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29 marina siting; conforming a cross-reference; amending
 30 s. 259.035, F.S.; correcting a reference to the number
 31 of members of the Acquisition and Restoration Council;
 32 amending s. 288.12265, F.S.; authorizing Enterprise
 33 Florida, Inc., to contract with the Florida Tourism
 34 Industry Marketing Corporation for management and
 35 operation of welcome centers; amending s. 288.901,
 36 F.S.; limiting the requirement that members of the
 37 board of directors of Enterprise Florida, Inc., be
 38 confirmed by the Senate to those members who are
 39 appointed by the Governor; amending s. 288.980, F.S.;
 40 replacing an obsolete reference to the former Office
 41 of Tourism, Trade, and Economic Development;
 42 correcting the number of grant programs relating to
 43 Florida Economic Reinvestment Initiative; amending s.
 44 331.3081, F.S.; revising the membership of the board
 45 of directors of Space Florida; providing for
 46 designation of the chair of the board of directors;
 47 deleting provisions establishing the Space Florida
 48 advisory council; repealing s. 163.03, F.S., relating
 49 to the powers and duties of the Secretary of Community
 50 Affairs and functions of Department of Community
 51 Affairs with respect to federal grant-in-aid programs;
 52 repealing s. 379.2353, F.S., relating to the
 53 designation of enterprise zones in communities
 54 suffering adverse impacts from the adoption of the
 55 constitutional amendment limiting the use of nets to
 56 harvest marine species; providing an effective date.

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

Section 1. Paragraph (e) is added to subsection (3) of section 20.60, Florida Statutes, to read:

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

(3) The following divisions of the Department of Economic Opportunity are established:

(e) The Division of Information Technology.

Section 2. Subsection (1) of section 68.096, Florida Statutes, is amended to read:

68.096 Definitions.—For purposes of this act:

(1) "Department" means the Department of Legal ~~Community~~ Affairs.

Section 3. Section 68.105, Florida Statutes, is amended to read:

68.105 Use of funds; reports.—All appropriations made for the purposes of the Florida Access to Civil Legal Assistance ~~this~~ Act shall ~~only~~ be used only for legal education or assistance in family law, juvenile law, entitlement to federal benefits, protection from domestic violence, elder abuse, child abuse, or immigration law. These funds ~~may shall~~ not be used in criminal or postconviction relief matters; ~~;~~ for lobbying activities; ~~;~~ to sue the state, its agencies or political subdivisions, or colleges or universities; ~~;~~ for class action lawsuits, to provide legal assistance with respect to noncriminal infractions pursuant to chapter 316, chapter 318,

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85 chapter 320, or chapter 322; to contest regulatory decisions of
 86 any municipal, county, or state administrative or legislative
 87 body; or to file or assist in the filing of private causes of
 88 action under federal or state statutes relating to or arising
 89 out of employment or terms or conditions of employment. The
 90 contracting organization shall require pilot projects to provide
 91 data on the number of clients served, the types of cases, the
 92 reasons the cases were closed, and the state dollars saved and
 93 federal dollars brought into the state because of the legal
 94 services provided. The contracting organization shall provide to
 95 the department ~~of Community Affairs~~, within 60 days after
 96 completing ~~of the completion of~~ the contract, a report on the
 97 legal services provided, the state dollars saved, and the
 98 federal dollars brought into the state.

99 Section 4. Subsection (1) of section 159.81, Florida
 100 Statutes, is amended to read:

101 159.81 Unused allocations; carryforwards.—

102 (1) The division shall, when requested, provide
 103 carryforwards pursuant to s. 146(f) of the Code for written
 104 confirmations for priority projects which qualify for a
 105 carryforward pursuant to s. 146(f) of the Code, if such request
 106 is accompanied by an opinion of bond counsel to that effect. In
 107 addition, in the case of Florida First Business projects, the
 108 division shall, when requested, grant requests for carryforward
 109 only after receipt of a certification from the Department of
 110 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~
 111 ~~Development~~ that the project has been approved by the ~~such~~
 112 department ~~office~~ to receive carryforward.

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113 Section 5. Paragraph (b) of subsection (6) of section
 114 163.2517, Florida Statutes, is amended to read:

115 163.2517 Designation of urban infill and redevelopment
 116 area.—

117 (6)

118 (b) If the local government fails to implement the urban
 119 infill and redevelopment plan in accordance with the deadlines
 120 set forth in the plan, the state land planning agency ~~Department~~
 121 ~~of Community Affairs~~ may seek to rescind the economic and
 122 regulatory incentives granted to the urban infill and
 123 redevelopment area, subject to the provisions of chapter 120.
 124 The action to rescind may be initiated 90 days after issuing a
 125 written letter of warning to the local government.

126 Section 6. Section 163.2523, Florida Statutes, is amended
 127 to read:

128 163.2523 Grant program.—An Urban Infill and Redevelopment
 129 Assistance Grant Program is created for local governments. A
 130 local government may allocate grant money to special districts,
 131 including community redevelopment agencies, and nonprofit
 132 community development organizations to implement projects
 133 consistent with an adopted urban infill and redevelopment plan
 134 or plan employed in lieu thereof. Thirty percent of the general
 135 revenue appropriated for this program shall be available for
 136 planning grants to be used by local governments for the
 137 development of an urban infill and redevelopment plan, including
 138 community participation processes for the plan. Sixty percent of
 139 the general revenue appropriated for this program shall be
 140 available for fifty/fifty matching grants for implementing urban

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141 infill and redevelopment projects that further the objectives
 142 set forth in the local government's adopted urban infill and
 143 redevelopment plan or plan employed in lieu thereof. The
 144 remaining 10 percent of the revenue must be used for outright
 145 grants for implementing projects requiring an expenditure of
 146 under \$50,000. If the volume of fundable applications under any
 147 of the allocations specified in this section does not fully
 148 obligate the amount of the allocation, the Department of
 149 Economic Opportunity ~~Community Affairs~~ may transfer the unused
 150 balance to the category having the highest dollar value of
 151 applications eligible but unfunded. However, in no event may the
 152 percentage of dollars allocated to outright grants for
 153 implementing projects exceed 20 percent in any given fiscal
 154 year. Projects that provide employment opportunities to clients
 155 of the Temporary Cash Assistance program and projects within
 156 urban infill and redevelopment areas that include a community
 157 redevelopment area, Florida Main Street program, Front Porch
 158 Florida Community, sustainable community, enterprise zone,
 159 federal enterprise zone, enterprise community, or neighborhood
 160 improvement district must be given an elevated priority in the
 161 scoring of competing grant applications. The ~~Division of Housing~~
 162 ~~and Community Development of the~~ Department of Economic
 163 Opportunity ~~Community Affairs~~ shall administer the grant
 164 program. The Department of Economic Opportunity ~~Community~~
 165 ~~Affairs~~ shall adopt rules establishing grant review criteria
 166 consistent with this section.

167 Section 7. Subsection (3) of section 163.3178, Florida
 168 Statutes, is amended to read:

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169 163.3178 Coastal management.—
 170 (3) Expansions to port harbors, spoil disposal sites,
 171 navigation channels, turning basins, harbor berths, and other
 172 related inwater harbor facilities of ports listed in s.
 173 403.021(9); port transportation facilities and projects listed
 174 in s. 311.07(3)(b); intermodal transportation facilities
 175 identified pursuant to s. 311.09(3); and facilities determined
 176 by the state land planning agency ~~Department of Community~~
 177 ~~Affairs~~ and applicable general-purpose local government to be
 178 port-related industrial or commercial projects located within 3
 179 miles of or in a port master plan area which rely upon the use
 180 of port and intermodal transportation facilities may ~~shall~~ not
 181 be designated as developments of regional impact if such
 182 expansions, projects, or facilities are consistent with
 183 comprehensive master plans that are in compliance with this
 184 section.

185 Section 8. Subsection (3) of section 163.3191, Florida
 186 Statutes, is amended to read:

187 163.3191 Evaluation and appraisal of comprehensive plan.—

188 (3) Local governments are encouraged to comprehensively
 189 evaluate and, as necessary, update comprehensive plans to
 190 reflect changes in local conditions. Plan amendments transmitted
 191 pursuant to this section shall be reviewed pursuant to ~~in~~
 192 ~~accordance with~~ s. 163.3184(4).

193 Section 9. Section 163.3204, Florida Statutes, is amended
 194 to read:

195 163.3204 Cooperation by state and regional agencies.—The
 196 state land planning agency ~~Department of Community Affairs~~ and

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197 any ad hoc working groups appointed by the department and all
 198 state and regional agencies involved in the administration and
 199 implementation of the Community Planning ~~this~~ Act shall
 200 cooperate and work with units of local government in the
 201 preparation and adoption of comprehensive plans, or elements or
 202 portions thereof, and of local land development regulations.

203 Section 10. Subsection (14) of section 163.3221, Florida
 204 Statutes, is amended to read:

205 163.3221 Florida Local Government Development Agreement
 206 Act; definitions.—As used in ss. 163.3220–163.3243:

207 (14) "State land planning agency" means the Department of
 208 Economic Opportunity ~~Community Affairs~~.

209 Section 11. Subsection (1) of section 163.3246, Florida
 210 Statutes, is amended to read:

211 163.3246 Local government comprehensive planning
 212 certification program.—

213 (1) There is created the Local Government Comprehensive
 214 Planning Certification Program to be administered by the state
 215 land planning agency ~~Department of Community Affairs~~. The
 216 purpose of the program is to create a certification process for
 217 local governments who identify a geographic area for
 218 certification within which they commit to directing growth and
 219 who, because of a demonstrated record of effectively adopting,
 220 implementing, and enforcing its comprehensive plan, the level of
 221 technical planning experience exhibited by the local government,
 222 and a commitment to implement exemplary planning practices,
 223 require less state and regional oversight of the comprehensive
 224 plan amendment process. The purpose of the certification area is

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225 to designate areas that are contiguous, compact, and appropriate
 226 for urban growth and development within a 10-year planning
 227 timeframe. Municipalities and counties are encouraged to jointly
 228 establish the certification area, and subsequently enter into
 229 joint certification agreement with the department.

