.005(6) ~~s. 288.106(2)(q)~~.

2472 Section 49. Section 288.1045, Florida Statutes, is
 2473 repealed.

2474 Section 50. Section 288.106, Florida Statutes, is

2475 repealed.

2476 Section 51. Paragraphs (d) and (f) of subsection (1),
 2477 subsection (2), paragraph (b) of subsection (3), subsection (4),
 2478 and paragraph (b) of subsection (5) of section 288.107, Florida
 2479 Statutes, are amended, and paragraph (c) is added to subsection
 2480 (5) of that section, to read:

2481 288.107 Brownfield redevelopment bonus refunds.—

2482 (1) DEFINITIONS.—As used in this section:

2483 (d) "Eligible business" means:

2484 ~~1. A qualified target industry business as defined in s.~~
 2485 ~~288.106(2); or~~

2486 ~~2.~~ a business that can demonstrate a fixed capital
 2487 investment of at least \$2 million in mixed-use business
 2488 activities, including multiunit housing, commercial, retail, and
 2489 industrial in brownfield areas eligible for bonus refunds, and
 2490 that provides benefits to its employees.

2491 (f) "Project" means the creation of a new business or the
 2492 expansion of an existing business ~~as defined in s. 288.106.~~

2493 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.—Bonus refunds
 2494 shall be approved by the department as specified in the final
 2495 order and allowed from the account as ~~follows:~~

2496 ~~(a) A bonus refund of \$2,500 shall be allowed to any~~
 2497 ~~qualified target industry business as defined in s. 288.106 for~~
 2498 ~~each new Florida job created in a brownfield area eligible for~~

2499 ~~bonus refunds which is claimed on the qualified target industry~~
 2500 ~~business's annual refund claim authorized in s. 288.106(6).~~

2501 ~~(b)~~ a bonus refund of up to \$2,500 shall be allowed to any
 2502 other eligible business as defined in subparagraph (1)(d)2. for
 2503 each new Florida job created in a brownfield area eligible for
 2504 bonus refunds which is claimed under an annual claim procedure
 2505 similar to the annual refund claim authorized in former s.
 2506 288.106(6), Florida Statutes 2022. The amount of the refund
 2507 shall be equal to 20 percent of the average annual wage for the
 2508 jobs created.

2509 (3) CRITERIA.—The minimum criteria for participation in
 2510 the brownfield redevelopment bonus refund are:

2511 (b) The completion of a fixed capital investment of at
 2512 least \$2 million in mixed-use business activities, including
 2513 multiunit housing, commercial, retail, and industrial in
 2514 brownfield areas eligible for bonus refunds, by an eligible
 2515 business applying for a refund under subsection (2) ~~paragraph~~
 2516 ~~(2)(b)~~ which provides benefits to its employees.

2517 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.—

2518 (a) To be eligible to receive a bonus refund for new
 2519 Florida jobs created in a brownfield area eligible for bonus
 2520 refunds, a business must have been certified as an ~~a qualified~~
 2521 ~~target industry business under s. 288.106~~ or eligible business
 2522 as defined in paragraph (1)(d) and must have indicated on the
 2523 ~~qualified target industry business~~ tax refund application form

2524 submitted to the department ~~in accordance with s. 288.106(4) or~~
2525 ~~other similar agreement for other eligible business as defined~~
2526 ~~in paragraph (1)(d)~~ that the project for which the application
2527 is submitted is or will be located in a brownfield area eligible
2528 for bonus refunds and that the business is applying for
2529 certification as a qualified brownfield business under this
2530 section, and must have signed a ~~qualified target industry~~
2531 ~~business~~ tax refund agreement with the department that indicates
2532 that the business has been certified as a ~~qualified target~~
2533 ~~industry business~~ located in a brownfield area eligible for
2534 bonus refunds and specifies the schedule of brownfield
2535 redevelopment bonus refunds that the business may be eligible to
2536 receive in each fiscal year.

2537 (b) To be considered to receive an eligible brownfield
2538 redevelopment bonus refund payment, the business meeting the
2539 requirements of paragraph (a) must submit a claim once each
2540 fiscal year on a claim form approved by the department which
2541 indicates the location of the brownfield site for which a
2542 rehabilitation agreement with the Department of Environmental
2543 Protection or a local government delegated by the Department of
2544 Environmental Protection has been executed under s. 376.80, the
2545 address of the business facility's brownfield location, the name
2546 of the brownfield in which it is located, the number of jobs
2547 created, and the average wage of the jobs created by the
2548 business within the brownfield ~~as defined in s. 288.106 or other~~

2549 ~~eligible business as defined in paragraph (1) (d) and the~~
2550 ~~administrative rules and policies for that section.~~

2551 ~~(c) The bonus refunds shall be available on the same~~
2552 ~~schedule as the qualified target industry tax refund payments~~
2553 ~~scheduled in the qualified target industry tax refund agreement~~
2554 ~~authorized in s. 288.106 or other similar agreement for other~~
2555 ~~eligible businesses as defined in paragraph (1) (e).~~

2556 (c)-(d) After entering into a tax refund agreement ~~as~~
2557 ~~provided in s. 288.106 or other similar agreement for other~~
2558 ~~eligible businesses as defined in paragraph (1) (e),~~ an eligible
2559 business may receive brownfield redevelopment bonus refunds from
2560 the account:

2561 1. For the following taxes due and paid by that business
2562 beginning with the first taxable year of the business that
2563 begins after entering into the agreement:

2564 a. Corporate income taxes under chapter 220.

2565 b. Insurance premium tax under s. 624.509.

2566 2. Receive refunds from the account for the following
2567 taxes due and paid by that business after entering into the
2568 agreement:

2569 a. Taxes on sales, use, and other transactions under
2570 chapter 212.

2571 b. Intangible personal property taxes under chapter 199.

2572 c. Excise taxes on documents under chapter 201.

2573 d. Ad valorem taxes paid, as defined in s. 220.03(1).

2574 e. State communications services taxes administered under
 2575 chapter 202. This sub-subparagraph does not apply to the gross
 2576 receipts tax imposed under chapter 203 and administered under
 2577 chapter 202 or the local communications services tax authorized
 2578 under s. 202.19 pursuant to s. 288.106(3)(d).

2579 (d)(e) An eligible business that fraudulently claims a
 2580 refund under this section:

2581 1. Is liable for repayment of the amount of the refund to
 2582 the account, plus a mandatory penalty in the amount of 200
 2583 percent of the tax refund, which shall be deposited into the
 2584 General Revenue Fund.

2585 2. Commits a felony of the third degree, punishable as
 2586 provided in s. 775.082, s. 775.083, or s. 775.084.

2587 (e)(f) Applications shall be reviewed and certified
 2588 pursuant to s. 288.061 before the business has made a decision
 2589 to locate or expand a facility in this state. The department
 2590 shall review all applications submitted ~~under s. 288.106 or~~
 2591 ~~other similar application forms for other eligible businesses as~~
 2592 ~~defined in paragraph (1)(d)~~ which indicate that the proposed
 2593 project will be located in a brownfield area eligible for bonus
 2594 refunds and determine, with the assistance of the Department of
 2595 Environmental Protection, that the project location is within a
 2596 brownfield area eligible for bonus refunds as provided in this
 2597 act.

2598 (f)~~(g)~~ The department shall approve all claims for a
 2599 brownfield redevelopment bonus refund payment that are found to
 2600 meet the requirements of this section ~~paragraphs (b) and (d)~~.

2601 (g)~~(h)~~ The department, with such assistance as may be
 2602 required from the Department of Environmental Protection, shall
 2603 specify by written final order the amount of the brownfield
 2604 redevelopment bonus refund that is authorized for the ~~qualified~~
 2605 ~~target industry~~ business for the fiscal year within 30 days
 2606 after the date that the claim for the annual tax refund is
 2607 received by the department.

2608 (h)~~(i)~~ The total amount of the bonus refunds approved by
 2609 the department under this section in any fiscal year must not
 2610 exceed the total amount appropriated to the Economic Development
 2611 Incentives Account for this purpose for the fiscal year. In the
 2612 event that the Legislature does not appropriate an amount
 2613 sufficient to satisfy projections by the department for
 2614 brownfield redevelopment bonus refunds under this section in a
 2615 fiscal year, the department shall, not later than July 15 of
 2616 such year, determine the proportion of each brownfield
 2617 redevelopment bonus refund claim which shall be paid by dividing
 2618 the amount appropriated for tax refunds for the fiscal year by
 2619 the projected total of brownfield redevelopment bonus refund
 2620 claims for the fiscal year. The amount of each claim for a
 2621 brownfield redevelopment bonus tax refund shall be multiplied by
 2622 the resulting quotient. If, after the payment of all such refund

2623 claims, funds remain in the Economic Development Incentives
 2624 Account for brownfield redevelopment tax refunds, the department
 2625 shall recalculate the proportion for each refund claim and
 2626 adjust the amount of each claim accordingly.

2627 ~~(i)-(j)~~ Upon approval of the brownfield redevelopment bonus
 2628 refund, payment shall be made for the amount specified in the
 2629 final order. If the final order is appealed, payment may not be
 2630 made for a refund to the ~~qualified target industry~~ business
 2631 until the conclusion of all appeals of that order.

2632 (5) ADMINISTRATION.—

2633 (b) To facilitate the process of monitoring and auditing
 2634 applications made under this program, the department may provide
 2635 a list of ~~qualified target industry~~ businesses to the Department
 2636 of Revenue, to the Department of Environmental Protection, or to
 2637 any local government authority. The department may request the
 2638 assistance of those entities with respect to monitoring the
 2639 payment of the taxes listed in paragraph (3)(c) s. 288.106(3).

2640 (c) The department may adopt rules, including an
 2641 application form, to administer this section.

2642 Section 52. Paragraph (c) of subsection (2) and subsection
 2643 (6) of section 288.108, Florida Statutes, are amended to read:

2644 288.108 High-impact business.—

2645 (2) DEFINITIONS.—As used in this section, the term:

2646 (c) "Eligible high-impact business" means a business in
 2647 one of the high-impact sectors identified by the department

2648 pursuant to subsection (6) Enterprise Florida, Inc., and
 2649 certified by the department as provided in subsection (5), which
 2650 is making a cumulative investment in the state of at least \$50
 2651 million and creating at least 50 new full-time equivalent jobs
 2652 in the state or a research and development facility making a
 2653 cumulative investment of at least \$25 million and creating at
 2654 least 25 new full-time equivalent jobs. Such investment and
 2655 employment must be achieved in a period not to exceed 3 years
 2656 after the date the business is certified as a qualified high-
 2657 impact business.

2658 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT SECTORS.—

2659 (a) The department ~~Enterprise Florida, Inc.,~~ shall, by
 2660 January 1, of every third year, beginning January 1, 2011,
 2661 initiate the process of reviewing and, if appropriate, selecting
 2662 a new high-impact sector for designation or recommending the
 2663 deactivation of a designated high-impact sector. The process of
 2664 reviewing designated high-impact sectors or recommending the
 2665 deactivation of a designated high-impact sector shall be in
 2666 consultation with ~~the department,~~ economic development
 2667 organizations, the State University System, local governments,
 2668 employee and employer organizations, market analysts, and
 2669 economists.

2670 (b) The department has authority, after meeting the
 2671 requirements of this subsection ~~recommendation from Enterprise~~

2672 ~~Florida, Inc.~~, to designate a high-impact sector or to
2673 deauthorize a designated high-impact sector.

2674 (c) To begin the process of selecting and designating a
2675 new high-impact sector, the department ~~Enterprise Florida, Inc.~~,
2676 shall undertake a thorough study of the proposed sector. This
2677 study must consider the definition of the sector, including the
2678 types of facilities which characterize the sector that might
2679 qualify for a high-impact performance grant and whether a
2680 powerful incentive like the high-impact performance grant is
2681 needed to induce major facilities in the sector to locate or
2682 grow in this state; the benefits that major facilities in the
2683 sector have or could have on the state's economy and the
2684 relative significance of those benefits; the needs of the sector
2685 and major sector facilities, including natural, public, and
2686 human resources and benefits and costs with regard to these
2687 resources; the sector's current and future markets; the current
2688 fiscal and potential fiscal impacts of the sector, to both the
2689 state and its communities; any geographic opportunities or
2690 limitations with regard to the sector, including areas of the
2691 state most likely to benefit from the sector and areas unlikely
2692 to benefit from the sector; the state's advantages or
2693 disadvantages with regard to the sector; and the long-term
2694 expectations for the industry on a global level and in the
2695 state. If the department ~~Enterprise Florida, Inc.~~, finds
2696 favorable conditions for the designation of the sector as a

2697 high-impact sector, it shall include in the study
2698 recommendations for a complete and comprehensive sector
2699 strategy, including appropriate marketing and workforce
2700 strategies for the entire sector and any recommendations ~~that~~
2701 ~~Enterprise Florida, Inc., may have~~ for statutory or policy
2702 changes needed to improve the state's business climate and to
2703 attract and grow Florida businesses, particularly small
2704 businesses, in the proposed sector. The study shall reflect the
2705 finding of the sector-business network specified in paragraph
2706 (d).

2707 (d) In conjunction with the study required in paragraph
2708 (c), the department ~~Enterprise Florida, Inc.,~~ shall develop and
2709 consult with a network of sector businesses. While this network
2710 may include non-Florida businesses, it must include any
2711 businesses currently within the state. If the number of Florida
2712 businesses in the sector is large, a representative cross-
2713 section of Florida sector businesses may form the core of this
2714 network.

2715 (e) The study and its findings and recommendations and the
2716 recommendations gathered from the sector-business network must
2717 be discussed and considered during at least one meeting per
2718 calendar year of leaders in business, government, education,
2719 workforce development, and economic development called by the
2720 Governor to address the business climate in the state, develop a

2721 common vision for the economic future of the state, and identify
2722 economic development efforts to fulfill that vision.

2723 (f) If after consideration of the completed study required
2724 in paragraph (c) and the input derived from consultation with
2725 the sector-business network in paragraph (d) and the meeting as
2726 required in paragraph (e), the department ~~board of directors of~~
2727 ~~Enterprise Florida, Inc.~~, finds that the sector will have
2728 exceptionally large and widespread benefits to the state and its
2729 citizens, relative to any public costs; that the sector is
2730 characterized by the types of facilities that require
2731 exceptionally large investments and provide employment
2732 opportunities to a relatively large number of workers in high-
2733 quality, high-income jobs that might qualify for a high-impact
2734 performance grant; and that given the competition for such
2735 businesses it may be necessary for the state to be able to offer
2736 a large inducement, such as a high-impact performance grant, to
2737 attract such a business to the state or to encourage businesses
2738 to continue to grow in the state, ~~the board of directors of~~
2739 ~~Enterprise Florida, Inc.~~, may recommend that the department may
2740 designate ~~consider the designation of~~ the sector as a high-
2741 impact business sector.

2742 ~~(g) Upon receiving a recommendation from the board of~~
2743 ~~directors of Enterprise Florida, Inc., together with the study~~
2744 ~~required in paragraph (c) and a summary of the findings and~~
2745 ~~recommendations of the sector-business network required in~~

2746 ~~paragraph (d), including a list of all meetings of the sector~~
2747 ~~network and participants in those meetings and the findings and~~
2748 ~~recommendations from the meeting as required in paragraph (e),~~
2749 ~~the department shall after a thorough evaluation of the study~~
2750 ~~and accompanying materials report its findings and either concur~~
2751 ~~in the recommendation of Enterprise Florida, Inc., and designate~~
2752 ~~the sector as a high-impact business sector or notify Enterprise~~
2753 ~~Florida, Inc., that it does not concur and deny the board's~~
2754 ~~request for designation or return the recommendation and study~~
2755 ~~to Enterprise Florida, Inc., for further evaluation. In any~~
2756 ~~case, the department's decision must be in writing and justify~~
2757 ~~the reasons for the decision.~~

2758 (g) ~~(h)~~ If the department designates the sector as a high-
2759 impact sector, it shall, within 30 days, notify the Governor,
2760 the President of the Senate, and the Speaker of the House of
2761 Representatives of its decision and provide a complete report on
2762 its decision, including copies of the material compiled in the
2763 evaluation, studies, and meetings required under this subsection
2764 ~~provided by Enterprise Florida, Inc.,~~ and the department's
2765 evaluation and comment on any statutory or policy changes
2766 recommended by ~~Enterprise Florida, Inc.~~

2767 (h) ~~(i)~~ For the purposes of this subsection, a high-impact
2768 sector consists of the silicon technology sector ~~that Enterprise~~
2769 ~~Florida, Inc., has found to be focused around the type of high-~~
2770 ~~impact businesses for which the incentive created in this~~

2771 subsection is required and will create the kinds of sector and
2772 economy wide benefits that justify the use of state resources to
2773 encourage these investments and require substantial inducements
2774 to compete with the incentive packages offered by other states
2775 and nations.

2776 Section 53. Section 288.1081, Florida Statutes, is
2777 repealed.

2778 Section 54. Section 288.1082, Florida Statutes, is
2779 repealed.

2780 Section 55. Section 288.1088, Florida Statutes, is
2781 repealed.

2782 Section 56. Section 288.1089, Florida Statutes, is
2783 repealed.

2784 Section 57. Section 288.111, Florida Statutes, is amended
2785 to read:

2786 288.111 Information concerning local manufacturing
2787 development programs.—The department shall develop materials
2788 that identify each local government that establishes a local
2789 manufacturing development program under s. 163.3252. The
2790 materials, which the department may elect to develop and
2791 maintain in electronic format or in any other format deemed by
2792 the department to provide public access, must be updated at
2793 least annually. ~~Enterprise Florida, Inc., shall, and other~~ State
2794 agencies may, distribute the materials to prospective, new,
2795 expanding, and relocating businesses seeking to conduct business

2796 | in this state.

2797 | Section 58. Subsection (7) of section 288.11621, Florida
2798 | Statutes, is amended to read:

2799 | 288.11621 Spring training baseball franchises.—

2800 | (7) STRATEGIC PLANNING.—The department shall request
2801 | assistance from ~~Enterprise Florida, Inc.,~~ and the Florida
2802 | Grapefruit League Association to develop a comprehensive
2803 | strategic plan to:

2804 | (a) Finance spring training facilities.

2805 | (b) Monitor and oversee the use of state funds awarded to
2806 | applicants.

2807 | (c) Identify the financial impact that spring training has
2808 | on the state and ways in which to maintain or improve that
2809 | impact.

2810 | (d) Identify opportunities to develop public-private
2811 | partnerships to engage in marketing activities and advertise
2812 | spring training baseball.

2813 | (e) Identify efforts made by other states to maintain or
2814 | develop partnerships with baseball spring training teams.

2815 | (f) Develop recommendations for the Legislature to sustain
2816 | or improve this state's spring training tradition.

2817 | Section 59. Paragraph (c) of subsection (2) and paragraphs
2818 | (a), (c), and (d) of subsection (3) of section 288.11631,
2819 | Florida Statutes, are amended to read:

2820 | 288.11631 Retention of Major League Baseball spring

2821 training baseball franchises.—

2822 (2) CERTIFICATION PROCESS.—

2823 (c) Each applicant certified on or after July 1, 2013,
2824 shall enter into an agreement with the department which:

2825 1. Specifies the amount of the state incentive funding to
2826 be distributed. The amount of state incentive funding per
2827 certified applicant may not exceed \$20 million. However, if a
2828 certified applicant's facility is used by more than one spring
2829 training franchise, the maximum amount may not exceed \$50
2830 million, and the Department of Revenue shall make distributions
2831 to the applicant pursuant to s. 212.20(6)(d)6.c. ~~s.~~
2832 ~~212.20(6)(d)6.e.~~

2833 2. States the criteria that the certified applicant must
2834 meet in order to remain certified. These criteria must include a
2835 provision stating that the spring training franchise must
2836 reimburse the state for any funds received if the franchise does
2837 not comply with the terms of the contract. If bonds were issued
2838 to construct or renovate a facility for a spring training
2839 franchise, the required reimbursement must be equal to the total
2840 amount of state distributions expected to be paid from the date
2841 the franchise violates the agreement with the applicant through
2842 the final maturity of the bonds.

2843 3. States that the certified applicant is subject to
2844 decertification if the certified applicant fails to comply with
2845 this section or the agreement.

2846 4. States that the department may recover state incentive
 2847 funds if the certified applicant is decertified.

2848 5. Specifies the information that the certified applicant
 2849 must report to the department.

2850 6. Includes any provision deemed prudent by the
 2851 department.

2852 (3) USE OF FUNDS.—

2853 (a) A certified applicant may use funds provided under s.
 2854 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ only to:

2855 1. Serve the public purpose of constructing or renovating
 2856 a facility for a spring training franchise.

2857 2. Pay or pledge for the payment of debt service on, or to
 2858 fund debt service reserve funds, arbitrage rebate obligations,
 2859 or other amounts payable with respect thereto, bonds issued for
 2860 the construction or renovation of such facility, or for the
 2861 reimbursement of such costs or the refinancing of bonds issued
 2862 for such purposes.

2863 (c) The Department of Revenue may not distribute funds
 2864 under s. 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ until July 1,
 2865 2016. Further, the Department of Revenue may not distribute
 2866 funds to an applicant certified on or after July 1, 2013, until
 2867 it receives notice from the department that:

2868 1. The certified applicant has encumbered funds under
 2869 either subparagraph (a)1. or subparagraph (a)2.; and

2870 2. If applicable, any existing agreement with a spring

2871 training franchise for the use of a facility has expired.

2872 (d)1. All certified applicants shall place unexpended

2873 state funds received pursuant to s. 212.20(6)(d)6.c. ~~s.~~

2874 ~~212.20(6)(d)6.e.~~ in a trust fund or separate account for use

2875 only as authorized in this section.

2876 2. A certified applicant may request that the department

2877 notify the Department of Revenue to suspend further

2878 distributions of state funds made available under s.

2879 212.20(6)(d)6.c. ~~s. 212.20(6)(d)6.e.~~ for 12 months after

2880 expiration of an existing agreement with a spring training

2881 franchise to provide the certified applicant with an opportunity

2882 to enter into a new agreement with a spring training franchise,

2883 at which time the distributions shall resume.

2884 3. The expenditure of state funds distributed to an

2885 applicant certified after July 1, 2013, must begin within 48

2886 months after the initial receipt of the state funds. In

2887 addition, the construction or renovation of a spring training

2888 facility must be completed within 24 months after the project's

2889 commencement.

2890 Section 60. Section 288.1168, Florida Statutes, is

2891 repealed.

2892 Section 61. Section 288.1169, Florida Statutes, is

2893 repealed.

2894 Section 62. Section 288.1171, Florida Statutes, is

2895 repealed.

2896 Section 63. Section 288.122, Florida Statutes, is amended
2897 to read:

2898 288.122 Tourism Promotional Trust Fund.—There is created
2899 within the department the Tourism Promotional Trust Fund. Moneys
2900 deposited in the Tourism Promotional Trust Fund shall only be
2901 used to support the authorized activities and operations and the
2902 tourism promotion and marketing activities, services, functions,
2903 and programs administered by the department ~~Enterprise Florida,~~
2904 ~~Inc.~~, through a contract with the direct-support organization
2905 created under s. 288.1226.

2906 Section 64. Subsection (13) of section 288.1226, Florida
2907 Statutes, is renumbered as subsection (15), paragraph (c) of
2908 subsection (2) and subsections (3), (4), (5), (7), and (8) are
2909 amended, and new subsections (13) and (14) are added to that
2910 section, to read:

2911 288.1226 Florida Tourism Industry Marketing Corporation;
2912 use of property; board of directors; duties; audit.—

2913 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
2914 Corporation is a direct-support organization of the department
2915 ~~Enterprise Florida, Inc.~~

2916 (c)1. The corporation is not an agency for the purposes of
2917 chapters 120, 216, and 287; ss. 255.21, 255.25, and 255.254,
2918 relating to leasing of buildings; ss. 283.33 and 283.35,
2919 relating to bids for printing; s. 215.31; and parts I, II, and
2920 IV-VIII of chapter 112. However, the corporation shall comply

2921 with the per diem and travel expense provisions of s. 112.061.

2922 2. It is not a violation of s. 112.3143(2) or (4) for the
 2923 officers or members of the board of directors of the corporation
 2924 to:

2925 a. Vote on the 4-year marketing plan required under
 2926 subsection (13) ~~s. 288.923~~ or vote on any individual component
 2927 of or amendment to the plan.

2928 b. Participate in the establishment or calculation of
 2929 payments related to the private match requirements of subsection
 2930 (6). The officer or member must file an annual disclosure
 2931 describing the nature of his or her interests or the interests
 2932 of his or her principals, including corporate parents and
 2933 subsidiaries of his or her principal, in the private match
 2934 requirements. This annual disclosure requirement satisfies the
 2935 disclosure requirement of s. 112.3143(4). This disclosure must
 2936 be placed on the corporation's website or included in the
 2937 minutes of each meeting of the corporation's board of directors
 2938 at which the private match requirements are discussed or voted
 2939 upon.

2940 (3) USE OF PROPERTY.—The department ~~Enterprise Florida,~~
 2941 ~~Inc.:~~

2942 (a) Is authorized to permit the use of property and
 2943 facilities of the department ~~Enterprise Florida, Inc.,~~ by the
 2944 corporation, subject to the provisions of this section.

2945 (b) Shall prescribe conditions with which the corporation

2946 | must comply in order to use property and facilities of the
 2947 | department ~~Enterprise Florida, Inc.~~ Such conditions shall
 2948 | provide for budget and audit review and for oversight by the
 2949 | department ~~Enterprise Florida, Inc.~~

2950 | (c) May not permit the use of property and facilities of
 2951 | the department ~~Enterprise Florida, Inc.~~, if the corporation does
 2952 | not provide equal employment opportunities to all persons,
 2953 | regardless of race, color, national origin, sex, age, or
 2954 | religion.

2955 | (4) BOARD OF DIRECTORS.—The board of directors of the
 2956 | corporation shall be composed of 31 tourism-industry-related
 2957 | members, appointed by ~~Enterprise Florida, Inc., in conjunction~~
 2958 | ~~with~~ the department. Board members shall serve without
 2959 | compensation, but are entitled to receive reimbursement for per
 2960 | diem and travel expenses pursuant to s. 112.061. Such expenses
 2961 | must be paid out of funds of the corporation.

2962 | (a) The board shall consist of 16 members, appointed in
 2963 | such a manner as to equitably represent all geographic areas of
 2964 | the state, with no fewer than two members from any of the
 2965 | following regions:

2966 | 1. Region 1, composed of Bay, Calhoun, Escambia, Franklin,
 2967 | Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty,
 2968 | Okaloosa, Santa Rosa, Wakulla, Walton, and Washington Counties.

2969 | 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
 2970 | Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,

2971 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
 2972 Taylor, and Union Counties.

2973 3. Region 3, composed of Brevard, Indian River, Lake,
 2974 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
 2975 Volusia Counties.

2976 4. Region 4, composed of Citrus, Hernando, Hillsborough,
 2977 Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

2978 5. Region 5, composed of Charlotte, Collier, DeSoto,
 2979 Glades, Hardee, Hendry, Highlands, and Lee Counties.

2980 6. Region 6, composed of Broward, Martin, Miami-Dade,
 2981 Monroe, and Palm Beach Counties.

2982 (b) The 15 additional tourism-industry-related members
 2983 shall include 1 representative from the statewide rental car
 2984 industry; 7 representatives from tourist-related statewide
 2985 associations, including those that represent hotels,
 2986 campgrounds, county destination marketing organizations,
 2987 museums, restaurants, retail, and attractions; 3 representatives
 2988 from county destination marketing organizations; 1
 2989 representative from the cruise industry; 1 representative from
 2990 an automobile and travel services membership organization that
 2991 has at least 2.8 million members in Florida; 1 representative
 2992 from the airline industry; and 1 representative from the space
 2993 tourism industry, who will each serve for a term of 2 years.

2994 (5) POWERS AND DUTIES.—The corporation, in the performance
 2995 of its duties:

2996 (a) May make and enter into contracts and assume such
 2997 other functions as are necessary to carry out the provisions of
 2998 the 4-year marketing plan required by subsection (13) ~~s.~~
 2999 ~~288.923,~~ and the corporation's contract with the department
 3000 ~~Enterprise Florida, Inc.,~~ which are not inconsistent with this
 3001 or any other provision of law. A proposed contract with a total
 3002 cost of \$750,000 or more is subject to the notice and review
 3003 procedures of s. 216.177. If the chair and vice chair of the
 3004 Legislative Budget Commission, or the President of the Senate
 3005 and the Speaker of the House of Representatives, timely advise
 3006 the corporation in writing that such proposed contract is
 3007 contrary to legislative policy and intent, the corporation may
 3008 not execute such proposed contract. The corporation may not
 3009 enter into multiple related contracts to avoid the requirements
 3010 of this paragraph.

3011 (b) May develop a program to provide incentives and to
 3012 attract and recognize those entities which make significant
 3013 financial and promotional contributions towards the expanded
 3014 tourism promotion activities of the corporation.

3015 (c) May establish a cooperative marketing program with
 3016 other public and private entities which allows the use of the
 3017 VISIT Florida logo in tourism promotion campaigns which meet the
 3018 standards of the department ~~Enterprise Florida, Inc.,~~ for which
 3019 the corporation may charge a reasonable fee.

3020 (d) May sue and be sued and appear and defend in all

3021 actions and proceedings in its corporate name to the same extent
 3022 as a natural person.

3023 (e) May adopt, use, and alter a common corporate seal.
 3024 However, such seal must always contain the words "corporation
 3025 not for profit."

3026 (f) Shall elect or appoint such officers and agents as its
 3027 affairs shall require and allow them reasonable compensation.
 3028 However, each officer or agent, including the president and
 3029 chief executive officer of the corporation, may not receive
 3030 public compensation for employment that exceeds the salary and
 3031 benefits authorized to be paid to the Governor. Any public
 3032 payments of performance bonuses or severance pay to an officer
 3033 or agent of the corporation are prohibited unless specifically
 3034 authorized by law.