230 Section 12. Paragraphs (a) and (b) of subsection (5) of
 231 section 163.3247, Florida Statutes, are amended to read:

232 163.3247 Century Commission for a Sustainable Florida.—

233 (5) EXECUTIVE DIRECTOR; STAFF AND OTHER ASSISTANCE.—

234 (a) The executive director of the state land planning
 235 agency ~~Secretary of Community Affairs~~ shall select an executive
 236 director of the commission, and the executive director of the
 237 commission shall serve at the pleasure of the executive director
 238 of the state land planning agency ~~secretary~~ under the
 239 supervision and control of the commission.

240 (b) The state land planning agency ~~Department of Community~~
 241 ~~Affairs~~ shall provide staff and other resources necessary to
 242 accomplish the goals of the commission based upon
 243 recommendations of the Governor.

244 Section 13. Paragraph (c) of subsection (2) of section
 245 163.336, Florida Statutes, is amended to read:

246 163.336 Coastal resort area redevelopment pilot project.—

247 (2) PILOT PROJECT ADMINISTRATION.—

248 (c) The Office of the Governor, the Department of
 249 Environmental Protection, and the Department of Economic
 250 Opportunity ~~Community Affairs~~ are directed to provide technical
 251 assistance to expedite permitting for redevelopment projects and
 252 construction activities within the pilot project areas

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253 consistent with the principles, processes, and timeframes
 254 provided in s. 403.973.
 255 Section 14. Section 163.458, Florida Statutes, is amended
 256 to read:
 257 163.458 Three-tiered plan.—The Department of Economic
 258 Opportunity may ~~Community Affairs is authorized to~~ award core
 259 administrative and operating grants. Administrative and
 260 operating grants shall be used for staff salaries and
 261 administrative expenses for eligible community-based development
 262 organizations selected through a competitive three-tiered
 263 process for the purpose of housing and economic development
 264 projects. The department shall adopt by rule a set of criteria
 265 for three-tiered funding which ~~that~~ shall ensure equitable
 266 geographic distribution of the funding throughout the state.
 267 This three-tiered plan shall include emerging, intermediate, and
 268 mature community-based development organizations recognizing the
 269 varying needs of the three tiers. Funding shall be provided for
 270 core administrative and operating grants for all levels of
 271 community-based development organizations. Priority shall be
 272 given to those organizations that demonstrate community-based
 273 productivity and high performance as evidenced by past projects
 274 developed with stakeholder input that have responded to
 275 neighborhood needs, and have current projects located in high-
 276 poverty neighborhoods, and to emerging community-based
 277 development corporations that demonstrate a positive need
 278 identified by stakeholders. Persons, equipment, supplies, and
 279 other resources funded in whole or in part by grant funds shall
 280 be used ~~utilized~~ to further the purposes of the Community-Based

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281 Development Organization Assistance ~~this~~ Act, and may be used
 282 ~~utilized~~ to further the goals and objectives of the Front Porch
 283 Florida Initiative. Each community-based development
 284 organization is ~~shall be~~ eligible to apply for a grant of up to
 285 \$50,000 per year for a period of 5 years.

286 Section 15. Section 163.460, Florida Statutes, is amended
 287 to read:

288 163.460 Application requirements.—A community-based
 289 development organization applying for a core administrative and
 290 operating grant pursuant to the Community-Based Development
 291 Organization Assistance ~~this~~ Act must submit a proposal to the
 292 Department of Economic Opportunity ~~which Community Affairs that~~
 293 includes:

294 (1) A map and narrative description of the service areas
 295 for the community-based development organization.

296 (2) A copy of the documents creating the community-based
 297 development organization.

298 (3) A listing of the membership of the board of the
 299 community-based development organization, including individual
 300 members' terms of office and the number of low-income residents
 301 on the board.

302 (4) The organization's annual revitalization plan that
 303 describes the expenditure of the funds, including goals,
 304 objectives, and expected results, and has a clear relationship
 305 to the local municipality's comprehensive plan.

306 (5) Other supporting information that may be required by
 307 the Department of Economic Opportunity ~~Community Affairs~~ to
 308 determine the organization's capacity and productivity.

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309 (6) A description of the location, financing plan, and
 310 potential impact of the business enterprises on residential,
 311 commercial, or industrial development, which ~~that~~ shows a clear
 312 relationship to the organization's annual revitalization plan
 313 and demonstrates how the proposed expenditures are directly
 314 related to the scope of work for the proposed projects in the
 315 annual revitalization plan.

316 Section 16. Section 163.461, Florida Statutes, is amended
 317 to read:

318 163.461 Reporting and evaluation requirements.—Community-
 319 based development organizations that receive funds under the
 320 Community-Based Development Organization Assistance ~~this~~ Act
 321 shall provide the following information to the Department of
 322 Economic Opportunity ~~Community Affairs~~ annually:

323 (1) A listing of business firms and individuals assisted
 324 by the community-based development organization during the
 325 reporting period.

326 (2) A listing of the type, source, purpose, and amount of
 327 each individual grant, loan, or donation received by the
 328 community-based development organization during the reporting
 329 period.

330 (3) The number of paid and voluntary positions within the
 331 community-based development organization.

332 (4) A listing of the salaries and administrative and
 333 operating expenses of the community-based development
 334 organization.

335 (5) An identification and explanation of changes in the
 336 boundaries of the target area.

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337 (6) The amount of earned income from projects, programs,
338 and development activities.

339 (7) The number and description of projects in
340 predevelopment phase, projects under construction, ongoing
341 service programs, construction projects completed, and projects
342 at sell-out or lease-up and property management phase, and a
343 written explanation of the reasons that caused any projects not
344 to be completed for the projected development phase.

345 (8) The impact of the projects, as a result of receiving
346 funding under this act, on residents in the target area, and the
347 relationship of this impact to expected outcomes listed in the
348 organization's annual revitalization plan.

349 (9) The number of housing units rehabilitated or
350 constructed at various stages of development, predevelopment
351 phase, construction phase, completion and sell-out or lease-up
352 phase, and condominium or property management phase by the
353 community-based development organization within the service area
354 during the reporting period.

355 (10) The number of housing units, number of projects, and
356 number of persons served by prior projects developed by the
357 organization, the amounts of project financing leverage with
358 state funds for each prior and current project, and the
359 incremental amounts of local and state real estate tax and sales
360 tax revenue generated directly by the projects and programs
361 annually.

362 (11) The number of jobs, both permanent and temporary,
363 received by individuals who were directly assisted by the
364 community-based development organization through assistance to

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365 the business such as a loan or other credit assistance.

366 (12) An identification and explanation of changes in the
367 boundaries of the service area.

368 (13) The impact of completed projects on residents in the
369 target area and the relationship of this impact to expected
370 outcomes listed in the organization's annual revitalization
371 plan.

372 (14) Such other information as the Department of Economic
373 Opportunity Community Affairs requires.

374 Section 17. Section 163.462, Florida Statutes, is amended
375 to read:

376 163.462 Rulemaking authority.—The Department of Economic
377 Opportunity Community Affairs shall adopt rules for the
378 administration of the Community-Based Development Organization
379 Assistance ~~this~~ Act.

380 Section 18. Subsection (1) of section 163.5055, Florida
381 Statutes, is amended to read:

382 163.5055 Registration of district establishment; notice of
383 dissolution.—

384 (1) (a) Each neighborhood improvement district authorized
385 and established under this part shall within 30 days thereof
386 register with both the Department of Economic Opportunity
387 ~~Community Affairs~~ and the Department of Legal Affairs by
388 providing these departments with the district's name, location,
389 size, and type, and such other information as the departments
390 may require.

391 (b) Each local governing body that ~~which~~ authorizes the
392 dissolution of a district shall notify both the Department of

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393 Economic Opportunity ~~Community Affairs~~ and the Department of
 394 Legal Affairs within 30 days after the dissolution of the
 395 district.

396 Section 19. Paragraph (h) of subsection (1) of section
 397 163.506, Florida Statutes, is amended to read:

398 163.506 Local government neighborhood improvement
 399 districts; creation; advisory council; dissolution.—

400 (1) After a local planning ordinance has been adopted
 401 authorizing the creation of local government neighborhood
 402 improvement districts, the local governing body of a
 403 municipality or county may create local government neighborhood
 404 improvement districts by the enactment of a separate ordinance
 405 for each district, which ordinance:

406 (h) Requires the district to notify the Department of
 407 Legal Affairs and the Department of Economic Opportunity
 408 ~~Community Affairs~~ in writing of its establishment within 30 days
 409 thereof pursuant to s. 163.5055.

410 Section 20. Paragraph (g) of subsection (1) of section
 411 163.508, Florida Statutes, is amended to read:

412 163.508 Property owners' association neighborhood
 413 improvement districts; creation; powers and duties; duration.—

414 (1) After a local planning ordinance has been adopted
 415 authorizing the creation of property owners' association
 416 neighborhood improvement districts, the local governing body of
 417 a municipality or county may create property owners' association
 418 neighborhood improvement districts by the enactment of a
 419 separate ordinance for each district, which ordinance:

420 (g) Requires the district to notify the Department of

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421 | Legal Affairs and the Department of Economic Opportunity
 422 | ~~Community Affairs~~ in writing of its establishment within 30 days
 423 | thereof pursuant to s. 163.5055.

424 | Section 21. Paragraph (i) of subsection (1) of section
 425 | 163.511, Florida Statutes, is amended to read:

426 | 163.511 Special neighborhood improvement districts;
 427 | creation; referendum; board of directors; duration; extension.-

428 | (1) After a local planning ordinance has been adopted
 429 | authorizing the creation of special neighborhood improvement
 430 | districts, the governing body of a municipality or county may
 431 | declare the need for and create special residential or business
 432 | neighborhood improvement districts by the enactment of a
 433 | separate ordinance for each district, which ordinance:

434 | (i) Requires the district to notify the Department of
 435 | Legal Affairs and the Department of Economic Opportunity
 436 | ~~Community Affairs~~ in writing of its establishment within 30 days
 437 | thereof pursuant to s. 163.5055.

438 | Section 22. Paragraph (i) of subsection (1) of section
 439 | 163.512, Florida Statutes, is amended to read:

440 | 163.512 Community redevelopment neighborhood improvement
 441 | districts; creation; advisory council; dissolution.-

442 | (1) Upon the recommendation of the community redevelopment
 443 | agency and after a local planning ordinance has been adopted
 444 | authorizing the creation of community redevelopment neighborhood
 445 | improvement districts, the local governing body of a
 446 | municipality or county may create community redevelopment
 447 | neighborhood improvement districts by the enactment of a
 448 | separate ordinance for each district, which ordinance:

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449 (i) Requires the district to notify the Department of
 450 Legal Affairs and the Department of Economic Opportunity
 451 ~~Community Affairs~~ in writing of its establishment within 30 days
 452 thereof pursuant to s. 163.5055.