3035 (g) Shall hire and establish salaries and personnel and
 3036 employee benefit programs for such permanent and temporary
 3037 employees as are necessary to carry out the provisions of the 4-
 3038 year marketing plan and the corporation's contract with the
 3039 department ~~Enterprise Florida, Inc.~~ which are not inconsistent
 3040 with this or any other provision of law. However, an employee
 3041 may not receive public compensation for employment that exceeds
 3042 the salary and benefits authorized to be paid to the Governor.
 3043 Any public payments of performance bonuses or severance pay to
 3044 employees of the corporation are prohibited unless specifically
 3045 authorized by law.

3046 (h) May adopt, change, amend, and repeal bylaws, not
 3047 inconsistent with law or its articles of incorporation, for the
 3048 administration of the provisions of the 4-year marketing plan
 3049 and the corporation's contract with the department ~~Enterprise~~
 3050 ~~Florida, Inc.~~

3051 (i) May conduct its affairs, carry on its operations, and
 3052 have offices and exercise the powers granted by this act in any
 3053 state, territory, district, or possession of the United States
 3054 or any foreign country. Where feasible, appropriate, and
 3055 recommended by the 4-year marketing plan developed by the
 3056 corporation in consultation with the department ~~Division of~~
 3057 ~~Tourism Promotion of Enterprise Florida, Inc.~~, the corporation
 3058 may collocate the programs of foreign tourism offices in
 3059 cooperation with any foreign office operated by any agency of
 3060 this state.

3061 (j) May appear on its own behalf before boards,
 3062 commissions, departments, or other agencies of municipal,
 3063 county, state, or federal government.

3064 (k) May request or accept any grant, payment, or gift, of
 3065 funds or property made by this state or by the United States or
 3066 any department or agency thereof or by any individual, firm,
 3067 corporation, municipality, county, or organization for any or
 3068 all of the purposes of the 4-year marketing plan and the
 3069 corporation's contract with the department ~~Enterprise Florida,~~
 3070 ~~Inc.~~, that are not inconsistent with this or any other provision

3071 of law. Such funds shall be deposited in a bank account
3072 established by the corporation's board of directors. The
3073 corporation may expend such funds in accordance with the terms
3074 and conditions of any such grant, payment, or gift, in the
3075 pursuit of its administration or in support of the programs it
3076 administers. The corporation shall separately account for the
3077 public funds and the private funds deposited into the
3078 corporation's bank account.

3079 (l) Shall establish a plan for participation in the
3080 corporation which will provide additional funding for the
3081 administration and duties of the corporation.

3082 (m) ~~In the performance of its duties,~~ May undertake, or
3083 contract for, marketing projects and advertising research
3084 projects.

3085 (n) In addition to any indemnification available under
3086 chapter 617, the corporation may indemnify, and purchase and
3087 maintain insurance on behalf of, directors, officers, and
3088 employees of the corporation against any personal liability or
3089 accountability by reason of actions taken while acting within
3090 the scope of their authority.

3091 (o) Shall not create or establish any other entity,
3092 corporation, or direct-support organization.

3093 (p) Shall not expend funds, public or private, that
3094 directly benefit only one company, corporation, or business
3095 entity.

3096 (7) ANNUAL AUDIT.—The corporation shall provide for an
 3097 annual financial audit in accordance with s. 215.981. The annual
 3098 audit report shall be submitted to the Auditor General; the
 3099 Office of Program Policy Analysis and Government Accountability;
 3100 ~~Enterprise Florida, Inc.;~~ and the department for review. The
 3101 Office of Program Policy Analysis and Government Accountability;
 3102 ~~Enterprise Florida, Inc.;~~ the department; and the Auditor
 3103 General have the authority to require and receive from the
 3104 corporation or from its independent auditor any detail or
 3105 supplemental data relative to the operation of the corporation.
 3106 The department shall annually certify whether the corporation is
 3107 operating in a manner and achieving the objectives that are
 3108 consistent with the policies and goals of the department
 3109 ~~Enterprise Florida, Inc.,~~ and its long-range marketing plan. The
 3110 identity of a donor or prospective donor to the corporation who
 3111 desires to remain anonymous and all information identifying such
 3112 donor or prospective donor are confidential and exempt from the
 3113 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 3114 Constitution. Such anonymity shall be maintained in the
 3115 auditor's report.

3116 (8) REPORT.—The corporation shall provide to the
 3117 department a quarterly report that ~~to Enterprise Florida, Inc.,~~
 3118 ~~which shall:~~

3119 (a) Measures ~~Measure~~ the current vitality of the visitor
 3120 industry of this state as compared to the vitality of such

3121 industry for the year to date and for comparable quarters of
 3122 past years. Indicators of vitality shall be determined by the
 3123 department ~~Enterprise Florida, Inc.~~, and shall include, but not
 3124 be limited to, estimated visitor count and party size, length of
 3125 stay, average expenditure per party, and visitor origin and
 3126 destination.

3127 (b) Provides ~~Provide~~ detailed, unaudited financial
 3128 statements of sources and uses of public and private funds.

3129 (c) Measures ~~Measure~~ progress towards annual goals and
 3130 objectives set forth in the 4-year marketing plan.

3131 (d) Reviews ~~Review~~ all pertinent research findings.

3132 (e) Provides ~~Provide~~ other measures of accountability as
 3133 requested by the department ~~Enterprise Florida, Inc.~~

3134
 3135 The corporation must take all steps necessary to provide all
 3136 data that is used to develop the report, including source data,
 3137 to the Office of Economic and Demographic Research.

3138 (13) FOUR-YEAR MARKETING PLAN.-

3139 (a) The corporation shall, in collaboration with the
 3140 department, develop a 4-year marketing plan. At a minimum, the
 3141 marketing plan shall discuss the following:

- 3142 1. Continuation of overall tourism growth in this state.
- 3143 2. Expansion to new or under-represented tourist markets.
- 3144 3. Maintenance of traditional and loyal tourist markets.
- 3145 4. Coordination of efforts with county destination

3146 marketing organizations, other local government marketing
3147 groups, privately owned attractions and destinations, and other
3148 private sector partners to create a seamless, four-season
3149 advertising campaign for the state and its regions.

3150 5. Development of innovative techniques or promotions to
3151 build repeat visitation by targeted segments of the tourist
3152 population.

3153 6. Consideration of innovative sources of state funding
3154 for tourism marketing.

3155 7. Promotion of nature-based tourism and heritage tourism.

3156 8. Development of a component to address emergency
3157 response to natural and manmade disasters from a marketing
3158 standpoint.

3159 (b) The plan shall be annual in construction and ongoing
3160 in nature. Any annual revisions of the plan shall carry forward
3161 the concepts of the remaining 3-year portion of the plan and
3162 consider a continuum portion to preserve the 4-year timeframe of
3163 the plan. The plan also shall include recommendations for
3164 specific performance standards and measurable outcomes for the
3165 corporation. The department shall base the actual performance
3166 metrics on these recommendations.

3167 (c) The 4-year marketing plan shall be annually reviewed
3168 and approved by the board of directors of the corporation.

3169 (14) ANNUAL REPORT.-The corporation shall draft and submit
3170 to the department an annual report. The annual report shall set

3171 forth for the corporation:

3172 (a) Operations and accomplishments during the fiscal year,
 3173 including the economic benefit of the state's investment and
 3174 effectiveness of the marketing plan.

3175 (b) The 4-year marketing plan, including recommendations
 3176 on methods for implementing and funding the plan.

3177 (c) The assets and liabilities of the corporation at the
 3178 end of its most recent fiscal year.

3179 (d) A copy of the annual financial and compliance audit
 3180 conducted under s. 288.1226(7).

3181 Section 65. Section 288.12265, Florida Statutes, is
 3182 amended to read:

3183 288.12265 Welcome centers.—

3184 (1) Responsibility for the welcome centers is assigned to
 3185 ~~Enterprise Florida, Inc., which shall contract with the Florida~~
 3186 ~~Tourism Industry Marketing Corporation to employ all welcome~~
 3187 ~~center staff.~~

3188 (2) The Florida Tourism Industry Marketing Corporation
 3189 ~~Enterprise Florida, Inc.,~~ shall administer and operate the
 3190 welcome centers and, pursuant to a contract with the Department
 3191 of Transportation, ~~Enterprise Florida, Inc.,~~ shall be
 3192 responsible for routine repair, replacement, or improvement and
 3193 the day-to-day management of interior areas occupied by the
 3194 welcome centers. All other repairs, replacements, or
 3195 improvements to the welcome centers shall be the responsibility

3196 of the Department of Transportation. ~~Enterprise Florida, Inc.,~~
 3197 ~~may contract with the Florida Tourism Industry Marketing~~
 3198 ~~Corporation for the management and operation of the welcome~~
 3199 ~~centers.~~

3200 Section 66. Section 288.125, Florida Statutes, is amended
 3201 to read:

3202 288.125 Definition of "entertainment industry."—For the
 3203 purposes of s. 288.1258 ~~ss. 288.1251–288.1258~~, the term
 3204 "entertainment industry" means those persons or entities engaged
 3205 in the operation of motion picture or television studios or
 3206 recording studios; those persons or entities engaged in the
 3207 preproduction, production, or postproduction of motion pictures,
 3208 made-for-television movies, television programming, digital
 3209 media projects, commercial advertising, music videos, or sound
 3210 recordings; and those persons or entities providing products or
 3211 services directly related to the preproduction, production, or
 3212 postproduction of motion pictures, made-for-television movies,
 3213 television programming, digital media projects, commercial
 3214 advertising, music videos, or sound recordings, including, but
 3215 not limited to, the broadcast industry.

3216 Section 67. Section 288.1251, Florida Statutes, is
 3217 repealed.

3218 Section 68. Section 288.1252, Florida Statutes, is
 3219 repealed.

3220 Section 69. Section 288.1253, Florida Statutes, is

3221 repealed.

3222 Section 70. Section 288.1254, Florida Statutes, is
 3223 repealed.

3224 Section 71. Section 288.1258, Florida Statutes, is amended
 3225 to read:

3226 288.1258 Entertainment industry qualified production
 3227 companies; application procedure; categories; duties of the
 3228 Department of Revenue; records and reports.—

3229 (1) PRODUCTION COMPANIES AUTHORIZED TO APPLY.—

3230 (a) Any production company engaged in this state in the
 3231 production of motion pictures, made-for-TV motion pictures,
 3232 television series, commercial advertising, music videos, or
 3233 sound recordings may submit an application to the Department of
 3234 Revenue to be approved by the department ~~Office of Film and~~
 3235 ~~Entertainment~~ as a qualified production company for the purpose
 3236 of receiving a sales and use tax certificate of exemption from
 3237 the Department of Revenue.

3238 (b) For the purposes of this section, "qualified
 3239 production company" means any production company that has
 3240 submitted a properly completed application to the Department of
 3241 Revenue and that is subsequently qualified by the department
 3242 ~~Office of Film and Entertainment~~.

3243 (2) APPLICATION PROCEDURE.—

3244 (a) The Department of Revenue will review all submitted
 3245 applications for the required information. Within 10 working

3246 days after the receipt of a properly completed application, the
3247 Department of Revenue will forward the completed application to
3248 the department ~~Office of Film and Entertainment~~ for approval.

3249 (b)1. The department ~~Office of Film and Entertainment~~
3250 shall establish a process by which an entertainment industry
3251 production company may be approved by the department ~~office~~ as a
3252 qualified production company and may receive a certificate of
3253 exemption from the Department of Revenue for the sales and use
3254 tax exemptions under ss. 212.031, 212.06, and 212.08.

3255 2. Upon determination by the department ~~Office of Film and~~
3256 ~~Entertainment~~ that a production company meets the established
3257 approval criteria and qualifies for exemption, the department
3258 ~~Office of Film and Entertainment~~ shall return the approved
3259 application or application renewal or extension to the
3260 Department of Revenue, which shall issue a certificate of
3261 exemption.

3262 3. The department ~~Office of Film and Entertainment~~ shall
3263 deny an application or application for renewal or extension from
3264 a production company if it determines that the production
3265 company does not meet the established approval criteria.

3266 (c) The department ~~Office of Film and Entertainment~~ shall
3267 develop, with the cooperation of the Department of Revenue and
3268 local government entertainment industry promotion agencies, a
3269 standardized application form for use in approving qualified
3270 production companies.

3271 1. The application form shall include, but not be limited
3272 to, production-related information on employment, proposed
3273 budgets, planned purchases of items exempted from sales and use
3274 taxes under ss. 212.031, 212.06, and 212.08, a signed
3275 affirmation from the applicant that any items purchased for
3276 which the applicant is seeking a tax exemption are intended for
3277 use exclusively as an integral part of entertainment industry
3278 preproduction, production, or postproduction activities engaged
3279 in primarily in this state, and a signed affirmation from the
3280 department ~~Office of Film and Entertainment~~ that the information
3281 on the application form has been verified and is correct. In
3282 lieu of information on projected employment, proposed budgets,
3283 or planned purchases of exempted items, a production company
3284 seeking a 1-year certificate of exemption may submit summary
3285 historical data on employment, production budgets, and purchases
3286 of exempted items related to production activities in this
3287 state. Any information gathered from production companies for
3288 the purposes of this section shall be considered confidential
3289 taxpayer information and shall be disclosed only as provided in
3290 s. 213.053.

3291 2. The application form may be distributed to applicants
3292 by the department ~~Office of Film and Entertainment~~ or local film
3293 commissions.

3294 (d) All applications, renewals, and extensions for
3295 designation as a qualified production company shall be processed
3296 by the department ~~Office of Film and Entertainment~~.

3297 (e) In the event that the Department of Revenue determines
3298 that a production company no longer qualifies for a certificate
3299 of exemption, or has used a certificate of exemption for
3300 purposes other than those authorized by this section and chapter
3301 212, the Department of Revenue shall revoke the certificate of
3302 exemption of that production company, and any sales or use taxes
3303 exempted on items purchased or leased by the production company
3304 during the time such company did not qualify for a certificate
3305 of exemption or improperly used a certificate of exemption shall
3306 become immediately due to the Department of Revenue, along with
3307 interest and penalty as provided by s. 212.12. In addition to
3308 the other penalties imposed by law, any person who knowingly and
3309 willfully falsifies an application, or uses a certificate of
3310 exemption for purposes other than those authorized by this
3311 section and chapter 212, commits a felony of the third degree,
3312 punishable as provided in ss. 775.082, 775.083, and 775.084.

3313 (3) CATEGORIES.—

3314 (a)1. A production company may be qualified for
3315 designation as a qualified production company for a period of 1
3316 year if the company has operated a business in Florida at a
3317 permanent address for a period of 12 consecutive months. Such a
3318 qualified production company shall receive a single 1-year

3319 certificate of exemption from the Department of Revenue for the
3320 sales and use tax exemptions under ss. 212.031, 212.06, and
3321 212.08, which certificate shall expire 1 year after issuance or
3322 upon the cessation of business operations in the state, at which
3323 time the certificate shall be surrendered to the Department of
3324 Revenue.

3325 2. The department ~~Office of Film and Entertainment~~ shall
3326 develop a method by which a qualified production company may
3327 annually renew a 1-year certificate of exemption for a period of
3328 up to 5 years without requiring the production company to
3329 resubmit a new application during that 5-year period.

3330 3. Any qualified production company may submit a new
3331 application for a 1-year certificate of exemption upon the
3332 expiration of that company's certificate of exemption.

3333 (b)1. A production company may be qualified for
3334 designation as a qualified production company for a period of 90
3335 days. Such production company shall receive a single 90-day
3336 certificate of exemption from the Department of Revenue for the
3337 sales and use tax exemptions under ss. 212.031, 212.06, and
3338 212.08, which certificate shall expire 90 days after issuance,
3339 with extensions contingent upon approval of the department
3340 ~~Office of Film and Entertainment~~. The certificate shall be
3341 surrendered to the Department of Revenue upon its expiration.

3342 2. Any production company may submit a new application for
 3343 a 90-day certificate of exemption upon the expiration of that
 3344 company's certificate of exemption.

3345 (4) DUTIES OF THE DEPARTMENT OF REVENUE.—

3346 (a) The Department of Revenue shall review the initial
 3347 application and notify the applicant of any omissions and
 3348 request additional information if needed. An application shall
 3349 be complete upon receipt of all requested information. The
 3350 Department of Revenue shall forward all complete applications to
 3351 the department ~~Office of Film and Entertainment~~ within 10
 3352 working days.

3353 (b) The Department of Revenue shall issue a numbered
 3354 certificate of exemption to a qualified production company
 3355 within 5 working days of the receipt of an approved application,
 3356 application renewal, or application extension from the
 3357 department ~~Office of Film and Entertainment~~.

3358 (c) The Department of Revenue may promulgate such rules
 3359 and shall prescribe and publish such forms as may be necessary
 3360 to effectuate the purposes of this section or any of the sales
 3361 tax exemptions which are reasonably related to the provisions of
 3362 this section.

3363 (d) The Department of Revenue is authorized to establish
 3364 audit procedures in accordance with the provisions of ss.
 3365 212.12, 212.13, and 213.34 which relate to the sales tax
 3366 exemption provisions of this section.

3367 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO INDUSTRY
3368 GROWTH; REPORT TO THE LEGISLATURE.—The department ~~Office of Film~~
3369 ~~and Entertainment~~ shall keep annual records from the information
3370 provided on taxpayer applications for tax exemption
3371 certificates. These records also must reflect a ratio of the
3372 annual amount of sales and use tax exemptions under this
3373 section, ~~plus the incentives awarded pursuant to s. 288.1254 to~~
3374 the estimated amount of funds expended by certified productions.
3375 In addition, the department ~~office~~ shall maintain data showing
3376 annual growth in Florida-based entertainment industry companies
3377 and entertainment industry employment and wages. ~~The employment~~
3378 ~~information must include an estimate of the full-time equivalent~~
3379 ~~positions created by each production that received tax credits~~
3380 ~~pursuant to s. 288.1254.~~ The department ~~Office of Film and~~
3381 ~~Entertainment~~ shall annually report ~~include~~ this information in
3382 the annual report required under s. 20.60 ~~for the entertainment~~
3383 ~~industry financial incentive program required under s.~~
3384 ~~288.1254(10).~~

3385 Section 72. Section 288.7015, Florida Statutes, is amended
3386 to read:

3387 288.7015 Appointment of rules ombudsman; duties.—The
3388 Governor shall appoint a rules ombudsman, as defined in s.
3389 288.703, in the Executive Office of the Governor, for
3390 considering the impact of agency rules on the state's citizens
3391 and businesses. ~~In carrying out duties as provided by law, the~~

3392 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
 3393 ~~point the department may recommend to improve the regulatory~~
 3394 ~~environment of this state.~~ The duties of the rules ombudsman are
 3395 to:

3396 (1) Carry out the responsibility provided in s.
 3397 120.54(3)(b), with respect to small businesses.

3398 (2) Review state agency rules that adversely or
 3399 disproportionately impact businesses, particularly those
 3400 relating to small and minority businesses.

3401 (3) Make recommendations on any existing or proposed rules
 3402 to alleviate unnecessary or disproportionate adverse effects to
 3403 businesses.

3404 (4) Each state agency shall cooperate fully with the rules
 3405 ombudsman in identifying such rules. Further, each agency shall
 3406 take the necessary steps to waive, modify, or otherwise minimize
 3407 such adverse effects of any such rules. However, nothing in this
 3408 section authorizes any state agency to waive, modify, provide
 3409 exceptions to, or otherwise alter any rule that is:

3410 (a) Expressly required to implement or enforce any
 3411 statutory provision or the express legislative intent thereof;

3412 (b) Designed to protect persons against discrimination on
 3413 the basis of race, color, national origin, religion, sex, age,
 3414 handicap, or marital status; or

3415 (c) Likely to prevent a significant risk or danger to the
 3416 public health, the public safety, or the environment of the

3417 state.

3418 (5) The modification or waiver of any such rule pursuant
 3419 to this section must be accomplished in accordance with the
 3420 provisions of chapter 120.

3421 Section 73. Subsection (11) of section 288.706, Florida
 3422 Statutes, is amended to read:

3423 288.706 Florida Minority Business Loan Mobilization
 3424 Program.—

3425 (11) The Department of Management Services shall
 3426 collaborate with ~~Enterprise Florida, Inc.,~~ and the department to
 3427 assist in the development and enhancement of black business
 3428 enterprises.

3429 Section 74. Subsection (1) of section 288.773, Florida
 3430 Statutes, is amended to read:

3431 288.773 Florida Export Finance Corporation.—The Florida
 3432 Export Finance Corporation is hereby created as a corporation
 3433 not for profit, to be incorporated under the provisions of
 3434 chapter 617 and approved by the Department of State. The
 3435 corporation is organized on a nonstock basis. The purpose of the
 3436 corporation is to expand employment and income opportunities for
 3437 residents of this state through increased exports of goods and
 3438 services, by providing businesses domiciled in this state
 3439 information and technical assistance on export opportunities,
 3440 exporting techniques, and financial assistance through
 3441 guarantees and direct loan originations for sale in support of

3442 export transactions. The corporation shall have the power and
3443 authority to carry out the following functions:

3444 (1) To coordinate the efforts of the corporation with
3445 programs and goals of the United States Export-Import Bank, the
3446 International Trade Administration of the United States
3447 Department of Commerce, the Foreign Credit Insurance
3448 Association, the department ~~Enterprise Florida, Inc.~~, and other
3449 private and public programs and organizations, domestic and
3450 foreign, designed to provide export assistance and export-
3451 related financing.

3452 Section 75. Paragraph (a) of subsection (1) and paragraphs
3453 (a), (c), and (g) of subsection (3) of section 288.776, Florida
3454 Statutes, are amended to read:

3455 288.776 Board of directors; powers and duties.—

3456 (1)(a) The corporation shall have a board of directors
3457 consisting of 15 members representing all geographic areas of
3458 the state. Minority and gender representation must be considered
3459 when making appointments to the board. The board membership must
3460 include:

3461 1. A representative of the following businesses, all of
3462 which must be registered to do business in this state: a foreign
3463 bank, a state bank, a federal bank, an insurance company
3464 involved in covering trade financing risks, and a small or
3465 medium-sized exporter.

3466 2. The following persons or their designee: the Secretary

3467 of Commerce ~~the President of Enterprise Florida, Inc.~~, the Chief
3468 Financial Officer, the Secretary of State, and a senior official
3469 of the United States Department of Commerce.

3470 (3) The board shall:

3471 (a) Prior to the expenditure of funds from the export
3472 finance account, adopt bylaws and policies which are necessary
3473 to carry out the responsibilities under this part, particularly
3474 with respect to the implementation of the corporation's programs
3475 to insure, coinsure, lend, provide loan guarantees, and make
3476 direct, guaranteed, or collateralized loans by the corporation
3477 to support export transactions. The corporation's bylaws and
3478 policies shall be reviewed and approved by the department
3479 ~~Enterprise Florida, Inc.~~, prior to final adoption by the board.

3480 (c) Issue an annual report to the department ~~Enterprise~~
3481 ~~Florida, Inc.~~, on the activities of the corporation, including
3482 an evaluation of activities and recommendations for change. The
3483 evaluation shall include the corporation's impact on the
3484 following:

3485 1. Participation of private banks and other private
3486 organizations and individuals in the corporation's export
3487 financing programs.

3488 2. Access of small and medium-sized businesses in this
3489 state to federal export financing programs.

3490 3. Export volume of the small and medium-sized businesses
3491 in this state accessing the corporation's programs.

3492 4. Other economic and social benefits to international
 3493 programs in this state.

3494 (g) Consult with the department ~~Enterprise Florida, Inc.~~,
 3495 or any state or federal agency, to ensure that the respective
 3496 loan guarantee or working capital loan origination programs are
 3497 not duplicative and that each program makes full use of, to the
 3498 extent practicable, the resources of the other.

3499 Section 76. Section 288.7771, Florida Statutes, is amended
 3500 to read:

3501 288.7771 Annual report of Florida Export Finance
 3502 Corporation.—The corporation shall annually prepare and submit
 3503 to the department ~~Enterprise Florida, Inc.~~, for inclusion in its
 3504 annual report required under s. 20.60 ~~s. 288.906~~, a complete and
 3505 detailed report setting forth:

3506 (1) The report required in s. 288.776(3).

3507 (2) Its assets and liabilities at the end of its most
 3508 recent fiscal year.

3509 Section 77. Subsections (4) and (6) of section 288.816,
 3510 Florida Statutes, are amended to read:

3511 288.816 Intergovernmental relations.—

3512 (4) The state protocol officer shall serve as a contact
 3513 for the state with the Florida Washington Office, the Florida
 3514 Congressional Delegation, and United States Government agencies
 3515 with respect to laws or policies which may affect the interests
 3516 of the state in the area of international relations. All

3517 inquiries received regarding international economic trade
 3518 development or reverse investment opportunities shall be
 3519 referred to the department ~~Enterprise Florida, Inc.~~ In addition,
 3520 the state protocol officer shall serve as liaison with other
 3521 states with respect to international programs of interest to
 3522 Florida. The state protocol officer shall also investigate and
 3523 make suggestions regarding possible areas of joint action or
 3524 regional cooperation with these states.

3525 (6) The department ~~and Enterprise Florida, Inc.,~~ shall
 3526 help to contribute an international perspective to the state's
 3527 development efforts.

3528 Section 78. Section 288.826, Florida Statutes, is amended
 3529 to read:

3530 288.826 Florida International Trade and Promotion Trust
 3531 Fund.— There is hereby established in the State Treasury the
 3532 Florida International Trade and Promotion Trust Fund. The moneys
 3533 deposited into this trust fund shall be administered by the
 3534 department for the operation of the direct-support organization
 3535 created pursuant to s. 288.012 ~~Enterprise Florida, Inc.,~~ and for
 3536 the operation of Florida international offices under s. 288.012.

3537 Section 79. Section 288.901, Florida Statutes, is
 3538 repealed.

3539 Section 80. Section 288.9015, Florida Statutes, is
 3540 repealed.

3541 Section 81. Section 288.903, Florida Statutes, is

3542 repealed.

3543 Section 82. Section 288.904, Florida Statutes, is
 3544 repealed.

3545 Section 83. Section 288.905, Florida Statutes, is
 3546 repealed.

3547 Section 84. Section 288.906, Florida Statutes, is
 3548 repealed.

3549 Section 85. Section 288.907, Florida Statutes, is
 3550 transferred, renumbered as section 288.0065, Florida Statutes,
 3551 and amended to read:

3552 288.0065 ~~288.907~~ Annual incentives report.—By December 30
 3553 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~
 3554 ~~department,~~ shall provide the Governor, the President of the
 3555 Senate, and the Speaker of the House of Representatives a
 3556 detailed incentives report quantifying the economic benefits for
 3557 all of the economic development incentive programs administered
 3558 by the department and its direct-support organizations and
 3559 public-private partnerships ~~marketed by Enterprise Florida, Inc.~~

3560 The annual incentives report must include:

- 3561 (1) For each incentive program:
- 3562 (a) A brief description of the incentive program.
- 3563 (b) The amount of awards granted, by year, since inception
 3564 and the annual amount actually transferred from the state
 3565 treasury to businesses or for the benefit of businesses for each
 3566 of the previous 3 years.

3567 ~~(c) The actual amount of private capital invested, actual~~
 3568 ~~number of jobs created, and actual wages paid for incentive~~
 3569 ~~agreements completed during the previous 3 years for each target~~
 3570 ~~industry sector.~~

3571 (2) For projects completed during the previous state
 3572 fiscal year:

3573 (a) The number of economic development incentive
 3574 applications received.

3575 ~~(b) The number of recommendations made to the department~~
 3576 ~~by Enterprise Florida, Inc., including the number recommended~~
 3577 ~~for approval and the number recommended for denial.~~

3578 (b)-(e) The number of final decisions issued by the
 3579 department for approval and for denial.

3580 ~~(c)-(d)~~ The projects for which a tax refund, tax credit, or
 3581 cash grant agreement was executed, identifying for each project:

- 3582 1. The number of jobs committed to be created.
- 3583 2. The amount of capital investments committed to be made.
- 3584 3. The annual average wage committed to be paid.
- 3585 4. The amount of state economic development incentives
 3586 committed to the project from each incentive program under the
 3587 project's terms of agreement with the Department of Commerce
 3588 ~~Economic Opportunity.~~

3589 5. The amount and type of local matching funds committed
 3590 to the project.

3591 (d)-(e) Tax refunds paid or other payments made funded out

3592 of the Economic Development Incentives Account for each project.

3593 (e)~~(f)~~ The types of projects supported.

3594 (3) For economic development projects that received tax
3595 refunds, tax credits, or cash grants under the terms of an
3596 agreement for incentives:

3597 (a) The number of jobs actually created.

3598 (b) The amount of capital investments actually made.

3599 (c) The annual average wage paid.

3600 (4) For a project receiving economic development
3601 incentives approved by the department and receiving federal or
3602 local incentives, a description of the federal or local
3603 incentives, if available.

3604 (5) The number of withdrawn or terminated projects that
3605 did not fulfill the terms of their agreements with the
3606 department and, consequently, are not receiving incentives.

3607 ~~(6) For any agreements signed after July 1, 2010, findings~~
3608 ~~and recommendations on the efforts of the department to~~
3609 ~~ascertain the causes of any business's inability to complete its~~
3610 ~~agreement made under s. 288.106.~~

3611 (6)~~(7)~~ The amount of tax refunds, tax credits, or other
3612 payments made to projects locating or expanding in state
3613 enterprise zones, rural communities, brownfield areas, or
3614 distressed urban communities. The report must include a separate
3615 analysis of the impact of such tax refunds on state enterprise
3616 zones designated under s. 290.0065, rural communities,

3617 brownfield areas, and distressed urban communities.