453 Section 23. Paragraph (d) of subsection (1) of section
 454 212.096, Florida Statutes, is amended to read:

455 212.096 Sales, rental, storage, use tax; enterprise zone
 456 jobs credit against sales tax.—

457 (1) For the purposes of the credit provided in this
 458 section:

459 (d) "Job" means a full-time position, as consistent with
 460 terms used by the Department of Economic Opportunity ~~Agency for~~
 461 ~~Workforce Innovation~~ and the United States Department of Labor
 462 for purposes of unemployment compensation tax administration and
 463 employment estimation resulting directly from a business
 464 operation in this state. This term does ~~may~~ not include a
 465 temporary construction job involved with the construction of
 466 facilities or any job that has previously been included in any
 467 application for tax credits under s. 220.181(1). The term also
 468 includes employment of an employee leased from an employee
 469 leasing company licensed under chapter 468 if such employee has
 470 been continuously leased to the employer for an average of at
 471 least 36 hours per week for more than 6 months.

472
 473 A person shall be deemed to be employed if the person performs
 474 duties in connection with the operations of the business on a
 475 regular, full-time basis, provided the person is performing such
 476 duties for an average of at least 36 hours per week each month.

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477 The person must be performing such duties at a business site
 478 located in the enterprise zone.

479 Section 24. Paragraphs (k) and (bb) of subsection (8) of
 480 section 213.053, Florida Statutes, are amended, and present
 481 paragraphs (l) through (bb) of that subsection are redesignated
 482 as paragraphs (k) through (aa), respectively, to read:

483 213.053 Confidentiality and information sharing.—

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

486 ~~(k) Information relative to single sales factor~~
 487 ~~apportionment used by a taxpayer to the Office of Tourism,~~
 488 ~~Trade, and Economic Development or its employees or agents who~~
 489 ~~are identified in writing by the office to the department for~~
 490 ~~use by the office to administer s. 220.153.~~

491 (aa) ~~(bb)~~ Information relating to tax credits taken under
 492 s. 220.194 ~~to the Office of Tourism, Trade, and Economic~~
 493 ~~Development or~~ to Space Florida.

494
 495 Disclosure of information under this subsection shall be
 496 pursuant to a written agreement between the executive director
 497 and the agency. Such agencies, governmental or nongovernmental,
 498 shall be bound by the same requirements of confidentiality as
 499 the Department of Revenue. Breach of confidentiality is a
 500 misdemeanor of the first degree, punishable as provided by s.
 501 775.082 or s. 775.083.

502 Section 25. Section 215.55865, Florida Statutes, is
 503 amended to read:

504 215.55865 Uniform home grading scale.—The Financial

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505 Services Commission shall adopt a uniform home grading scale to
 506 grade the ability of a home to withstand the wind load from a
 507 sustained severe tropical storm or hurricane. The commission
 508 shall coordinate with the Office of Insurance Regulation, the
 509 Department of Financial Services, and the Florida Building
 510 Commission ~~Department of Community Affairs~~ in developing the
 511 grading scale, which must be based upon and consistent with the
 512 rating system required by chapter 2006-12, Laws of Florida. ~~The~~
 513 ~~commission shall adopt the uniform grading scale by rule no~~
 514 ~~later than June 30, 2007.~~

515 Section 26. Paragraph (c) of subsection (1) of section
 516 218.411, Florida Statutes, is amended to read:

517 218.411 Authorization for state technical and advisory
 518 assistance.—

519 (1) The board is authorized, upon request, to assist local
 520 governments in investing funds that are temporarily in excess of
 521 operating needs by:

522 (c) Providing, in cooperation with the Department of
 523 Economic Opportunity ~~Community Affairs~~, technical assistance to
 524 local governments in investment of surplus funds.

525 Section 27. Subsections (1), (2), and (3), paragraphs (b)
 526 and (c) of subsection (4), and subsection (5) of section
 527 220.153, Florida Statutes, are amended to read:

528 220.153 Apportionment by sales factor.—

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

530 ~~(a) "Office" means the Office of Tourism, Trade, and~~
 531 ~~Economic Development.~~

532 ~~(b) "qualified capital expenditures" means expenditures in~~

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533 | this state for purposes substantially related to a business's
 534 | production or sale of goods or services. The expenditure must
 535 | fund the acquisition of additional real property (land,
 536 | buildings, including appurtenances, fixtures and fixed
 537 | equipment, structures, etc.), including additions, replacements,
 538 | major repairs, and renovations to real property which materially
 539 | extend its useful life or materially improve or change its
 540 | functional use and the furniture and equipment necessary to
 541 | furnish and operate a new or improved facility. The term
 542 | ~~"qualified capital expenditures"~~ does not include an expenditure
 543 | for a passive investment or for an investment intended for the
 544 | accumulation of reserves or the realization of profit for
 545 | distribution to any person holding an ownership interest in the
 546 | business. The term ~~"qualified capital expenditures"~~ does not
 547 | include expenditures to acquire an existing business or
 548 | expenditures in excess of \$125 million to acquire land or
 549 | buildings.

550 | (2) APPORTIONMENT OF TAXES; ELIGIBILITY.—A taxpayer, not
 551 | including a financial organization as defined in s. 220.15(6) or
 552 | a bank, savings association, international banking facility, or
 553 | banking organization as defined in s. 220.62, doing business
 554 | within and without this state, who applies and demonstrates to
 555 | the Department of Economic Opportunity ~~office~~ that, within a 2-
 556 | year period beginning on or after July 1, 2011, it has made
 557 | qualified capital expenditures equal to or exceeding \$250
 558 | million may apportion its adjusted federal income solely by the
 559 | sales factor set forth in s. 220.15(5), commencing in the
 560 | taxable year that the Department of Economic Opportunity ~~office~~

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561 approves the application, but not before a taxable year that
 562 begins on or after January 1, 2013. Once approved, a taxpayer
 563 may elect to apportion its adjusted federal income for any
 564 taxable year using the method provided under this section or the
 565 method provided under s. 220.15.

566 (3) QUALIFICATION PROCESS.—

567 (a) To qualify as a taxpayer who is eligible to apportion
 568 its adjusted federal income under this section:

569 1. The taxpayer must notify the Department of Economic
 570 Opportunity ~~office~~ of its intent to submit an application to
 571 apportion its adjusted federal income in order to commence the
 572 2-year period for measuring qualified capital expenditures.

573 2. The taxpayer must submit an application to apportion
 574 its adjusted federal income under this section to the Department
 575 of Economic Opportunity ~~office~~ within 2 years after notifying
 576 the Department of Economic Opportunity ~~office~~ of the taxpayer's
 577 intent to qualify. The application must be made under oath and
 578 provide such information as the Department of Economic
 579 Opportunity ~~office~~ reasonably requires by rule for determining
 580 the applicant's eligibility to apportion adjusted federal income
 581 under this section. The taxpayer is responsible for
 582 affirmatively demonstrating to the satisfaction of the
 583 Department of Economic Opportunity ~~office~~ that it meets the
 584 eligibility requirements.

585 (b) The taxpayer notice and application forms shall be
 586 established by the Department of Economic Opportunity ~~office~~ by
 587 rule. The Department of Economic Opportunity ~~office~~ shall
 588 acknowledge receipt of the notice and approve or deny the

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589 application in writing within 45 days after receipt.
 590 (4) REVIEW AUTHORITY; RECAPTURE OF TAX.—
 591 (b) The Department of Economic Opportunity ~~office~~ may, by
 592 order, revoke its decision to grant eligibility for
 593 apportionment pursuant to this section, and may also order the
 594 recalculation of apportionment factors to those applicable under
 595 s. 220.15 if, as the result of an audit, investigation, or
 596 examination, it determines that information provided by the
 597 taxpayer in the application, or in a statement, representation,
 598 record, report, plan, or other document provided to the
 599 Department of Economic Opportunity ~~office~~ to become eligible for
 600 apportionment, was materially false at the time it was made and
 601 that an individual acting on behalf of the taxpayer knew, or
 602 should have known, that the information submitted was false. The
 603 taxpayer shall pay such additional taxes and interest as may be
 604 due pursuant to this chapter computed as the difference between
 605 the tax that would have been due under the apportionment formula
 606 provided in s. 220.15 for such years and the tax actually paid.
 607 In addition, the department shall assess a penalty equal to 100
 608 percent of the additional tax due.
 609 (c) The Department of Economic Opportunity ~~office~~ shall
 610 immediately notify the department of an order affecting a
 611 taxpayer's eligibility to apportion tax pursuant to this
 612 section. A taxpayer who is liable for past tax must file an
 613 amended return with the department, or such other report as the
 614 department prescribes by rule, and pay any required tax,
 615 interest, and penalty within 60 days after the taxpayer receives
 616 notification from the Department of Economic Opportunity ~~office~~

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617 that the previously approved credits have been revoked. If the
 618 revocation is contested, the taxpayer shall file an amended
 619 return or other report within 30 days after an order becomes
 620 final. A taxpayer who fails to pay the past tax, interest, and
 621 penalty by the due date is subject to the penalties provided in
 622 s. 220.803.

623 (5) RULES.—The Department of Economic Opportunity ~~office~~
 624 and the department may adopt rules to administer this section.

625 Section 28. Paragraph (b) of subsection (2) of section
 626 220.183, Florida Statutes, is amended to read:

627 220.183 Community contribution tax credit.—

628 (2) ELIGIBILITY REQUIREMENTS.—

629 (b)1. All community contributions must be reserved
 630 exclusively for use in projects as defined in s. 220.03(1)(t).