3618 ~~(8) The name of and tax refund amount for each business~~
3619 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
3620 ~~during the preceding fiscal year.~~

3621 (7)-(9) An identification of the target industry businesses
3622 and high-impact businesses.

3623 (8)-(10) A description of the trends relating to business
3624 interest in, and usage of, the various incentives, and the
3625 number of minority-owned or woman-owned businesses receiving
3626 incentives.

3627 (9)-(11) An identification of incentive programs not used
3628 and recommendations for program changes or program elimination.

3629 (10)-(12) Information related to the validation of
3630 contractor performance required under s. 288.061.

3631 ~~(13) Beginning in 2014, A summation of the activities~~
3632 ~~related to the Florida Space Business Incentives Act.~~

3633 Section 86. Section 288.911, Florida Statutes, is
3634 repealed.

3635 Section 87. Section 288.912, Florida Statutes, is
3636 transferred, renumbered as section 288.007, Florida Statutes,
3637 and amended to read:

3638 288.007 288.912 Inventory of communities seeking to
3639 recruit businesses.—By September 30 of each year, a county or
3640 municipality that has a population of at least 25,000 or its
3641 local economic development organization must submit to the

3642 department Enterprise Florida, Inc., a brief overview of the
 3643 strengths, services, and economic development incentives that
 3644 its community offers. The local government or its local economic
 3645 development organization also must identify any industries that
 3646 it is encouraging to locate or relocate to its area. A county or
 3647 municipality having a population of 25,000 or fewer or its local
 3648 economic development organization seeking to recruit businesses
 3649 may submit information as required in this section and may
 3650 participate in any activity or initiative resulting from the
 3651 collection, analysis, and reporting of the information to the
 3652 department Enterprise Florida, Inc., pursuant to this section.

3653 Section 88. Section 288.92, Florida Statutes, is repealed.

3654 Section 89. Section 288.923, Florida Statutes, is
 3655 repealed.

3656 Section 90. Section 288.95155, Florida Statutes, is
 3657 repealed.

3658 Section 91. Section 288.9519, Florida Statutes, is
 3659 repealed.

3660 Section 92. Section 288.9520, Florida Statutes, is amended
 3661 to read:

3662 288.9520 Public records exemption.—Materials that relate
 3663 to methods of manufacture or production, potential trade
 3664 secrets, potentially patentable material, actual trade secrets,
 3665 business transactions, financial and proprietary information,
 3666 and agreements or proposals to receive funding that are

3667 received, generated, ascertained, or discovered by the
3668 department Enterprise Florida, Inc., including its affiliates or
3669 subsidiaries and partnership participants, such as private
3670 enterprises, educational institutions, and other organizations,
3671 are confidential and exempt from the provisions of s. 119.07(1)
3672 and s. 24(a), Art. I of the State Constitution, except that a
3673 recipient of department Enterprise Florida, Inc., research funds
3674 shall make available, upon request, the title and description of
3675 the research project, the name of the researcher, and the amount
3676 and source of funding provided for the project.

3677 Section 93. Section 288.955, Florida Statutes, is
3678 repealed.

3679 Section 94. Subsection (10) of section 288.9603, Florida
3680 Statutes, is amended to read:

3681 288.9603 Definitions.—

3682 (10) "Partnership" means the department Enterprise
3683 Florida, Inc.

3684 Section 95. Subsection (5) of section 288.9604, Florida
3685 Statutes, is amended to read:

3686 288.9604 Creation of the corporation.—

3687 (5) Effective July 1, 2023, the corporation may not
3688 establish new residential Property Assessed Clean Energy
3689 agreements. The corporation may only service existing agreements
3690 until the completion of the original terms of each agreement
3691 ~~This section is repealed July 1, 2023, and July 1 of every~~

3692 ~~fourth year thereafter, unless reviewed and saved from repeal by~~
3693 ~~the Legislature.~~

3694 Section 96. Paragraph (v) of subsection (2) of section
3695 288.9605, Florida Statutes, is amended to read:

3696 288.9605 Corporation powers.—

3697 (2) The corporation is authorized and empowered to:

3698 (v) Enter into investment agreements with the department
3699 ~~Enterprise Florida, Inc.,~~ concerning the issuance of bonds and
3700 other forms of indebtedness and capital.

3701 Section 97. Section 288.9614, Florida Statutes, is amended
3702 to read:

3703 288.9614 Authorized programs.—The department ~~Enterprise~~
3704 ~~Florida, Inc.,~~ may take any action that it deems necessary to
3705 achieve the purposes of this act in partnership with private
3706 enterprises, public agencies, and other organizations,
3707 including, but not limited to, efforts to address the long-term
3708 debt needs of small-sized and medium-sized firms, to address the
3709 needs of microenterprises, to expand availability of venture
3710 capital, and to increase international trade and export finance
3711 opportunities for firms critical to achieving the purposes of
3712 this act.

3713 Section 98. Paragraphs (a) and (b) of subsection (1) of
3714 section 288.9624, Florida Statutes, are amended to read:

3715 288.9624 Florida Opportunity Fund; creation; duties.—

3716 (1) (a) ~~Enterprise Florida, Inc., shall facilitate the~~

3717 ~~creation of~~ The Florida Opportunity Fund is, a private, not-for-
3718 profit corporation organized and operated under chapter 617.
3719 ~~Enterprise Florida, Inc., shall be the fund's sole shareholder~~
3720 ~~or member.~~ The fund is not a public corporation or
3721 instrumentality of the state. The fund shall manage its business
3722 affairs and conduct business consistent with its organizational
3723 documents and the purposes set forth in this section and under
3724 contract with the department. Notwithstanding the powers granted
3725 under chapter 617, the corporation may not amend, modify, or
3726 repeal a bylaw or article of incorporation without the express
3727 written consent of the department ~~Enterprise Florida, Inc.~~

3728 (b) The board of directors of the Florida Opportunity Fund
3729 shall have five members, appointed by the Governor ~~vote of the~~
3730 ~~board of directors of Enterprise Florida, Inc.~~ Board members
3731 shall serve terms as provided in the fund's organizational
3732 documents. Within 90 days before an anticipated vacancy by
3733 expiration of the term of a board member, the board of directors
3734 of the fund shall submit a list of three eligible nominees,
3735 which may include the incumbent, to the Governor. The Governor
3736 ~~board of directors of Enterprise Florida, Inc.~~ ~~The board of~~
3737 ~~directors of Enterprise Florida, Inc.,~~ may appoint a board
3738 member from the nominee list or may request and appoint from a
3739 new list of three nominees not included on the previous list.

3740 Section 99. Paragraph (c) of subsection (4) of section
3741 288.96255, Florida Statutes, is amended to read:

3742 288.96255 Florida Technology Seed Capital Fund; creation;
 3743 duties.—

3744 (4) The private fund manager shall use a thorough and
 3745 detailed process that is modeled after investment industry
 3746 practices to evaluate a proposal. In order to approve a company
 3747 for investment, the private fund manager, on behalf of the
 3748 institute, must consider if:

3749 (c) The company is a target industry business as defined
 3750 in s. 288.005 ~~s. 288.106(2)~~; and

3751 Section 100. Paragraph (b) of subsection (1) of section
 3752 288.980, Florida Statutes, is amended to read:

3753 288.980 Military base retention; legislative intent;
 3754 grants program.—

3755 (1)

3756 (b) The Florida Defense Alliance, an organization within
 3757 the department ~~Enterprise Florida, Inc.~~, is designated as the
 3758 organization to ensure that Florida, its resident military bases
 3759 and missions, and its military host communities are in
 3760 competitive positions as the United States continues its defense
 3761 realignment and downsizing. The defense alliance shall serve as
 3762 an overall advisory body for defense-related activity of the
 3763 department ~~Enterprise Florida, Inc.~~ The Florida Defense Alliance
 3764 may receive funding from appropriations made for that purpose
 3765 administered by the department.

3766 Section 101. Subsection (7) of section 288.987, Florida

3767 Statutes, is amended to read:

3768 288.987 Florida Defense Support Task Force.—

3769 (7) The department shall support the task force and
 3770 contract with the task force for expenditure of appropriated
 3771 funds, which may be used by the task force for economic and
 3772 product research and development, joint planning with host
 3773 communities to accommodate military missions and prevent base
 3774 encroachment, advocacy on the state's behalf with federal
 3775 civilian and military officials, assistance to school districts
 3776 in providing a smooth transition for large numbers of additional
 3777 military-related students, job training and placement for
 3778 military spouses in communities with high proportions of active
 3779 duty military personnel, and promotion of the state to military
 3780 and related contractors and employers. The task force may
 3781 annually spend up to \$250,000 of funds appropriated to the
 3782 department for the task force for staffing and administrative
 3783 expenses of the task force, including travel and per diem costs
 3784 incurred by task force members who are not otherwise eligible
 3785 for state reimbursement.

3786 Section 102. Section 288.991, Florida Statutes, is
 3787 repealed.

3788 Section 103. Section 288.9912, Florida Statutes, is
 3789 repealed.

3790 Section 104. Section 288.9913, Florida Statutes, is
 3791 repealed.

3792 Section 105. Section 288.9914, Florida Statutes, is
 3793 repealed.

3794 Section 106. Section 288.9915, Florida Statutes, is
 3795 repealed.

3796 Section 107. Section 288.9916, Florida Statutes, is
 3797 repealed.

3798 Section 108. Section 288.9917, Florida Statutes, is
 3799 repealed.

3800 Section 109. Section 288.9918, Florida Statutes, is
 3801 repealed.

3802 Section 110. Section 288.9919, Florida Statutes, is
 3803 repealed.

3804 Section 111. Section 288.9920, Florida Statutes, is
 3805 repealed.

3806 Section 112. Section 288.9921, Florida Statutes, is
 3807 repealed.

3808 Section 113. Section 288.9922, Florida Statutes, is
 3809 repealed.

3810 Section 114. Section 288.993, Florida Statutes, is
 3811 repealed.

3812 Section 115. Section 288.9931, Florida Statutes, is
 3813 repealed.

3814 Section 116. Section 288.9932, Florida Statutes, is
 3815 repealed.

3816 Section 117. Section 288.9933, Florida Statutes, is

3817 repealed.

3818 Section 118. Section 288.9934, Florida Statutes, is

3819 repealed.

3820 Section 119. Section 288.9935, Florida Statutes, is

3821 repealed.

3822 Section 120. Section 288.9936, Florida Statutes, is

3823 repealed.

3824 Section 121. Section 288.9937, Florida Statutes, is

3825 repealed.

3826 Section 122. Subsection (3) of section 288.9961, Florida

3827 Statutes, is amended to read:

3828 288.9961 Promotion of broadband adoption; Florida Office

3829 of Broadband.—

3830 (3) STATE AGENCY.—The department is designated as the lead

3831 state agency to facilitate the expansion of broadband Internet

3832 service in this state. The department shall work collaboratively

3833 with private businesses and receive staffing support and other

3834 resources from ~~Enterprise Florida, Inc.~~, state agencies, local

3835 governments, and community organizations.

3836 Section 123. Paragraph (h) of subsection (8) of section

3837 290.0056, Florida Statutes, is amended to read:

3838 290.0056 Enterprise zone development agency.—

3839 (8) The enterprise zone development agency shall have the

3840 following powers and responsibilities:

3841 (h) To work with the department ~~and Enterprise Florida,~~

3842 ~~Inc.~~ to ensure that the enterprise zone coordinator receives
 3843 training on an annual basis.

3844 Section 124. Paragraph (b) of subsection (4) and
 3845 subsection (7) of section 290.0065, Florida Statutes, are
 3846 amended to read:

3847 290.0065 State designation of enterprise zones.—

3848 (4)

3849 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The
 3850 department shall, based on the enterprise zone profile and the
 3851 grounds for redesignation expressed in the resolution, determine
 3852 whether the enterprise zone merits redesignation. The department
 3853 may also examine and consider the following:

3854 1. Progress made, if any, in the enterprise zone's
 3855 strategic plan.

3856 2. Use of enterprise zone incentives during the life of
 3857 the enterprise zone.

3858
 3859 If the department determines that the enterprise zone merits
 3860 redesignation, the department shall notify the governing body in
 3861 writing of its approval of redesignation.

3862 (7) Upon approval by the department of a resolution
 3863 authorizing an area to be an enterprise zone pursuant to this
 3864 section, the department shall assign a unique identifying number
 3865 to that resolution. The department shall provide the Department
 3866 of Revenue ~~and Enterprise Florida, Inc.,~~ with a copy of each

3867 resolution approved, together with its identifying number.

3868 Section 125. Section 290.00677, Florida Statutes, is
 3869 amended to read:

3870 290.00677 Rural enterprise zones; special qualifications.—

3871 (1) Notwithstanding the enterprise zone residency
 3872 requirements set out in s. 212.096(1)(c), eligible businesses as
 3873 defined in s. 212.096(1)(a) located in rural enterprise zones as
 3874 defined in s. 290.004 may receive the basic minimum credit
 3875 provided under s. 212.096 for creating a new job and hiring a
 3876 person residing within the jurisdiction of a rural community ~~as~~
 3877 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,
 3878 including, but not limited to, those relating to the award of
 3879 enhanced credits, apply to such businesses.

3880 (2) Notwithstanding the enterprise zone residency
 3881 requirements set out in s. 220.03(1)(q), businesses as defined
 3882 in s. 220.03(1)(c) located in rural enterprise zones as defined
 3883 in s. 290.004 may receive the basic minimum credit provided
 3884 under s. 220.181 for creating a new job and hiring a person
 3885 residing within the jurisdiction of a rural community ~~as defined~~
 3886 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,
 3887 but not limited to, those relating to the award of enhanced
 3888 credits, apply to such businesses.

3889 (3) As used in this section, the term "rural community"
 3890 means:

3891 (a) A county having a population of 75,000 or fewer.

3892 (b) A county having a population of 125,000 or fewer that
 3893 is contiguous to a county having a population of 75,000 or
 3894 fewer.

3895 (c) A municipality within a county described in paragraph
 3896 (a) or paragraph (b).

3897
 3898 For purposes of this subsection, population shall be determined
 3899 in accordance with the most recent official estimate pursuant to
 3900 s. 186.901.

3901 Section 126. Subsections (3) and (4) of section 290.053,
 3902 Florida Statutes, are amended to read:

3903 290.053 Response to economic emergencies in small
 3904 communities.—

3905 (3) A local government entity shall notify the Governor
 3906 and, the Department of Commerce Economic Opportunity, ~~and~~
 3907 ~~Enterprise Florida, Inc.~~, when one or more of the conditions
 3908 specified in subsection (2) have occurred or will occur if
 3909 action is not taken to assist the local governmental entity or
 3910 the affected community.

3911 (4) Upon notification that one or more of the conditions
 3912 described in subsection (2) exist, the Governor or his or her
 3913 designee shall contact the local governmental entity to
 3914 determine what actions have been taken by the local governmental
 3915 entity or the affected community to resolve the economic
 3916 emergency. The Governor may waive the eligibility criteria of

3917 any program or activity administered by the Department of
 3918 Commerce ~~Economic Opportunity or Enterprise Florida, Inc.~~, to
 3919 provide economic relief to the affected community by granting
 3920 participation in such programs or activities. The Governor shall
 3921 consult with the President of the Senate and the Speaker of the
 3922 House of Representatives and shall take other action, as
 3923 necessary, to resolve the economic emergency in the most
 3924 expedient manner possible. All actions taken pursuant to this
 3925 section shall be within current appropriations and shall have no
 3926 annualized impact beyond normal growth.

3927 Section 127. Paragraph (d) of subsection (3) and
 3928 subsection (4) of section 295.22, Florida Statutes, are amended
 3929 to read:

3930 295.22 Veterans Employment and Training Services Program.—

3931 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
 3932 administer the Veterans Employment and Training Services Program
 3933 and perform all of the following functions:

3934 (d) Create a grant program to provide funding to assist
 3935 veterans in meeting the workforce-skill needs of businesses
 3936 seeking to hire, promote, or generally improve specialized
 3937 skills of veterans, establish criteria for approval of requests
 3938 for funding, and maximize the use of funding for this program.
 3939 Grant funds may be used only in the absence of available
 3940 veteran-specific federally funded programs. Grants may fund
 3941 specialized training specific to a particular business.

3942 1. If grant funds are used to provide a technical
3943 certificate, a licensure, or a degree, funds may be allocated
3944 only upon a review that includes, but is not limited to,
3945 documentation of accreditation and licensure. Instruction funded
3946 through the program terminates when participants demonstrate
3947 competence at the level specified in the request but may not
3948 exceed 12 months. Preference shall be given to ~~target industry~~
3949 ~~businesses, as defined in s. 288.106,~~ and to businesses in the
3950 defense supply, cloud virtualization, or commercial aviation
3951 manufacturing industries.

3952 2. Costs and expenditures shall be limited to \$8,000 per
3953 veteran trainee. Qualified businesses must cover the entire cost
3954 for all of the training provided before receiving reimbursement
3955 from the corporation equal to 50 percent of the cost to train a
3956 veteran who is a permanent, full-time employee. Eligible costs
3957 and expenditures include:

- 3958 a. Tuition and fees.
- 3959 b. Books and classroom materials.
- 3960 c. Rental fees for facilities.

3961 3. Before funds are allocated for a request pursuant to
3962 this section, the corporation shall prepare a grant agreement
3963 between the business requesting funds and the corporation. Such
3964 agreement must include, but need not be limited to:

- 3965 a. Identification of the personnel necessary to conduct
3966 the instructional program, instructional program description,

3967 and any vendors used to conduct the instructional program.

3968 b. Identification of the estimated duration of the
3969 instructional program.

3970 c. Identification of all direct, training-related costs.

3971 d. Identification of special program requirements that are
3972 not otherwise addressed in the agreement.

3973 e. Permission to access aggregate information specific to
3974 the wages and performance of participants upon the completion of
3975 instruction for evaluation purposes. The agreement must specify
3976 that any evaluation published subsequent to the instruction may
3977 not identify the employer or any individual participant.

3978 4. A business may receive a grant under the Quick-Response
3979 Training Program created under s. 288.047 and a grant under this
3980 section for the same veteran trainee. If a business receives
3981 funds under both programs, one grant agreement may be entered
3982 into with CareerSource Florida, Inc., as the grant
3983 administrator.

3984 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~
3985 ~~Inc., shall provide information about the corporation and its~~
3986 ~~services to prospective, new, expanding, and relocating~~
3987 ~~businesses seeking to conduct business in this state. Enterprise~~
3988 ~~Florida, Inc., shall, to the greatest extent possible,~~
3989 ~~collaborate with the corporation to meet the employment needs,~~
3990 ~~including meeting the job-creation requirements, of any business~~
3991 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3992 Section 128. Paragraph (a) of subsection (6), paragraph
3993 (b) of subsection (9), paragraph (a) of subsection (34),
3994 subsection (57), and paragraph (b) of subsection (61) of section
3995 320.08058, Florida Statutes, are amended to read:

3996 320.08058 Specialty license plates.—

3997 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
3998 PLATES.—

3999 (a) Because the United States Olympic Committee has
4000 selected this state to participate in a combined fundraising
4001 program that provides for one-half of all money raised through
4002 volunteer giving to stay in this state and be administered by
4003 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, to
4004 support amateur sports, and because the United States Olympic
4005 Committee and the Florida Sports Foundation ~~Enterprise Florida,~~
4006 ~~Inc.~~, are nonprofit organizations dedicated to providing
4007 athletes with support and training and preparing athletes of all
4008 ages and skill levels for sports competition, and because the
4009 Florida Sports Foundation ~~Enterprise Florida, Inc.~~, assists in
4010 the bidding for sports competitions that provide significant
4011 impact to the economy of this state, and the Legislature
4012 supports the efforts of the United States Olympic Committee and
4013 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, the
4014 Legislature establishes a Florida United States Olympic
4015 Committee license plate for the purpose of providing a
4016 continuous funding source to support this worthwhile effort.

4017 Florida United States Olympic Committee license plates must
 4018 contain the official United States Olympic Committee logo and
 4019 must bear a design and colors that are approved by the
 4020 department. The word "Florida" must be centered at the top of
 4021 the plate.

4022 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

4023 (b) The license plate annual use fees are to be annually
 4024 distributed as follows:

4025 1. Fifty-five percent of the proceeds from the Florida
 4026 Professional Sports Team plate must be deposited into the
 4027 Professional Sports Development Trust Fund within the Department
 4028 of Commerce ~~Economic Opportunity~~. These funds must be used
 4029 solely to attract and support major sports events in this state.
 4030 As used in this subparagraph, the term "major sports events"
 4031 means, but is not limited to, championship or all-star contests
 4032 of Major League Baseball, the National Basketball Association,
 4033 the National Football League, the National Hockey League, Major
 4034 League Soccer, the men's and women's National Collegiate
 4035 Athletic Association Final Four basketball championship, or a
 4036 horseracing or dogracing Breeders' Cup. All funds must be used
 4037 to support and promote major sporting events, and the uses must
 4038 be approved by the Department of Commerce ~~Economic Opportunity~~.

4039 2. The remaining proceeds of the Florida Professional
 4040 Sports Team license plate must be allocated to the Florida
 4041 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be

4042 deposited into the Professional Sports Development Trust Fund
4043 within the Department of Commerce ~~Economic Opportunity~~. These
4044 funds must be used by the Florida Sports Foundation ~~Enterprise~~
4045 ~~Florida, Inc.~~, to promote the economic development of the sports
4046 industry; to distribute licensing and royalty fees to
4047 participating professional sports teams; to promote education
4048 programs in Florida schools that provide an awareness of the
4049 benefits of physical activity and nutrition standards; to
4050 partner with the Department of Education and the Department of
4051 Health to develop a program that recognizes schools whose
4052 students demonstrate excellent physical fitness or fitness
4053 improvement; to institute a grant program for communities
4054 bidding on minor sporting events that create an economic impact
4055 for the state; to distribute funds to Florida-based charities
4056 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
4057 ~~Inc.~~ and the participating professional sports teams; and to
4058 fulfill the sports promotion responsibilities of the Department
4059 of Commerce ~~Economic Opportunity~~.

4060 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.~~
4061 shall provide an annual financial audit in accordance with s.
4062 215.981 of its financial accounts and records by an independent
4063 certified public accountant pursuant to the contract established
4064 by the Department of Commerce ~~Economic Opportunity~~. The auditor
4065 shall submit the audit report to the Department of Commerce
4066 ~~Economic Opportunity~~ for review and approval. If the audit

4067 report is approved, the Department of Commerce ~~Economic~~
 4068 ~~Opportunity~~ shall certify the audit report to the Auditor
 4069 General for review.

4070 4. Notwithstanding the provisions of subparagraphs 1. and
 4071 2., proceeds from the Professional Sports Development Trust Fund
 4072 may also be used for operational expenses of the Florida Sports
 4073 Foundation ~~Enterprise Florida, Inc.~~, and financial support of
 4074 the Sunshine State Games.

4075 (34) FLORIDA GOLF LICENSE PLATES.—

4076 (a) The Department of Highway Safety and Motor Vehicles
 4077 shall develop a Florida Golf license plate as provided in this
 4078 section. The word "Florida" must appear at the bottom of the
 4079 plate. The Dade Amateur Golf Association, following consultation
 4080 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~
 4081 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a
 4082 revised sample plate for consideration by the department.

4083 (57) FLORIDA NASCAR LICENSE PLATES.—

4084 (a) The department shall develop a Florida NASCAR license
 4085 plate as provided in this section. Florida NASCAR license plates
 4086 must bear the colors and design approved by the department. The
 4087 word "Florida" must appear at the top of the plate, and the term
 4088 "NASCAR" must appear at the bottom of the plate. The National
 4089 Association for Stock Car Auto Racing, following consultation
 4090 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
 4091 submit a sample plate for consideration by the department.

4092 (b) The license plate annual use fees shall be distributed
 4093 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
 4094 license plate annual use fees shall be annually allocated as
 4095 follows:

4096 1. Up to 5 percent of the proceeds from the annual use
 4097 fees may be used by the Florida Sports Foundation ~~Enterprise~~
 4098 ~~Florida, Inc.,~~ for the administration of the NASCAR license
 4099 plate program.

4100 2. The National Association for Stock Car Auto Racing
 4101 shall receive up to \$60,000 in proceeds from the annual use fees
 4102 to be used to pay startup costs, including costs incurred in
 4103 developing and issuing the plates. Thereafter, 10 percent of the
 4104 proceeds from the annual use fees shall be provided to the
 4105 association for the royalty rights for the use of its marks.

4106 3. The remaining proceeds from the annual use fees shall
 4107 be distributed to the Florida Sports Foundation ~~Enterprise~~
 4108 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~
 4109 ~~Inc.,~~ will retain 15 percent to support its regional grant
 4110 program, attracting sporting events to Florida; 20 percent to
 4111 support the marketing of motorsports-related tourism in the
 4112 state; and 50 percent to be paid to the NASCAR Foundation, a s.
 4113 501(c)(3) charitable organization, to support Florida-based
 4114 charitable organizations.

4115 (c) The Florida Sports Foundation ~~Enterprise Florida,~~
 4116 ~~Inc.,~~ shall provide an annual financial audit in accordance with

4117 s. 215.981 of its financial accounts and records by an
4118 independent certified public accountant pursuant to the contract
4119 established by the Department of Commerce ~~Economic Opportunity~~.
4120 The auditor shall submit the audit report to the Department of
4121 Commerce ~~Economic Opportunity~~ for review and approval. If the
4122 audit report is approved, the Department of Commerce ~~Economic~~
4123 ~~Opportunity~~ shall certify the audit report to the Auditor
4124 General for review.

4125 (61) FLORIDA TENNIS LICENSE PLATES.—

4126 (b) The department shall distribute the annual use fees to
4127 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
4128 license plate annual use fees shall be annually allocated as
4129 follows:

4130 1. Up to 5 percent of the proceeds from the annual use
4131 fees may be used by the Florida Sports Foundation ~~Enterprise~~
4132 ~~Florida, Inc.~~, to administer the license plate program.

4133 2. The United States Tennis Association Florida Section
4134 Foundation shall receive the first \$60,000 in proceeds from the
4135 annual use fees to reimburse it for startup costs,
4136 administrative costs, and other costs it incurs in the
4137 development and approval process.

4138 3. Up to 5 percent of the proceeds from the annual use
4139 fees may be used for promoting and marketing the license plates.
4140 The remaining proceeds shall be available for grants by the
4141 United States Tennis Association Florida Section Foundation to

4142 nonprofit organizations to operate youth tennis programs and
4143 adaptive tennis programs for special populations of all ages,
4144 and for building, renovating, and maintaining public tennis
4145 courts.

4146 Section 129. Subsections (2), (3), and (6) of section
4147 331.3051, Florida Statutes, are amended to read:

4148 331.3051 Duties of Space Florida.—Space Florida shall:

4149 (2) Enter into agreement with the Department of Education,
4150 the Department of Transportation, the Department of Commerce
4151 ~~Enterprise Florida, Inc.~~, and CareerSource Florida, Inc., for
4152 the purpose of implementing this act.

4153 (3) In cooperation with the Department of Commerce
4154 ~~Enterprise Florida, Inc.~~, develop a plan to retain, expand,
4155 attract, and create aerospace industry entities, public or
4156 private, which results in the creation of high-value-added
4157 businesses and jobs in this state.

4158 (6) Develop, in cooperation with the Department of
4159 Commerce ~~Enterprise Florida, Inc.~~, a plan to provide financing
4160 assistance to aerospace businesses. The plan may include the
4161 following activities:

4162 (a) Assembling, publishing, and disseminating information
4163 concerning financing opportunities and techniques for aerospace
4164 projects, programs, and activities; sources of public and
4165 private aerospace financing assistance; and sources of
4166 aerospace-related financing.

4167 (b) Organizing, hosting, and participating in seminars and
 4168 other forums designed to disseminate information and technical
 4169 assistance regarding aerospace-related financing.

4170 (c) Coordinating with programs and goals of the Department
 4171 of Defense, the National Aeronautics and Space Administration,
 4172 the Export-Import Bank of the United States, the International
 4173 Trade Administration of the United States Department of
 4174 Commerce, the Foreign Credit Insurance Association, and other
 4175 private and public programs and organizations, domestic and
 4176 foreign.

4177 (d) Establishing a network of contacts among those
 4178 domestic and foreign public and private organizations that
 4179 provide information, technical assistance, and financial support
 4180 to the aerospace industry.

4181 (e) Financing aerospace business development projects or
 4182 initiatives using funds provided by the Legislature.

4183 Section 130. Section 331.3081, Florida Statutes, is
 4184 amended to read:

4185 331.3081 Board of directors.—

4186 (1) Space Florida shall be governed by an ~~a 13-member~~
 4187 independent board of directors that consists of the Governor,
 4188 who shall serve ex officio, or who may appoint a designee to
 4189 serve, as the chair and a voting member of the board, and the
 4190 following appointed members:

4191 (a) The Secretary of Transportation or his or her

4192 designee.

4193 (b) Five members appointed by the Governor who must each
4194 reflect the state's interests in the aerospace sector and
4195 represent the intent, duties, and purpose of Space Florida, or
4196 have at least 5 years of experience in at least one of the
4197 following areas:

4198 1. The aerospace industry. Such member may not be
4199 currently employed by an entity that is under contract with
4200 Space Florida.

4201 2. Bond financing.

4202 3. Academic experience in aerospace, aviation, or a
4203 relevant science.

4204 4. An aircraft facilities manager, a fixed-based operator,
4205 or a commercial airport operator.

4206 (c) One member appointed by the President of the Senate,
4207 who has at least 5 years of experience as provided in paragraph
4208 (b).

4209 (d) One member appointed by the Speaker of the House of
4210 Representatives, who has at least 5 years of experience as
4211 provided in paragraph (b).