631 2. If, during the first 10 business days of the state
 632 fiscal year, eligible tax credit applications for projects that
 633 provide homeownership opportunities for low-income or very-low-
 634 income households as defined in s. 420.9071(19) and (28) are
 635 received for less than the annual tax credits available for
 636 those projects, the Department of Economic Opportunity shall
 637 grant tax credits for those applications and shall grant
 638 remaining tax credits on a first-come, first-served basis for
 639 any subsequent eligible applications received before the end of
 640 the state fiscal year. If, during the first 10 business days of
 641 the state fiscal year, eligible tax credit applications for
 642 projects that provide homeownership opportunities for low-income
 643 or very-low-income households as defined in s. 420.9071(19) and
 644 (28) are received for more than the annual tax credits available

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645 for those projects, the Department of Economic Opportunity
 646 ~~office~~ shall grant the tax credits for those applications as
 647 follows:

648 a. If tax credit applications submitted for approved
 649 projects of an eligible sponsor do not exceed \$200,000 in total,
 650 the credit shall be granted in full if the tax credit
 651 applications are approved.

652 b. If tax credit applications submitted for approved
 653 projects of an eligible sponsor exceed \$200,000 in total, the
 654 amount of tax credits granted under sub-subparagraph a. shall be
 655 subtracted from the amount of available tax credits, and the
 656 remaining credits shall be granted to each approved tax credit
 657 application on a pro rata basis.

658 3. If, during the first 10 business days of the state
 659 fiscal year, eligible tax credit applications for projects other
 660 than those that provide homeownership opportunities for low-
 661 income or very-low-income households as defined in s.
 662 420.9071(19) and (28) are received for less than the annual tax
 663 credits available for those projects, the Department of Economic
 664 Opportunity ~~office~~ shall grant tax credits for those
 665 applications and shall grant remaining tax credits on a first-
 666 come, first-served basis for any subsequent eligible
 667 applications received before the end of the state fiscal year.
 668 If, during the first 10 business days of the state fiscal year,
 669 eligible tax credit applications for projects other than those
 670 that provide homeownership opportunities for low-income or very-
 671 low-income households as defined in s. 420.9071(19) and (28) are
 672 received for more than the annual tax credits available for

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673 | those projects, the Department of Economic Opportunity ~~office~~
 674 | shall grant the tax credits for those applications on a pro rata
 675 | basis.

676 | Section 29. Paragraphs (b), (d), (e), and (f) of
 677 | subsection (3), paragraphs (a), (c), and (e) of subsection (4),
 678 | subsection (5), paragraph (b) of subsection (6), paragraphs (a),
 679 | (b), (d), and (e) of subsection (7), paragraph (a) of subsection
 680 | (8), and subsection (9) of section 220.194, Florida Statutes,
 681 | are amended to read:

682 | 220.194 Corporate income tax credits for spaceflight
 683 | projects.—

684 | (3) DEFINITIONS.—As used in this section, the term:

685 | (b) "Certified" means that a spaceflight business has been
 686 | certified by the Department of Economic Opportunity ~~office~~ as
 687 | meeting all of the requirements necessary to obtain at least one
 688 | of the approved tax credits available under this section,
 689 | including approval to transfer a credit.

690 | (d) "New job" means the full-time employment of an
 691 | employee in a manner that is consistent with terms used by the
 692 | Department of Economic Opportunity ~~Agency for Workforce~~
 693 | ~~Innovation~~ and the United States Department of Labor for
 694 | purposes of unemployment compensation tax administration and
 695 | employment estimation. In order to meet the requirement for
 696 | certification specified in paragraph (5) (b), a new job must:

697 | 1. Pay new employees at least 115 percent of the statewide
 698 | or countywide average annual private sector wage for the 3
 699 | taxable years immediately preceding filing an application for
 700 | certification;

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701 2. Require a new employee to perform duties on a regular
702 full-time basis in this state for an average of at least 36
703 hours per week each month for the 3 taxable years immediately
704 preceding filing an application for certification; and

705 3. Not be held by a person who has previously been
706 included as a new employee on an application for any credit
707 authorized under this section.

708 ~~(c) "Office" means the Office of Tourism, Trade, and~~
709 ~~Economic Development.~~

710 (e)~~(f)~~ "Payload" means an object built or assembled in
711 this state to be placed into earth's upper atmospheres or space.

712 (4) TAX CREDITS.—

713 (a) If approved and certified pursuant to subsection (5),
714 the following tax credits may be taken on a return for a taxable
715 year beginning on or after October 1, 2015:

716 1. A certified spaceflight business may take a
717 nontransferable corporate income tax credit for up to 50 percent
718 of the business's tax liability under this chapter for the
719 taxable year in which the credit is taken. The maximum
720 nontransferable tax credit amount that may be approved per
721 taxpayer for a taxable year is \$1 million. No more than \$3
722 million in total tax credits pursuant to this subparagraph may
723 be certified pursuant to subsection (5). No credit may be
724 approved after October 1, 2017.

725 2. A certified spaceflight business may transfer, in whole
726 or in part, its Florida net operating loss that would otherwise
727 be available to be taken on a return filed under this chapter,
728 provided that the activity giving rise to such net operating

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729 | loss must have occurred after July 1, 2011. The transfer allowed
 730 | under this subparagraph will be in the form of a transferable
 731 | tax credit equal to the amount of the net operating loss
 732 | eligible to be transferred. The maximum transferable tax credit
 733 | amount that may be approved per taxpayer for a taxable year is
 734 | \$2.5 million. No more than \$7 million in total tax credits
 735 | pursuant to this subparagraph may be certified pursuant to
 736 | subsection (5). No credit may be approved after October 1, 2017.

737 | a. In order to transfer the credit, the business must:

738 | (I) Have been approved to transfer the tax credit for the
 739 | taxable year in which it is transferred;

740 | (II) Have incurred a qualifying net operating loss on
 741 | activity in this state after July 1, 2011, directly associated
 742 | with one or more spaceflight projects in any of its 3 previous
 743 | taxable years;

744 | (III) Not be 50 percent or more owned or controlled,
 745 | directly or indirectly, by another corporation that has
 746 | demonstrated positive net income in any of the 3 previous
 747 | taxable years of ongoing operations; and

748 | (IV) Not be part of a consolidated group of affiliated
 749 | corporations, as filed for federal income tax purposes, which in
 750 | the aggregate demonstrated positive net income in any of the 3
 751 | previous taxable years.

752 | b. The credit that may be transferred by a certified
 753 | spaceflight business:

754 | (I) Is limited to the amount of eligible net operating
 755 | losses incurred in the immediate 3 taxable years before the
 756 | transfer; and

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757 (II) Must be directly associated with a spaceflight
 758 project in this state as verified through an audit or
 759 examination by a certified public accountant licensed to do
 760 business in this state and as verified by the Department of
 761 Economic Opportunity ~~office~~.

762 (c) Credits approved under subparagraph (a)1. may be taken
 763 only against the corporate income tax liability generated by or
 764 arising out of a spaceflight project in this state, as verified
 765 through an audit or examination by a certified public accountant
 766 licensed to do business in this state and as verified by the
 767 Department of Economic Opportunity ~~office~~.

768 (e) The certified spaceflight business or transferee must
 769 demonstrate to the satisfaction of the Department of Economic
 770 Opportunity ~~office~~ and the department that it is eligible to
 771 take the credits approved under this section.

772 (5) APPLICATION AND CERTIFICATION.—

773 (a) In order to claim a tax credit under this section, a
 774 spaceflight business must first submit an application to the
 775 Department of Economic Opportunity ~~office~~ for approval to earn
 776 tax credits or create transferable tax credits. The application
 777 must be filed by the date established by the Department of
 778 Economic Opportunity ~~office~~. In addition to any information that
 779 the Department of Economic Opportunity ~~office~~ may require, the
 780 applicant must provide a complete description of the activity in
 781 this state which demonstrates to the Department of Economic
 782 Opportunity ~~office~~ the applicant's likelihood to be certified to
 783 take or transfer a credit. The applicant must also provide a
 784 description of the total amount and type of credits for which

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785 approval is sought. The Department of Economic Opportunity
 786 ~~office~~ may consult with Space Florida regarding the
 787 qualifications of an applicant. The applicant shall provide an
 788 affidavit certifying that all information contained in the
 789 application is true and correct.

790 1. Approval of the credits shall be provided on a first-
 791 come, first-served basis, based on the date the completed
 792 applications are received by the Department of Economic
 793 Opportunity ~~office~~. A taxpayer may not submit more than one
 794 completed application per state fiscal year. The Department of
 795 Economic Opportunity ~~office~~ may not accept an incomplete
 796 placeholder application, and the submission of such an
 797 application will not secure a place in the first-come, first-
 798 served application line.

799 2. The Department of Economic Opportunity ~~office~~ has 60
 800 days after the receipt of a completed application within which
 801 to issue a notice of intent to deny or approve an application
 802 for credits. The Department of Economic Opportunity ~~office~~ must
 803 ensure that the corporate income tax credits approved for all
 804 applicants do not exceed the limits provided in this section.

805 (b) In order to take a tax credit under subparagraph (a)1.
 806 or, if applicable, to transfer an approved credit under
 807 subparagraph (a)2., a spaceflight business must submit an
 808 application for certification to the Department of Economic
 809 Opportunity ~~office~~ along with a nonrefundable \$250 fee.

- 810 1. The application must include:
- 811 a. The name and physical in-state address of the taxpayer.
 - 812 b. Documentation demonstrating to the satisfaction of the

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813 Department of Economic Opportunity ~~office~~ that:

814 (I) The taxpayer is a spaceflight business.

815 (II) The business has engaged in a qualifying spaceflight

816 project before taking or transferring a credit under this

817 section.

818 c. In addition to any requirement specific to a credit,

819 documentation that the business has:

820 (I) Created 35 new jobs in this state directly associated

821 with spaceflight projects during its immediately preceding 3

822 taxable years. The business shall be deemed to have created new

823 jobs if the number of full-time jobs located in this state at

824 the time of application for certification is greater than the

825 total number of full-time jobs located in this state at the time

826 of application for approval to earn credits; and

827 (II) Invested a total of at least \$15 million in this

828 state on a spaceflight project during its immediately preceding

829 3 taxable years.

830 d. The total amount and types of credits sought.

831 e. An acknowledgment that a transfer of a tax credit is to

832 be accomplished pursuant to subsection (5).

833 f. A copy of an audit or audits of the preceding 3 taxable

834 years, prepared by a certified public accountant licensed to

835 practice in this state, which identifies that portion of the

836 business's activities in this state related to spaceflight

837 projects in this state.

838 g. An acknowledgment that the business must file an annual

839 report on the spaceflight project's progress with the Department

840 of Economic Opportunity ~~office~~.

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841 h. Any other information necessary to demonstrate that the
 842 applicant meets the job creation, investment, and other
 843 requirements of this section.

844 2. Within 60 days after receipt of the application for
 845 certification, the Department of Economic Opportunity ~~office~~
 846 shall evaluate the application and recommend the business for
 847 certification or denial. The executive director of the
 848 Department of Economic Opportunity ~~office~~ must approve or deny
 849 the application within 30 days after receiving the
 850 recommendation. If approved, the Department of Economic
 851 Opportunity ~~office~~ must provide a letter of certification to the
 852 applicant consistent with any restrictions imposed. If the
 853 Department of Economic Opportunity ~~office~~ denies any part of the
 854 requested credit, the Department of Economic Opportunity ~~office~~
 855 must inform the applicant of the grounds for the denial. A copy
 856 of the certification shall be submitted to the department within
 857 10 days after the executive director's approval.

858 (6) TRANSFERABILITY OF CREDIT.—

859 (b) In order to perfect the transfer, the transferor shall
 860 provide the department with a written transfer statement that
 861 has been approved by the Department of Economic Opportunity
 862 ~~office~~ notifying the department of the transferor's intent to
 863 transfer the tax credits to the transferee; the date that the
 864 transfer is effective; the transferee's name, address, and
 865 federal taxpayer identification number; the tax period; and the
 866 amount of tax credits to be transferred. Upon receipt of the
 867 approved transfer statement, the department shall provide the
 868 transferee and the Department of Economic Opportunity ~~office~~

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869 with a certificate reflecting the tax credit amounts
 870 transferred. A copy of the certificate must be attached to each
 871 tax return for which the transferee seeks to apply the credits.

872 (7) AUDIT AUTHORITY; RECAPTURE OF CREDITS.—

873 (a) In addition to its existing audit and investigative
 874 authority, the department may perform any additional financial
 875 and technical audits and investigations, including examining the
 876 accounts, books, and financial records of the tax credit
 877 applicant, which are necessary for verifying the accuracy of the
 878 return and to ensure compliance with this section. If requested
 879 by the department, the Department of Economic Opportunity ~~office~~
 880 and Space Florida must provide technical assistance for any
 881 technical audits or examinations performed under this
 882 subsection.

883 (b) Grounds for forfeiture of previously claimed tax
 884 credits approved under this section exist if the department
 885 determines, as a result of an audit or examination, or from
 886 information received from the Department of Economic Opportunity
 887 ~~office~~, that a certified spaceflight business, or in the case of
 888 transferred tax credits, a taxpayer received tax credits for
 889 which the certified spaceflight business or taxpayer was not
 890 entitled. The spaceflight business or transferee must file an
 891 amended return reflecting the disallowed credits and paying any
 892 tax due as a result of the amendment.

893 (d) The Department of Economic Opportunity ~~office~~ may
 894 revoke or modify a certification granting eligibility for tax
 895 credits if it finds that the certified spaceflight business made
 896 a false statement or representation in any application, record,

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897 | report, plan, or other document filed in an attempt to receive
 898 | tax credits under this section. The Department of Economic
 899 | Opportunity ~~office~~ shall immediately notify the department of
 900 | any revoked or modified orders affecting previously granted tax
 901 | credits. The certified spaceflight business must also notify the
 902 | department of any change in its claimed tax credit.

903 | (e) The certified spaceflight business must file with the
 904 | department an amended return or other report required by the
 905 | department by rule and pay any required tax and interest within
 906 | 60 days after the certified business receives notification from
 907 | the Department of Economic Opportunity ~~office~~ that previously
 908 | approved tax credits have been revoked or modified. If the
 909 | revocation or modification order is contested, the spaceflight
 910 | business must file the amended return or other report within 60
 911 | days after a final order is issued.

912 | (8) RULES.—

913 | (a) The Department of Economic Opportunity ~~office~~, in
 914 | consultation with Space Florida, shall adopt rules to administer
 915 | this section, including rules relating to application forms for
 916 | credit approval and certification, and the application and
 917 | certification procedures, guidelines, and requirements necessary
 918 | to administer this section.

919 | (9) ANNUAL REPORT.—Beginning in 2014, the Department of
 920 | Economic Opportunity ~~office~~, in cooperation with Space Florida
 921 | and the department, shall submit an annual report summarizing
 922 | activities relating to the Florida Space Business Incentives Act
 923 | established under this section to the Governor, the President of
 924 | the Senate, and the Speaker of the House of Representatives by

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925 each November 30.

926 Section 30. Paragraph (b) of subsection (3), paragraph (b)
 927 of subsection (4), subsection (6), paragraph (a) of subsection
 928 (7), and paragraph (c) of subsection (9) of section 258.501,
 929 Florida Statutes, are amended to read:

930 258.501 Myakka River; wild and scenic segment.—

931 (3) DEFINITIONS.—As used in this section, the term:

932 (b) "Agreement" means the interagency operating agreement
 933 between the department, the Department of Economic Opportunity
 934 ~~Community Affairs~~, and Sarasota County or the City of North
 935 Port.

936 (4) DESIGNATION OF WILD AND SCENIC RIVER.—

937 (b) The governments of Sarasota County and the City of
 938 North Port shall manage the Myakka River wild and scenic
 939 protection zone under their existing authorities for
 940 comprehensive planning, the regulation of land development
 941 activities, and other necessary or appropriate ordinances and in
 942 conformance with this section, the management plan required
 943 under subsection (5), and the agreements adopted by the
 944 department and the Department of Economic Opportunity ~~Community~~
 945 ~~Affairs~~ with the city and county pursuant to this section.

946 (6) AMENDMENT OF REGULATIONS AND COMPREHENSIVE PLANS.—

947 (a) Sarasota County and the City of North Port shall amend
 948 their comprehensive plans so that the parts of such plans that
 949 affect the wild and scenic protection zone conform to, or are
 950 more stringent than, this section, the river management plan,
 951 and management guidelines and performance standards to be
 952 developed and contained within agreements to be adopted by the

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953 department, the Department of Economic Opportunity ~~Community~~
 954 ~~Affairs~~, and the city and county. The guidelines and performance
 955 standards must be used by the department and the Department of
 956 Economic Opportunity ~~Community Affairs~~ to review and monitor the
 957 regulation of activities by the city and county in the wild and
 958 scenic protection zone. Amendments to those comprehensive plans
 959 must include specific policies and guidelines for minimizing
 960 adverse impacts on resources in the river area and for managing
 961 the wild and scenic protection zone in conformance with this
 962 section, the river management plan, and the agreement. Such
 963 comprehensive plans must be amended within 1 year after the
 964 adoption date of the agreement, and thereafter, within 6 months
 965 following an amendment to this section, the river management
 966 plan, or the agreement, as may be necessary. For the purposes
 967 established in this subsection, such amendments need not conform
 968 to statutory or local ordinance limitations on the frequency of
 969 consideration of amendments to local comprehensive plans.

970 (b) Sarasota County and the City of North Port shall adopt
 971 or amend, within 1 year after the department and the Department
 972 of Economic Opportunity ~~Community Affairs~~ adopt with the city
 973 and with the county agreements for regulating activities in the
 974 wild and scenic protection zone, any necessary ordinances and
 975 land development regulations so that those ordinances and
 976 regulations conform to the purposes of this section, the river
 977 management plan, and the agreement. Thereafter, following any
 978 amendment to this section, the river management plan, or the
 979 agreement, the city and county must amend or adopt, within 1
 980 year, appropriate ordinances and land development regulations to

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981 maintain such local ordinances and regulations in conformance
 982 with this section, the river management plan, and the agreement.
 983 Those ordinances and regulations must provide that activities
 984 must be prohibited, or must undergo review and either be denied
 985 or permitted with or without conditions, so as to minimize
 986 potential adverse physical and visual impacts on resource values
 987 in the river area and to minimize adverse impacts on private
 988 landowners' use of land for residential purposes. The resource
 989 values of concern are those identified in this section and by
 990 the coordinating council in the river management plan.
 991 Activities which may be prohibited, subject to the agreement,
 992 include, but are not limited to, landfills, clear cuttings,
 993 major new infrastructure facilities, major activities that would
 994 alter historic water or flood flows, multifamily residential
 995 construction, commercial and industrial development, and mining
 996 and major excavations. However, appurtenant structures for these
 997 activities may be permitted if such structures do not have
 998 adverse visual or measurable adverse environmental impacts to
 999 resource values in the river area.

1000 (c) If the Department of Economic Opportunity Community
 1001 ~~Affairs~~ determines that the local comprehensive plan or land
 1002 development regulations, as amended or supplemented by the local
 1003 government, are not in conformance with the purposes of this
 1004 section, the river management plan, and the agreement, the
 1005 Department of Economic Opportunity Community ~~Affairs~~ shall issue
 1006 a notice of intent to find the plan not in compliance and such
 1007 plan shall be subject to the administrative proceedings in
 1008 accordance with s. 163.3184.