4212 (e) A representative of each of the following entities,
4213 who shall serve as an ex officio, nonvoting member of the board,
4214 appointed by the Governor:

4215 1. The Jacksonville Aviation Authority.

4216 2. The Titusville-Cocoa Airport Authority.

4217 3. An employee or official of a port district or port
4218 authority as defined in s. 315.02(2).

4219 (2) All members of the board who are appointed by the
4220 Governor are subject to confirmation by the Senate.

4221 (3)(a) Appointed members shall serve 4-year terms, except
4222 that initially, to provide for staggered terms, the Governor
4223 shall appoint two members to serve 2-year terms and two members
4224 to serve 3-year terms. All subsequent appointments shall be for
4225 4-year terms.

4226 (b) Initial appointments must be made by October 1, 2023.
4227 Terms end on September 30.

4228 (c) Any member is eligible for reappointment, except that
4229 a member may not serve more than two 4-year terms.

4230 (d) A vacancy on the board of directors shall be filled
4231 for the remainder of the unexpired term in the same manner as
4232 the original appointment.

4233 (e) Appointed members may be removed by the appointing
4234 official for cause. Absence from three consecutive meetings is
4235 cause for removal.

4236 (4) Board members shall serve without compensation, but
4237 are entitled to receive reimbursement for per diem and travel
4238 expenses pursuant to s. 112.061. Such expenses must be paid out
4239 of funds of Space Florida.

4240 Section 131. Section 331.3081, Florida Statutes, is
4241 amended to read:

4242 331.3081 Board of directors.—

4243 (1) Space Florida shall be governed by an a ~~13~~-member
 4244 independent board of directors that consists of the Governor,
 4245 who shall serve ex officio, or who may appoint a designee to
 4246 serve, as the chair and a voting member of the board, and the
 4247 following appointed members:

4248 (a) The Secretary of Transportation or his or her
 4249 designee.

4250 (b) Five members appointed by the Governor who must each
 4251 reflect the state's interests in the aerospace sector and
 4252 represent the intent, duties, and purpose of Space Florida, or
 4253 have at least 5 years of experience in at least one of the
 4254 following areas:

4255 1. The aerospace industry. Such member may not be
 4256 currently employed by an entity that is under contract with
 4257 Space Florida.

4258 2. Bond financing.

4259 3. Academic experience in aerospace, aviation, or a
 4260 relevant science.

4261 4. An aircraft facilities manager, a fixed-based operator,
 4262 or a commercial airport operator.

4263 (c) One member appointed by the President of the Senate,
 4264 who has at least 5 years of experience as provided in paragraph

4265 (b).

4266 (d) One member appointed by the Speaker of the House of

4267 Representatives, who has at least 5 years of experience as
4268 provided in paragraph (b).

4269 (e) A representative of each of the following entities,
4270 who shall serve as an ex officio, nonvoting member of the board,
4271 appointed by the Governor:

4272 1. The Jacksonville Aviation Authority.

4273 2. The Titusville-Cocoa Airport Authority.

4274 3. An employee or official of a port district or port
4275 authority as defined in s. 315.02(2).

4276 (2) All members of the board who are appointed by the
4277 Governor are subject to confirmation by the Senate.

4278 (3)(a) Appointed members shall serve 4-year terms, except
4279 that initially, to provide for staggered terms, the Governor
4280 shall appoint two members to serve 2-year terms and two members
4281 to serve 3-year terms. All subsequent appointments shall be for
4282 4-year terms.

4283 (b) Initial appointments must be made by October 1, 2023.
4284 Terms end on September 30.

4285 (c) Any member is eligible for reappointment, except that
4286 a member may not serve more than two 4-year terms.

4287 (d) A vacancy on the board of directors shall be filled
4288 for the remainder of the unexpired term in the same manner as
4289 the original appointment.

4290 (e) Appointed members may be removed by the appointing
4291 official for cause. Absence from three consecutive meetings is

4292 cause for removal.

4293 (4) Board members shall serve without compensation, but
4294 are entitled to receive reimbursement for per diem and travel
4295 expenses pursuant to s. 112.061. Such expenses must be paid out
4296 of funds of Space Florida.

4297 (5) (a) The board of directors shall meet at least
4298 quarterly, upon the call of the chairperson, or at the request
4299 of a majority of the membership.

4300 (b) A majority of the total number of current voting
4301 members shall constitute a quorum. The board of directors may
4302 take official action by a majority vote of the members present
4303 at any meeting at which a quorum is present.

4304 (c) Meetings may be held via teleconference or other
4305 electronic means.

4306 (6) The board shall conduct education for newly appointed
4307 board members as provided by the Department of Commerce in
4308 accordance with s. 189.063.

4309 (7) Space Florida may not endorse any candidate for
4310 elected public office or contribute moneys to the campaign of
4311 any such candidate ~~the members appointed to the board of~~
4312 ~~directors of Enterprise Florida, Inc., by the Governor, the~~
4313 ~~President of the Senate, and the Speaker of the House of~~
4314 ~~Representatives pursuant to s. 288.901(5)(a)8. and the Governor,~~
4315 ~~who shall serve ex officio, or who may appoint a designee to~~
4316 ~~serve, as the chair and a voting member of the board.~~

4317 Section 132. Subsections (1) and (5) of section 380.0657,
 4318 Florida Statutes, are amended to read:

4319 380.0657 Expedited permitting process for economic
 4320 development projects.—

4321 (1) The Department of Environmental Protection and, as
 4322 appropriate, the water management districts created under
 4323 chapter 373 shall adopt programs to expedite the processing of
 4324 wetland resource and environmental resource permits for economic
 4325 development projects that have been identified by a municipality
 4326 or county as meeting the definition of target industry
 4327 businesses under s. 288.005 ~~s. 288.106~~, or any intermodal
 4328 logistics center receiving or sending cargo to or from Florida
 4329 ports, with the exception of those projects requiring approval
 4330 by the Board of Trustees of the Internal Improvement Trust Fund.

4331 (5) Notwithstanding the provisions of this section, permit
 4332 applications for projects to be located in a charter county that
 4333 has a population of 1.2 million or more and has entered into a
 4334 delegation agreement with the Department of Environmental
 4335 Protection or the applicable water management district to
 4336 process environmental resource permits, wetland resource
 4337 management permits, or surface water management permits pursuant
 4338 to chapter 373 are eligible for expedited permitting under this
 4339 section only upon designation by resolution of the charter
 4340 county's governing board. Before the governing board decides
 4341 that a project is eligible for expedited permitting, it may

4342 require the county's economic development agency, or such other
 4343 agency that provides advice to the governing board on economic
 4344 matters, to review and recommend whether the project meets the
 4345 definition of a target industry business as defined in s.
 4346 288.005 ~~s. 288.106~~ and to identify the tangible benefits and
 4347 impacts of the project. The governing board's decision shall be
 4348 made without consideration of the project's geographic location
 4349 within the charter county. If the governing board designates the
 4350 project as a target industry business, the permit application
 4351 for the project shall be approved or denied within the timeframe
 4352 provided in subsection (4).

4353 Section 133. Subsection (1) of section 401.23, Florida
 4354 Statutes, is amended to read:

4355 401.23 Definitions.—As used in this part, the term:

4356 (1) "Acute and postacute hospital care at home" means
 4357 acute and postacute health care services provided in a
 4358 clinically qualified patient's permanent residence, as defined
 4359 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by
 4360 the Centers for Medicare and Medicaid Services and the Agency
 4361 for Health Care Administration.

4362 Section 134. Subsection (5) of section 403.7032, Florida
 4363 Statutes, is amended to read:

4364 403.7032 Recycling.—

4365 (5) The Department of Environmental Protection shall
 4366 create the Recycling Business Assistance Center by December 1,

4367 2010. In carrying out its duties under this subsection, the
4368 department shall consult with state agency personnel appointed
4369 to serve as economic development liaisons under s. 288.021 ~~and~~
4370 ~~seek technical assistance from Enterprise Florida, Inc.,~~ to
4371 ensure the Recycling Business Assistance Center is positioned to
4372 succeed. The purpose of the center shall be to serve as the
4373 mechanism for coordination among state agencies and the private
4374 sector in order to coordinate policy and overall strategic
4375 planning for developing new markets and expanding and enhancing
4376 existing markets for recyclable materials in this state, other
4377 states, and foreign countries. The duties of the center must
4378 include, at a minimum:

4379 (a) Identifying and developing new markets and expanding
4380 and enhancing existing markets for recyclable materials.

4381 (b) Pursuing expanded end uses for recycled materials.

4382 (c) Targeting materials for concentrated market
4383 development efforts.

4384 (d) Developing proposals for new incentives for market
4385 development, particularly focusing on targeted materials.

4386 (e) Providing guidance on issues such as permitting,
4387 finance options for recycling market development, site location,
4388 research and development, grant program criteria for recycled
4389 materials markets, recycling markets education and information,
4390 and minimum content.

4391 (f) Coordinating the efforts of various governmental

4392 entities having market development responsibilities in order to
 4393 optimize supply and demand for recyclable materials.

4394 (g) Evaluating source-reduced products as they relate to
 4395 state procurement policy. The evaluation shall include, but is
 4396 not limited to, the environmental and economic impact of source-
 4397 reduced product purchases to the state. For the purposes of this
 4398 paragraph, the term "source-reduced" means any method, process,
 4399 product, or technology that significantly or substantially
 4400 reduces the volume or weight of a product while providing, at a
 4401 minimum, equivalent or generally similar performance and service
 4402 to and for the users of such materials.

4403 (h) Providing evaluation of solid waste management grants,
 4404 pursuant to s. 403.7095, to reduce the flow of solid waste to
 4405 disposal facilities and encourage the sustainable recovery of
 4406 materials from Florida's waste stream.

4407 (i) Providing below-market financing for companies that
 4408 manufacture products from recycled materials or convert
 4409 recyclable materials into raw materials for use in manufacturing
 4410 pursuant to the Florida Recycling Loan Program as administered
 4411 by the Florida First Capital Finance Corporation.

4412 (j) Maintaining a continuously updated online directory
 4413 listing the public and private entities that collect, transport,
 4414 broker, process, or remanufacture recyclable materials in the
 4415 state.

4416 (k) Providing information on the availability and benefits

4417 of using recycled materials to private entities and industries
 4418 in the state.

4419 (l) Distributing any materials prepared in implementing
 4420 this subsection to the public, private entities, industries,
 4421 governmental entities, or other organizations upon request.

4422 (m) Coordinating with the Department of Commerce ~~Economic~~
 4423 ~~Opportunity~~ and its partners to provide job placement and job
 4424 training services to job seekers through the state's workforce
 4425 services programs.

4426 Section 135. Paragraphs (f) through (h) of subsection (3)
 4427 of section 403.973, Florida Statutes, are redesignated as
 4428 paragraphs (e) through (g), respectively, subsections (16)
 4429 through (19) are renumbered as subsections (15) through (18),
 4430 respectively, and present paragraph (e) of subsection (3),
 4431 paragraph (b) of subsection (14), and present subsections (15)
 4432 and (17) of that section are amended, to read:

4433 403.973 Expedited permitting; amendments to comprehensive
 4434 plans.-

4435 (3)

4436 ~~(c) Projects that are part of the state-of-the-art~~
 4437 ~~biomedical research institution and campus to be established in~~
 4438 ~~this state by the grantee under s. 288.955 are eligible for the~~
 4439 ~~expedited permitting process, if the projects are designated as~~
 4440 ~~part of the institution or campus by the board of county~~
 4441 ~~commissioners of the county in which the institution and campus~~

4442 ~~are established.~~

4443 (14)

4444 (b) Projects identified in paragraphs (3) (e) - (g) ~~(3) (f) -~~
4445 ~~(h) or challenges to state agency action in the expedited~~
4446 ~~permitting process for establishment of a state-of-the-art~~
4447 ~~biomedical research institution and campus in this state by the~~
4448 ~~grantee under s. 288.955 are subject to the same requirements as~~
4449 ~~challenges brought under paragraph (a), except that,~~
4450 ~~notwithstanding s. 120.574, summary proceedings must be~~
4451 ~~conducted within 30 days after a party files the motion for~~
4452 ~~summary hearing, regardless of whether the parties agree to the~~
4453 ~~summary proceeding.~~

4454 ~~(15) The Department of Economic Opportunity, working with~~
4455 ~~the agencies providing cooperative assistance and input~~
4456 ~~regarding the memoranda of agreement, shall review sites~~
4457 ~~proposed for the location of facilities that the Department of~~
4458 ~~Economic Opportunity has certified to be eligible for the~~
4459 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
4460 ~~after the request for the review by the Department of Economic~~
4461 ~~Opportunity, the agencies shall provide to the Department of~~
4462 ~~Economic Opportunity a statement as to each site's necessary~~
4463 ~~permits under local, state, and federal law and an~~
4464 ~~identification of significant permitting issues, which if~~
4465 ~~unresolved, may result in the denial of an agency permit or~~
4466 ~~approval or any significant delay caused by the permitting~~

4467 ~~process.~~

4468 (16)~~(17)~~ The Department of Commerce ~~Economic Opportunity~~
 4469 shall be responsible for certifying a business as eligible for
 4470 undergoing expedited review under this section. ~~Enterprise~~
 4471 ~~Florida, Inc.,~~ A county or municipal government, or the Rural
 4472 Economic Development Initiative may recommend to the Department
 4473 of Commerce Economic Opportunity that a project meeting the
 4474 minimum job creation threshold undergo expedited review.

4475 Section 136. Paragraph (c) of subsection (1) of section
 4476 443.091, Florida Statutes, is amended to read:

4477 443.091 Benefit eligibility conditions.—

4478 (1) An unemployed individual is eligible to receive
 4479 benefits for any week only if the Department of Commerce
 4480 ~~Economic Opportunity~~ finds that:

4481 (c) To make continued claims for benefits, she or he is
 4482 reporting to the department in accordance with this paragraph
 4483 and department rules. Department rules may not conflict with s.
 4484 443.111(1)(b), which requires that each claimant continue to
 4485 report regardless of any pending appeal relating to her or his
 4486 eligibility or disqualification for benefits.

4487 1. For each week of unemployment claimed, each report
 4488 must, at a minimum, include the name and address of each
 4489 prospective employer contacted, or the date the claimant
 4490 reported to a one-stop career center, pursuant to paragraph (d).
 4491 For the purposes of this subparagraph, the term "address" means

4492 a website address, a physical address, or an e-mail address.

4493 2. The department shall offer an online assessment aimed
4494 at identifying an individual's skills, abilities, and career
4495 aptitude. The skills assessment must be voluntary, and the
4496 department shall allow a claimant to choose whether to take the
4497 skills assessment. The online assessment shall be made available
4498 to any person seeking services from a local workforce
4499 development board or a one-stop career center.