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1009 (7) MANAGEMENT COORDINATING COUNCIL.—
 1010 (a) Upon designation, the department shall create a
 1011 permanent council to provide interagency and intergovernmental
 1012 coordination in the management of the river. The coordinating
 1013 council shall be composed of one representative appointed from
 1014 each of the following: the department, the Department of
 1015 Transportation, the Fish and Wildlife Conservation Commission,
 1016 the Department of Economic Opportunity ~~Community Affairs~~, the
 1017 Division of Forestry of the Department of Agriculture and
 1018 Consumer Services, the Division of Historical Resources of the
 1019 Department of State, the Tampa Bay Regional Planning Council,
 1020 the Southwest Florida Water Management District, the Southwest
 1021 Florida Regional Planning Council, Manatee County, Sarasota
 1022 County, Charlotte County, the City of Sarasota, the City of
 1023 North Port, agricultural interests, environmental organizations,
 1024 and any others deemed advisable by the department.
 1025 (9) RULEMAKING AUTHORITY.—
 1026 (c) The department and the Department of Economic
 1027 Opportunity ~~Community Affairs~~ must enter into agreements with
 1028 the City of North Port and Sarasota County which ~~that~~ provide
 1029 for guiding and monitoring the regulation of activities by the
 1030 city and county, in accordance with subsection (6). Such
 1031 agreements shall include guidelines and performance standards
 1032 for regulating proposed activities so as to minimize adverse
 1033 environmental and visual impacts of such activities on the
 1034 resource values in the river area, and to minimize adverse
 1035 impacts to landowners' use of land for residential purposes.
 1036 Section 31. Subsection (3) of section 259.042, Florida

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1037 Statutes, is amended to read:
 1038 259.042 Tax increment financing for conservation lands.—
 1039 (3) The governing body of the jurisdiction that will
 1040 administer the separate reserve account shall provide
 1041 documentation to the Department of Economic Opportunity
 1042 ~~Community Affairs~~ identifying the boundary of the tax increment
 1043 area. The department shall determine whether the boundary is
 1044 appropriate in that property owners within the boundary will
 1045 receive a benefit from the proposed purchase of identified
 1046 conservation lands. The department must issue a letter of
 1047 approval stating that the establishment of the tax increment
 1048 area and the proposed purchases would benefit property owners
 1049 within the boundary and serve a public purpose before any tax
 1050 increment funds are deposited into the separate reserve account.
 1051 If the department fails to provide the required letter within 90
 1052 days after receiving sufficient documentation of the boundary,
 1053 the establishment of the area and the proposed purchases are
 1054 deemed to provide such benefit and serve a public purpose.
 1055 Section 32. Paragraph (c) of subsection (3) of section
 1056 259.101, Florida Statutes, is amended to read:
 1057 259.101 Florida Preservation 2000 Act.—
 1058 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
 1059 of issuance, the costs of funding reserve accounts, and other
 1060 costs with respect to the bonds, the proceeds of bonds issued
 1061 pursuant to this act shall be deposited into the Florida
 1062 Preservation 2000 Trust Fund created by s. 375.045. In fiscal
 1063 year 2000-2001, for each Florida Preservation 2000 program
 1064 described in paragraphs (a)-(g), that portion of each program's

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1065 total remaining cash balance which, as of June 30, 2000, is in
 1066 excess of that program's total remaining appropriation balances
 1067 shall be redistributed by the department and deposited into the
 1068 Save Our Everglades Trust Fund for land acquisition. For
 1069 purposes of calculating the total remaining cash balances for
 1070 this redistribution, the Florida Preservation 2000 Series 2000
 1071 bond proceeds, including interest thereon, and the fiscal year
 1072 1999-2000 General Appropriations Act amounts shall be deducted
 1073 from the remaining cash and appropriation balances,
 1074 respectively. The remaining proceeds shall be distributed by the
 1075 Department of Environmental Protection in the following manner:
 1076 (c) Ten percent to the Department of Environmental
 1077 Protection ~~Community Affairs~~ to provide land acquisition grants
 1078 and loans to local governments through the Florida Communities
 1079 Trust pursuant to part III of chapter 380. From funds allocated
 1080 to the trust, \$3 million annually shall be used by the Division
 1081 of State Lands within the Department of Environmental Protection
 1082 to implement the Green Swamp Land Protection Initiative
 1083 specifically for the purchase of conservation easements, as
 1084 defined in s. 380.0677(3), of lands, or severable interests or
 1085 rights in lands, in the Green Swamp Area of Critical State
 1086 Concern. From funds allocated to the trust, \$3 million annually
 1087 shall be used by the Monroe County Comprehensive Plan Land
 1088 Authority specifically for the purchase of a real property
 1089 interest in those lands subject to the Rate of Growth Ordinances
 1090 adopted by local governments in Monroe County or those lands
 1091 within the boundary of an approved Conservation and Recreation
 1092 Lands project located within the Florida Keys or Key West Areas

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1093 of Critical State Concern; however, title to lands acquired
 1094 within the boundary of an approved Conservation and Recreation
 1095 Lands project may, in accordance with an approved joint
 1096 acquisition agreement, vest in the Board of Trustees of the
 1097 Internal Improvement Trust Fund. Of the remaining funds, one-
 1098 half shall be matched by local governments on a dollar-for-
 1099 dollar basis. To the extent allowed by federal requirements for
 1100 the use of bond proceeds, the trust shall expend Preservation
 1101 2000 funds to carry out the purposes of part III of chapter 380.

1102
 1103 Local governments may use federal grants or loans, private
 1104 donations, or environmental mitigation funds, including
 1105 environmental mitigation funds required pursuant to s. 338.250,
 1106 for any part or all of any local match required for the purposes
 1107 described in this subsection. Bond proceeds allocated pursuant
 1108 to paragraph (c) may be used to purchase lands on the priority
 1109 lists developed pursuant to s. 259.035. Title to lands purchased
 1110 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
 1111 vested in the Board of Trustees of the Internal Improvement
 1112 Trust Fund. Title to lands purchased pursuant to paragraph (c)
 1113 may be vested in the Board of Trustees of the Internal
 1114 Improvement Trust Fund. The board of trustees shall hold title
 1115 to land protection agreements and conservation easements that
 1116 were or will be acquired pursuant to s. 380.0677, and the
 1117 Southwest Florida Water Management District and the St. Johns
 1118 River Water Management District shall monitor such agreements
 1119 and easements within their respective districts until the state
 1120 assumes this responsibility.

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1121 Section 33. Paragraphs (e) and (h) of subsection (4) of
 1122 section 282.201, Florida Statutes, are amended to read:

1123 282.201 State data center system; agency duties and
 1124 limitations.—A state data center system that includes all
 1125 primary data centers, other nonprimary data centers, and
 1126 computing facilities, and that provides an enterprise
 1127 information technology service as defined in s. 282.0041, is
 1128 established.

1129 (4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

1130 (e) During the 2012-2013 fiscal year, the following shall
 1131 be consolidated into the Southwood Shared Resource Center:

1132 1. By September 30, 2012, the Division of Emergency
 1133 Management ~~and the Department of Community Affairs~~, except for
 1134 the Emergency Operation Center's management system in
 1135 Tallahassee and the Camp Blanding Emergency Operations Center in
 1136 Starke.

1137 2. By September 30, 2012, the Department of Revenue's
 1138 Carlton Building and Imaging Center locations.

1139 3. By December 31, 2012, the Department of Health's Test
 1140 and Development Lab and all remaining data center resources
 1141 located at the Capital Circle Office Complex.

1142 (h) During the 2014-2015 fiscal year, the following
 1143 agencies shall work with the Agency for Enterprise Information
 1144 Technology to begin preliminary planning for consolidation into
 1145 a primary data center:

1146 1. The Department of Health's Jacksonville Lab Data
 1147 Center.

1148 2. The Department of Transportation's district offices,

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1149 toll offices, and the District Materials Office.
 1150 3. The Department of Military Affairs' Camp Blanding Joint
 1151 Training Center in Starke.
 1152 4. The ~~Department of Community Affairs'~~ Camp Blanding
 1153 Emergency Operations Center in Starke.
 1154 5. The Department of Education's Division of Blind
 1155 Services disaster recovery site in Daytona Beach.
 1156 6. The Department of Education's disaster recovery site at
 1157 Santa Fe College.
 1158 7. The Department of the Lottery's Disaster Recovery
 1159 Backup Data Center in Orlando.
 1160 8. The Fish and Wildlife Conservation Commission's Fish
 1161 and Wildlife Research Institute in St. Petersburg.
 1162 9. The Department of Children and Family Services'
 1163 Suncoast Data Center in Tampa.
 1164 10. The Department of Children and Family Services'
 1165 Florida State Hospital in Chattahoochee.
 1166 Section 34. Subsection (1) of section 288.021, Florida
 1167 Statutes, is amended to read:
 1168 288.021 Economic development liaison.—
 1169 (1) The heads of the Department of Transportation, the
 1170 Department of Environmental Protection and an additional member
 1171 appointed by the secretary of the department, ~~the Agency for~~
 1172 ~~Workforce Innovation~~, the Department of Education, the
 1173 Department of Management Services, the Department of Revenue,
 1174 the Fish and Wildlife Conservation Commission, each water
 1175 management district, and each Department of Transportation
 1176 District office shall designate a high-level staff member from

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1177 within such agency to serve as the economic development liaison
 1178 for the agency. This person shall report to the agency head and
 1179 have general knowledge both of the state's permitting and other
 1180 regulatory functions and of the state's economic goals,
 1181 policies, and programs. This person shall also be the primary
 1182 point of contact for the agency with the department on issues
 1183 and projects important to the economic development of Florida,
 1184 including its rural areas, to expedite project review, to ensure
 1185 a prompt, effective response to problems arising with regard to
 1186 permitting and regulatory functions, and to work closely with
 1187 the other economic development liaisons to resolve interagency
 1188 conflicts.

1189 Section 35. Paragraph (f) of subsection (2) and paragraph
 1190 (c) of subsection (5) of section 288.1045, Florida Statutes, are
 1191 amended to read:

1192 288.1045 Qualified defense contractor and space flight
 1193 business tax refund program.—

1194 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.—

1195 (f) After entering into a tax refund agreement pursuant to
 1196 subsection (4), a qualified applicant may:

1197 1. Receive refunds from the account for corporate income
 1198 taxes due and paid pursuant to chapter 220 by that business
 1199 beginning with the first taxable year of the business which
 1200 begins after entering into the agreement.

1201 2. Receive refunds from the account for the following
 1202 taxes due and paid by that business after entering into the
 1203 agreement:

1204 a. Taxes on sales, use, and other transactions paid

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1205 pursuant to chapter 212.

1206 b. Intangible personal property taxes paid pursuant to

1207 chapter 199.

1208 c. Excise taxes paid on documents pursuant to chapter 201.

1209 d. Ad valorem taxes paid, as defined in s. 220.03(1)(a) on

1210 June 1, 1996.

1211 e. State communications services taxes administered under

1212 chapter 202. This provision does not apply to the gross receipts

1213 tax imposed under chapter 203 and administered under chapter 202

1214 or the local communications services tax authorized under s.

1215 202.19.

1216

1217 However, a qualified applicant may not receive a tax refund

1218 pursuant to this section for any amount of credit, refund, or

1219 exemption granted such contractor for any of such taxes. If a

1220 refund for such taxes is provided by the department, which taxes

1221 are subsequently adjusted by the application of any credit,

1222 refund, or exemption granted to the qualified applicant other

1223 than that provided in this section, the qualified applicant

1224 shall reimburse the Economic Development Trust Fund for the

1225 amount of such credit, refund, or exemption. A qualified

1226 applicant must notify and tender payment to the department

1227 ~~office~~ within 20 days after receiving a credit, refund, or

1228 exemption, other than that provided in this section.

1229 (5) ANNUAL CLAIM FOR REFUND.—

1230 (c) A tax refund may not be approved for any qualified

1231 applicant unless local financial support has been paid to the

1232 Economic Development Trust Fund for that refund. If the local

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1233 financial support is less than 20 percent of the approved tax
 1234 refund, the tax refund shall be reduced. The tax refund paid may
 1235 not exceed 5 times the local financial support received. Funding
 1236 from local sources includes tax abatement under s. 196.1995 or
 1237 the appraised market value of municipal or county land,
 1238 including any improvements or structures, conveyed or provided
 1239 at a discount through a sale or lease to that applicant. The
 1240 amount of any tax refund for an applicant approved under this
 1241 section shall be reduced by the amount of any such tax abatement
 1242 granted or the value of the land granted, including the value of
 1243 any improvements or structures; and the limitations in
 1244 subsection (2) shall be reduced by the amount of any such tax
 1245 abatement or the value of the land granted, including any
 1246 improvements or structures. A report listing all sources of the
 1247 local financial support shall be provided to the department
 1248 ~~office~~ when such support is paid to the Economic Development
 1249 Trust Fund.

1250 Section 36. Paragraph (f) of subsection (4) and paragraphs
 1251 (c), (d), and (e) of subsection (6) of section 288.106, Florida
 1252 Statutes, are amended to read:

1253 288.106 Tax refund program for qualified target industry
 1254 businesses.—

1255 (4) APPLICATION AND APPROVAL PROCESS.—

1256 (f) ~~Effective July 1, 2011,~~ Notwithstanding paragraph
 1257 (2) (j) ~~(2) (k)~~, the department ~~office~~ may reduce the local
 1258 financial support requirements of this section by one-half for a
 1259 qualified target industry business located in Bay County,
 1260 Escambia County, Franklin County, Gadsden County, Gulf County,

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1261 Jefferson County, Leon County, Okaloosa County, Santa Rosa
 1262 County, Wakulla County, or Walton County, if the department
 1263 ~~office~~ determines that such reduction of the local financial
 1264 support requirements is in the best interest of the state and
 1265 facilitates economic development, growth, or new employment
 1266 opportunities in such county. This paragraph expires June 30,
 1267 2014.

1268 (6) ANNUAL CLAIM FOR REFUND.—

1269 (c) The department may waive the requirement for proof of
 1270 taxes paid in future years for a qualified target industry
 1271 business that provides the department ~~office~~ with proof that, in
 1272 a single year, the business has paid an amount of state taxes
 1273 from the categories in paragraph (3)(d) which ~~that~~ is at least
 1274 equal to the total amount of tax refunds that the business may
 1275 receive through successful completion of its tax refund
 1276 agreement.

1277 (d) A tax refund may not be approved for a qualified
 1278 target industry business unless the required local financial
 1279 support has been paid into the account for that refund. If the
 1280 local financial support provided is less than 20 percent of the
 1281 approved tax refund, the tax refund must be reduced. In no event
 1282 may the tax refund exceed an amount that is equal to 5 times the
 1283 amount of the local financial support received. Further, funding
 1284 from local sources includes any tax abatement granted to that
 1285 business under s. 196.1995 or the appraised market value of
 1286 municipal or county land conveyed or provided at a discount to
 1287 that business. The amount of any tax refund for such business
 1288 approved under this section must be reduced by the amount of any

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1289 such tax abatement granted or the value of the land granted, and
 1290 the limitations in subsection (3) and paragraph (4)(e) must be
 1291 reduced by the amount of any such tax abatement or the value of
 1292 the land granted. A report listing all sources of the local
 1293 financial support shall be provided to the department ~~office~~
 1294 when such support is paid to the account.

1295 (e) A prorated tax refund, less a 5 percent ~~5-percent~~
 1296 penalty, shall be approved for a qualified target industry
 1297 business if all other applicable requirements have been
 1298 satisfied and the business proves to the satisfaction of the
 1299 department ~~office~~ that:

1300 1. It has achieved at least 80 percent of its projected
 1301 employment; and

1302 2. The average wage paid by the business is at least 90
 1303 percent of the average wage specified in the tax refund
 1304 agreement, but in no case less than 115 percent of the average
 1305 private sector wage in the area available at the time of
 1306 certification, or 150 percent or 200 percent of the average
 1307 private sector wage if the business requested the additional
 1308 per-job tax refund authorized in paragraph (3)(b) for wages
 1309 above those levels. The prorated tax refund shall be calculated
 1310 by multiplying the tax refund amount for which the qualified
 1311 target industry business would have been eligible, if all
 1312 applicable requirements had been satisfied, by the percentage of
 1313 the average employment specified in the tax refund agreement
 1314 which was achieved, and by the percentage of the average wages
 1315 specified in the tax refund agreement which was achieved.

1316 Section 37. Paragraph (a) of subsection (3) of section

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1317 288.108, Florida Statutes, is amended to read:
 1318 288.108 High-impact business.—
 1319 (3) HIGH-IMPACT SECTOR PERFORMANCE GRANTS; ELIGIBLE
 1320 AMOUNTS.—
 1321 (a) Upon commencement of operations, a qualified high-
 1322 impact business is eligible to receive a high-impact business
 1323 performance grant in the amount as determined by the department
 1324 ~~office~~ under subsection (5), consistent with eligible amounts as
 1325 provided in paragraph (b), and specified in the qualified high-
 1326 impact business agreement. The precise conditions that are
 1327 considered commencement of operations must be specified in the
 1328 qualified high-impact business agreement.
 1329 Section 38. Subsection (3) of section 288.1083, Florida
 1330 Statutes, is amended to read:
 1331 288.1083 Manufacturing and Spaceport Investment Incentive
 1332 Program.—
 1333 (3) Beginning July 1, 2010, and ending June 30, 2011, and
 1334 beginning July 1, 2011, and ending June 30, 2012, sales and use
 1335 tax paid in this state on eligible equipment purchases may
 1336 qualify for a refund as provided in this section. The total
 1337 amount of refunds that may be allocated by the department ~~office~~
 1338 to all applicants during the period beginning July 1, 2010, and
 1339 ending June 30, 2011, is \$19 million. The total amount of tax
 1340 refunds that may be allocated to all applicants during the
 1341 period beginning July 1, 2011, and ending June 30, 2012, is \$24
 1342 million. An applicant may not be allocated more than \$50,000 in
 1343 refunds under this section for a single year. Preliminary refund
 1344 allocations that are revoked or voluntarily surrendered shall be

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1345 immediately available for reallocation.

1346 Section 39. Paragraph (1) of subsection (2) of section
1347 288.1089, Florida Statutes, is amended to read:

1348 288.1089 Innovation Incentive Program.—

1349 (2) As used in this section, the term:

1350 (1) "Match" means funding from local sources, public or
1351 private, which will be paid to the applicant and which is equal
1352 to 100 percent of an award. Eligible match funding may include
1353 any tax abatement granted to the applicant under s. 196.1995 or
1354 the appraised market value of land, buildings, infrastructure,
1355 or equipment conveyed or provided at a discount to the
1356 applicant. Complete documentation of a match payment or other
1357 conveyance must be presented to and verified by the department
1358 ~~office~~ prior to transfer of state funds to an applicant. An
1359 applicant may not provide, directly or indirectly, more than 5
1360 percent of match funding in any fiscal year. The sources of such
1361 funding may not include, directly or indirectly, state funds
1362 appropriated from the General Revenue Fund or any state trust
1363 fund, excluding tax revenues shared with local governments
1364 pursuant to law.

1365 Section 40. Subsection (2) of section 288.1097, Florida
1366 Statutes, is amended to read:

1367 288.1097 Qualified job training organizations;
1368 certification; duties.—

1369 (2) To be eligible for funding, an organization must be
1370 certified by the department ~~Office of Tourism, Trade, and~~
1371 ~~Economic Development~~ as meeting the criteria in subsection (1).
1372 After certification, the department ~~Office of Tourism, Trade,~~

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1373 ~~and Economic Development~~ may release funds to the qualified job
 1374 training organization pursuant to a contract with the
 1375 organization. The contract must include the performance
 1376 conditions that must be met in order to obtain the award or
 1377 portions of the award, including, but not limited to, net new
 1378 employment in the state, the methodology for validating
 1379 performance, the schedule of payments, and sanctions for failure
 1380 to meet the performance requirements including any provisions
 1381 for repayment of awards. The contract must also require that
 1382 salaries paid to officers and employees of the qualified job
 1383 training organization comply with s. 4958 of the Internal
 1384 Revenue Code of 1986, as amended.

1385 Section 41. Paragraph (c) of subsection (3) of section
 1386 288.11621, Florida Statutes, is amended to read:

1387 288.11621 Spring training baseball franchises.—

1388 (3) USE OF FUNDS.—

1389 (c) The Department of Revenue may not distribute funds to
 1390 an applicant certified on or after July 1, 2010, until it
 1391 receives notice from the department ~~office~~ that the certified
 1392 applicant has encumbered funds under subparagraph (a)2.

1393 Section 42. Subsection (6) of section 288.1168, Florida
 1394 Statutes, is amended to read:

1395 288.1168 Professional golf hall of fame facility.—

1396 (6) The department ~~Office of Tourism, Trade, and Economic~~
 1397 ~~Development~~ must recertify every 10 years that the facility is
 1398 open, continues to be the only professional golf hall of fame in
 1399 the United States recognized by the PGA Tour, Inc., and is
 1400 meeting the minimum projections for attendance or sales tax

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1401 revenue as required at the time of original certification. If
 1402 the facility is not certified as meeting the minimum
 1403 projections, the PGA Tour, Inc., shall increase its required
 1404 advertising contribution of \$2 million annually to \$2.5 million
 1405 annually in lieu of reduction of any funds as provided by s.
 1406 212.20. The additional \$500,000 must be allocated in its
 1407 entirety for the use and promotion of generic Florida
 1408 advertising as determined by the department ~~Office of Tourism,~~
 1409 ~~Trade, and Economic Development~~. If the facility is not open to
 1410 the public or is no longer in use as the only professional golf
 1411 hall of fame in the United States recognized by the PGA Tour,
 1412 Inc., the entire \$2.5 million for advertising must be used for
 1413 generic Florida advertising as determined by the department
 1414 ~~Office of Tourism, Trade, and Economic Development~~.