4500 a. If the claimant chooses to take the online assessment,
4501 the outcome of the assessment shall be made available to the
4502 claimant, local workforce development board, and one-stop career
4503 center. The department, local workforce development board, or
4504 one-stop career center shall use the assessment to develop a
4505 plan for referring individuals to training and employment
4506 opportunities. Aggregate data on assessment outcomes may be made
4507 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~
4508 ~~Inc.,~~ for use in the development of policies related to
4509 education and training programs that will ensure that businesses
4510 in this state have access to a skilled and competent workforce.

4511 b. Individuals shall be informed of and offered services
4512 through the one-stop delivery system, including career
4513 counseling, the provision of skill match and job market
4514 information, and skills upgrade and other training
4515 opportunities, and shall be encouraged to participate in such
4516 services at no cost to the individuals. The department shall

4517 coordinate with CareerSource Florida, Inc., the local workforce
4518 development boards, and the one-stop career centers to identify,
4519 develop, and use best practices for improving the skills of
4520 individuals who choose to participate in skills upgrade and
4521 other training opportunities. The department may contract with
4522 an entity to create the online assessment in accordance with the
4523 competitive bidding requirements in s. 287.057. The online
4524 assessment must work seamlessly with the Reemployment Assistance
4525 Claims and Benefits Information System.

4526 Section 137. Paragraph (d) of subsection (3), paragraph
4527 (b) subsection (5), and paragraph (a) of subsection (6) of
4528 section 445.004, Florida Statutes, are amended, to read:

4529 445.004 CareerSource Florida, Inc., and the state board;
4530 creation; purpose; membership; duties and powers.—

4531 (3)

4532 (d) The state board must include the Secretary of Commerce
4533 ~~Economic Opportunity~~ or his or her designee, ~~the vice~~
4534 ~~chairperson of the board of directors of Enterprise Florida,~~
4535 ~~Inc., and~~ one member representing each of the Workforce
4536 Innovation and Opportunity Act partners, including the Division
4537 of Career and Adult Education, the Division of Vocational
4538 Rehabilitation, the Division of Blind Services, the Department
4539 of Children and Families, and other entities representing
4540 programs identified in the Workforce Innovation and Opportunity
4541 Act, as determined necessary.

4542 (5) The state board has all the powers and authority not
4543 explicitly prohibited by statute which are necessary or
4544 convenient to carry out and effectuate its purposes as
4545 determined by statute, Pub. L. No. 113-128, and the Governor, as
4546 well as its functions, duties, and responsibilities, including,
4547 but not limited to, the following:

4548 (b) Providing policy direction to ensure that the
4549 following programs are administered by the department consistent
4550 with approved plans:

4551 1. Programs authorized under Title I of the Workforce
4552 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
4553 exception of programs funded directly by the United States
4554 Department of Labor under Title I, s. 167.

4555 2. Programs authorized under the Wagner-Peyser Act of
4556 1933, as amended, 29 U.S.C. ss. 49 et seq.

4557 3. Activities authorized under Title II of the Trade Act
4558 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
4559 Adjustment Assistance Program.

4560 4. Activities authorized under 38 U.S.C. chapter 41,
4561 including job counseling, training, and placement for veterans.

4562 5. Employment and training activities carried out under
4563 funds awarded to this state by the United States Department of
4564 Housing and Urban Development.

4565 6. Welfare transition services funded by the Temporary
4566 Assistance for Needy Families Program, created under the

4567 Personal Responsibility and Work Opportunity Reconciliation Act
 4568 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
 4569 of the Social Security Act, as amended.

4570 7. The Florida Bonding Program, provided under Pub. L. No.
 4571 97-300, s. 164(a)(1).

4572 8. The Food Assistance Employment and Training Program,
 4573 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
 4574 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
 4575 the Hunger Prevention Act, Pub. L. No. 100-435; and the
 4576 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

4577 9. The Quick-Response Training Program, provided under ss.
 4578 288.046-288.047. ~~Matching funds and in-kind contributions that~~
 4579 ~~are provided by clients of the Quick-Response Training Program~~
 4580 ~~count toward the requirements of s. 288.904, pertaining to the~~
 4581 ~~return on investment from activities of Enterprise Florida, Inc.~~

4582 10. The Work Opportunity Tax Credit, provided under the
 4583 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
 4584 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

4585 11. Offender placement services, provided under ss.
 4586 944.707-944.708.

4587 (6) The state board shall achieve the purposes of this
 4588 section by:

4589 (a) Creating a state employment, education, and training
 4590 policy that ensures workforce related programs are responsive to
 4591 present and future business and industry needs ~~and complement~~

4592 ~~the initiatives of Enterprise Florida, Inc.~~

4593 Section 138. Subsection (5) of section 445.045, Florida
4594 Statutes, is amended to read:

4595 445.045 Development of an Internet-based system for
4596 information technology industry promotion and workforce
4597 recruitment.—

4598 (5) In furtherance of the requirements of this section
4599 that the website promote and market the information technology
4600 industry by communicating information on the scope of the
4601 industry in this state, CareerSource Florida, Inc., shall
4602 ~~coordinate its efforts with the high-technology industry~~
4603 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
4604 ~~Through links or actual content, the website developed under~~
4605 ~~this section shall serve as a forum for distributing the~~
4606 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
4607 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~
4608 solicit input from the not-for-profit corporation created to
4609 advocate on behalf of the information technology industry as an
4610 outgrowth of the Information Service Technology Development Task
4611 Force created under chapter 99-354, Laws of Florida.

4612 Section 139. Subsections (3), (4) and (5) of section
4613 446.44, Florida Statutes, are renumbered as subsections (2),
4614 (3), and (4) respectively, and present subsections (2) and (5)
4615 of that section are amended, to read:

4616 446.44 Duties of Rural Workforce Services Program.—It

4617 shall be the direct responsibility of the Rural Workforce
 4618 Services Program to promote and deliver employment and workforce
 4619 services and resources to the rural undeveloped and
 4620 underdeveloped counties of the state in an effort to:

4621 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
 4622 ~~pollution-free industry to the rural counties.~~

4623 (4)~~(5)~~ Develop rural workforce programs that will be
 4624 evaluated, planned, and implemented through communications and
 4625 planning with appropriate:

4626 (a) Departments of state and federal governments.

4627 ~~(b) Units of Enterprise Florida, Inc.~~

4628 (b)~~(e)~~ Agencies and organizations of the public and
 4629 private sectors at the state, regional, and local levels.

4630 Section 140. Subsection (1) of section 465.003, Florida
 4631 Statutes, is amended to read:

4632 465.003 Definitions.—As used in this chapter, the term:

4633 (1) "Acute and postacute hospital care at home" means
 4634 acute and postacute health care services provided in a
 4635 clinically qualified patient's permanent residence, as defined
 4636 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by
 4637 the Centers for Medicare and Medicaid Services and the Agency
 4638 for Health Care Administration.

4639 Section 141. Subsection (5) of section 477.0135, Florida
 4640 Statutes, is amended to read:

4641 477.0135 Exemptions.—

4642 (5) A license is not required of any individual providing
4643 makeup, special effects, or cosmetology services to an actor,
4644 stunt person, musician, extra, or other talent during a
4645 theatrical, film, or other entertainment production ~~recognized~~
4646 ~~by the Office of Film and Entertainment as a qualified~~
4647 ~~production as defined in s. 288.1254(1)~~. Such services are not
4648 required to be performed in a licensed salon. Individuals exempt
4649 under this subsection may not provide such services to the
4650 general public.

4651 Section 142. Subsection (1) of section 570.81, Florida
4652 Statutes, is amended to read:

4653 570.81 Agricultural Economic Development Project Review
4654 Committee; powers and duties.—

4655 (1) There is created an Agricultural Economic Development
4656 Project Review Committee consisting of five members appointed by
4657 the commissioner. The members shall be appointed based upon the
4658 recommendations submitted by each entity represented on the
4659 committee and shall include:

4660 (a) The commissioner or the commissioner's designee.

4661 (b) One representative from the Farm Credit Service.

4662 (c) One representative from the Department of Commerce
4663 ~~Enterprise Florida, Inc.~~

4664 (d) One representative from the Florida Farm Bureau
4665 Federation.

4666 (e) One agricultural economist from the Institute of Food

4667 and Agricultural Sciences or from Florida Agricultural and
 4668 Mechanical University.

4669 Section 143. Subsection (2) of section 570.85, Florida
 4670 Statutes, is amended to read:

4671 570.85 Agritourism.—

4672 (2) The Department of Agriculture and Consumer Services
 4673 may provide marketing advice, technical expertise, promotional
 4674 support, and product development related to agritourism to
 4675 assist the following in their agritourism initiatives:

4676 ~~Enterprise Florida, Inc.;~~ convention and visitor bureaus, +
 4677 tourist development councils, + economic development
 4678 organizations, + and local governments. In carrying out this
 4679 responsibility, the department shall focus its agritourism
 4680 efforts on rural and urban communities.

4681 Section 144. Section 625.3255, Florida Statutes, is
 4682 amended to read:

4683 625.3255 Capital participation instrument.—An insurer may
 4684 invest in any capital participation instrument or evidence of
 4685 indebtedness issued by the Department of Commerce ~~Enterprise~~
 4686 ~~Florida, Inc.,~~ pursuant to the Florida Small and Minority
 4687 Business Assistance Act.

4688 Section 145. Paragraph (b) of subsection (4) of section
 4689 657.042, Florida Statutes, is amended to read:

4690 657.042 Investment powers and limitations.—A credit union
 4691 may invest its funds subject to the following definitions,

4692 restrictions, and limitations:

4693 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
 4694 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
 4695 the credit union may be invested in any of the following:

4696 (b) Any capital participation instrument or evidence of
 4697 indebtedness issued by the Department of Commerce ~~Enterprise~~
 4698 ~~Florida, Inc.~~, pursuant to the Florida Small and Minority
 4699 Business Assistance Act.

4700 Section 146. Paragraph (f) of subsection (4) of section
 4701 658.67, Florida Statutes, is amended to read:

4702 658.67 Investment powers and limitations.—A bank may
 4703 invest its funds, and a trust company may invest its corporate
 4704 funds, subject to the following definitions, restrictions, and
 4705 limitations:

4706 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR
 4707 LESS OF CAPITAL ACCOUNTS.—

4708 (f) Up to 10 percent of the capital accounts of a bank or
 4709 trust company may be invested in any capital participation
 4710 instrument or evidence of indebtedness issued by the Department
 4711 of Commerce ~~Enterprise Florida, Inc.~~, pursuant to the Florida
 4712 Small and Minority Business Assistance Act.

4713 Section 147. Paragraph (e) of subsection (2) of section
 4714 1004.015, Florida Statutes, is amended to read:

4715 1004.015 Florida Talent Development Council.—

4716 (2) Members of the council shall include:

4717 ~~(c) The president of Enterprise Florida, Inc.~~
 4718 Section 148. Paragraph (d) of subsection (5) of section
 4719 1004.65, Florida Statutes, is amended to read:
 4720 1004.65 Florida College System institutions; governance,
 4721 mission, and responsibilities.—
 4722 (5) The primary mission and responsibility of Florida
 4723 College System institutions is responding to community needs for
 4724 postsecondary academic education and career degree education.
 4725 This mission and responsibility includes being responsible for:
 4726 (d) Promoting economic development for the state within
 4727 each Florida College System institution district through the
 4728 provision of special programs, including, but not limited to,
 4729 the:
 4730 ~~1. Enterprise Florida-related programs.~~
 4731 1.2. Technology transfer centers.
 4732 ~~2.3.~~ Economic development centers.
 4733 ~~3.4.~~ Workforce literacy programs.
 4734 Section 149. Paragraph (b) of subsection (10) of section
 4735 1004.78, Florida Statutes, is amended to read:
 4736 1004.78 Technology transfer centers at Florida College
 4737 System institutions.—
 4738 (10) The State Board of Education may award grants to
 4739 Florida College System institutions, or consortia of public and
 4740 private colleges and universities and other public and private
 4741 entities, for the purpose of supporting the objectives of this

4742 section. Grants awarded pursuant to this subsection shall be in
 4743 accordance with rules of the State Board of Education. Such
 4744 rules shall include the following provisions:

4745 (b) Grants to centers funded with state revenues
 4746 appropriated specifically for technology transfer activities
 4747 shall be reviewed and approved by the State Board of Education
 4748 using proposal solicitation, evaluation, and selection
 4749 procedures established by the state board in consultation with
 4750 the Department of Commerce ~~Enterprise Florida, Inc.~~ Such
 4751 procedures may include designation of specific areas or
 4752 applications of technology as priorities for the receipt of
 4753 funding.

4754 Section 150. Subsection (4) of section 1011.76, Florida
 4755 Statutes, is amended to read:

4756 1011.76 Small School District Stabilization Program.—

4757 (4) The Department of Education may award the school
 4758 district a stabilization grant intended to protect the district
 4759 from continued financial reductions. The amount of the grant
 4760 will be determined by the Department of Education and may be
 4761 equivalent to the amount of the decline in revenues projected
 4762 for the next fiscal year. In addition, the Department of
 4763 Commerce ~~Economic Opportunity~~ may implement a rural economic
 4764 development initiative to identify the economic factors that are
 4765 negatively impacting the community ~~and may consult with~~
 4766 ~~Enterprise Florida, Inc., in developing a plan to assist the~~

4767 ~~county with its economic transition.~~ The grant will be available
4768 to the school district for a period of up to 5 years to the
4769 extent that funding is provided for such purpose in the General
4770 Appropriations Act.

4771 Section 151. (1) For the 2023-2024 fiscal year, 20 full-
4772 time equivalent positions with associated salary rate of
4773 1,406,860 are authorized and the sum of \$5,000,000 in recurring
4774 funds from the State Economic Enhancement and Development Trust
4775 Fund is appropriated to the Department of Commerce to be used to
4776 carry out the provisions of this act.

4777 (2) For the 2023-2024 fiscal year, the sum of \$5,000,000
4778 in recurring funds from the International Trade and Promotion
4779 Trust Fund is appropriated to the direct-support organization
4780 created under s. 288.012, Florida Statutes.

4781 (3) For the 2023-2024 fiscal year, the sum of \$1 million
4782 in nonrecurring funds from the State Economic Enhancement and
4783 Development Trust Fund is appropriated to the Department of
4784 Commerce, as created by this act, to facilitate the transition
4785 plan and transfers required by this act. The unexpended balance
4786 of funds as of December 31, 2023, shall revert.

4787 Section 152. (1) The Division of Law Revision is directed
4788 to prepare a reviser's bill for the 2024 Regular Session of the
4789 Legislature to change the terms "Department of Economic
4790 Opportunity" and "Secretary of Economic Opportunity" to
4791 "Department of Commerce" and "Secretary of Commerce",

4792 respectively, wherever the terms appear in the Florida Statutes.

4793 (2) It is the intent of the Legislature that, until the
4794 reviser's bill prepared pursuant to subsection (1) becomes law,
4795 the terms "Department of Economic Opportunity" and "Secretary of
4796 Economic Opportunity" shall be interpreted to mean "Department
4797 of Commerce" and "Secretary of Commerce", respectively, wherever
4798 the terms appear in the Florida Statutes.

4799 Section 153. This act shall take effect July 1, 2023.