1415 Section 43. Subsection (4) of section 288.1171, Florida
 1416 Statutes, is amended to read:

1417 288.1171 Motorsports entertainment complex; definitions;
 1418 certification; duties.-

1419 (4) Upon determining that an applicant meets the
 1420 requirements of subsection (3), the department ~~office~~ shall
 1421 notify the applicant and the executive director of the
 1422 Department of Revenue of such certification by means of an
 1423 official letter granting certification. If the applicant fails
 1424 to meet the certification requirements of subsection (3), the
 1425 department ~~office~~ shall notify the applicant not later than 10
 1426 days following such determination.

1427 Section 44. Paragraph (a) of subsection (8) of section
 1428 288.1254, Florida Statutes, is amended to read:

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1429 288.1254 Entertainment industry financial incentive
1430 program.—

1431 (8) RULES, POLICIES, AND PROCEDURES.—

1432 (a) The department ~~Office of Tourism, Trade, and Economic~~
1433 ~~Development~~ may adopt rules pursuant to ss. 120.536(1) and
1434 120.54 and develop policies and procedures to implement and
1435 administer this section, including, but not limited to, rules
1436 specifying requirements for the application and approval
1437 process, records required for substantiation for tax credits,
1438 procedures for making the election in paragraph (4)(d), the
1439 manner and form of documentation required to claim tax credits
1440 awarded or transferred under this section, and marketing
1441 requirements for tax credit recipients.

1442 Section 45. Subsection (2) of section 288.714, Florida
1443 Statutes, is amended to read:

1444 288.714 Quarterly and annual reports.—

1445 (2) The department must compile a summary of all quarterly
1446 reports ~~and provide a copy of the summary to the board~~ within 30
1447 days after the end of each calendar quarter which ~~that~~ includes
1448 a detailed summary of the recipient's performance of the duties
1449 imposed by s. 288.7102.

1450 Section 46. Subsection (7) of section 288.7102, Florida
1451 Statutes, is amended to read:

1452 288.7102 Black Business Loan Program.—

1453 (7) The department, ~~in consultation with the board,~~ shall
1454 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
1455 this section.

1456 Section 47. Subsections (5) and (7) of section 288.987,

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1457 Florida Statutes, are amended to read:

1458 288.987 Florida Defense Support Task Force.—

1459 (5) The executive director of the Department of Economic
 1460 Opportunity ~~Office of Tourism, Trade, and Economic Development~~
 1461 ~~within the Executive Office of the Governor~~, or his or her
 1462 designee, shall serve as the ex officio, nonvoting executive
 1463 director of the task force.

1464 (7) The department ~~Office of Tourism, Trade, and Economic~~
 1465 ~~Development~~ shall contract with the task force for expenditure
 1466 of appropriated funds, which may be used by the task force for
 1467 economic and product research and development, joint planning
 1468 with host communities to accommodate military missions and
 1469 prevent base encroachment, advocacy on the state's behalf with
 1470 federal civilian and military officials, assistance to school
 1471 districts in providing a smooth transition for large numbers of
 1472 additional military-related students, job training and placement
 1473 for military spouses in communities with high proportions of
 1474 active duty military personnel, and promotion of the state to
 1475 military and related contractors and employers. The task force
 1476 may annually spend up to \$200,000 of funds appropriated to the
 1477 department ~~Executive Office of the Governor, Office of Tourism,~~
 1478 ~~Trade, and Economic Development~~, for the task force for staffing
 1479 and administrative expenses of the task force, including travel
 1480 and per diem costs incurred by task force members who are not
 1481 otherwise eligible for state reimbursement.

1482 Section 48. Paragraph (d) of subsection (6) of section
 1483 290.0055, Florida Statutes, is amended to read:

1484 290.0055 Local nominating procedure.—

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1485 (6)
 1486 (d)1. The governing body of a jurisdiction which has
 1487 nominated an application for an enterprise zone that is no
 1488 larger than 12 square miles and includes a portion of the state
 1489 designated as a rural area of critical economic concern under s.
 1490 288.0656(7) may apply to the department ~~Office of Tourism,~~
 1491 ~~Trade, and Economic Development~~ to expand the boundary of the
 1492 enterprise zone by not more than 3 square miles. An application
 1493 to expand the boundary of an enterprise zone under this
 1494 paragraph must be submitted by December 31, 2012.

1495 2. Notwithstanding the area limitations specified in
 1496 subsection (4), the department ~~Office of Tourism, Trade, and~~
 1497 ~~Economic Development~~ may approve the request for a boundary
 1498 amendment if the area continues to satisfy the remaining
 1499 requirements of this section.

1500 3. The department ~~Office of Tourism, Trade, and Economic~~
 1501 ~~Development~~ shall establish the initial effective date of an
 1502 enterprise zone designated under this paragraph.

1503 Section 49. Paragraph (a) of subsection (4) of section
 1504 290.0065, Florida Statutes, is amended to read:

1505 290.0065 State designation of enterprise zones.—

1506 (4) (a) Notwithstanding s. 290.0055, the department may
 1507 redesignate any state enterprise zone having an effective date
 1508 on or before January 1, 2005, as a state enterprise zone upon
 1509 completion and submittal to the department ~~office~~ by the
 1510 governing body for an enterprise zone of the following:

1511 1. An updated zone profile for the enterprise zone based
 1512 on the most recent census data that complies with s. 290.0055,

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1513 | except that pervasive poverty criteria may be set aside for
 1514 | rural enterprise zones.

1515 | 2. A resolution passed by the governing body for that
 1516 | enterprise zone requesting redesignation and explaining the
 1517 | reasons the conditions of the zone merit redesignation.

1518 | 3. Measurable goals for the enterprise zone developed by
 1519 | the enterprise zone development agency, which may be the goals
 1520 | established in the enterprise zone's strategic plan.

1521 |
 1522 | The governing body may also submit a request for a boundary
 1523 | change in an enterprise zone in the same application to the
 1524 | department as long as the new area complies with the
 1525 | requirements of s. 290.0055, except that pervasive poverty
 1526 | criteria may be set aside for rural enterprise zones.

1527 | Section 50. Section 290.00726, Florida Statutes, is
 1528 | amended to read:

1529 | 290.00726 Enterprise zone designation for Martin County.-
 1530 | Martin County may apply to the department ~~Office of Tourism,~~
 1531 | ~~Trade, and Economic Development~~ for designation of one
 1532 | enterprise zone for an area within Martin County, which zone
 1533 | shall encompass an area of up to 10 square miles consisting of
 1534 | land within the primary urban services boundary and focusing on
 1535 | Indiantown, but excluding property owned by Florida Power and
 1536 | Light to the west, two areas to the north designated as estate
 1537 | residential, and the county-owned Timer Powers Recreational
 1538 | Area. Within the designated enterprise zone, Martin County shall
 1539 | exempt residential condominiums from benefiting from state
 1540 | enterprise zone incentives, unless prohibited by law. The

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1541 application must have been submitted by December 31, 2011, and
 1542 must comply with the requirements of s. 290.0055.

1543 Notwithstanding s. 290.0065 limiting the total number of
 1544 enterprise zones designated and the number of enterprise zones
 1545 within a population category, the department ~~Office of Tourism,~~
 1546 ~~Trade, and Economic Development~~ may designate one enterprise
 1547 zone under this section. The department ~~Office of Tourism,~~
 1548 ~~Trade, and Economic Development~~ shall establish the initial
 1549 effective date of the enterprise zone designated under this
 1550 section.

1551 Section 51. Section 290.00727, Florida Statutes, is
 1552 amended to read:

1553 290.00727 Enterprise zone designation for the City of Palm
 1554 Bay.—The City of Palm Bay may apply to the department ~~Office of~~
 1555 ~~Tourism, Trade, and Economic Development~~ for designation of one
 1556 enterprise zone for an area within the northeast portion of the
 1557 city, which zone shall encompass an area of up to 5 square
 1558 miles. The application must have been submitted by December 31,
 1559 2011, and must comply with the requirements of s. 290.0055.

1560 Notwithstanding s. 290.0065 limiting the total number of
 1561 enterprise zones designated and the number of enterprise zones
 1562 within a population category, the department ~~Office of Tourism,~~
 1563 ~~Trade, and Economic Development~~ may designate one enterprise
 1564 zone under this section. The department ~~Office of Tourism,~~
 1565 ~~Trade, and Economic Development~~ shall establish the initial
 1566 effective date of the enterprise zone designated under this
 1567 section.

1568 Section 52. Section 290.00728, Florida Statutes, is

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1569 amended to read:
 1570 290.00728 Enterprise zone designation for Lake County.—
 1571 Lake County may apply to the department ~~Office of Tourism,~~
 1572 ~~Trade, and Economic Development~~ for designation of one
 1573 enterprise zone, which zone shall encompass an area of up to 10
 1574 square miles within Lake County. The application must have been
 1575 submitted by December 31, 2011, and must comply with the
 1576 requirements of s. 290.0055. Notwithstanding s. 290.0065
 1577 limiting the total number of enterprise zones designated and the
 1578 number of enterprise zones within a population category, the
 1579 department ~~Office of Tourism, Trade, and Economic Development~~
 1580 may designate one enterprise zone under this section. The
 1581 department ~~Office of Tourism, Trade, and Economic Development~~
 1582 shall establish the initial effective date of the enterprise
 1583 zone designated under this section.

1584 Section 53. Subsections (1) and (6) of section 311.09,
 1585 Florida Statutes, are amended to read:

1586 311.09 Florida Seaport Transportation and Economic
 1587 Development Council.—

1588 (1) The Florida Seaport Transportation and Economic
 1589 Development Council is created within the Department of
 1590 Transportation. The council consists of the following 17 ~~18~~
 1591 members: the port director, or the port director's designee, of
 1592 each of the ports of Jacksonville, Port Canaveral, Port Citrus,
 1593 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,
 1594 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key
 1595 West, and Fernandina; the secretary of the Department of
 1596 Transportation or his or her designee; and the director of the

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1597 Department of Economic Opportunity or his or her designee.
 1598 (6) The Department of Economic Opportunity ~~Community~~
 1599 ~~Affairs~~ shall review the list of projects approved by the
 1600 council to determine consistency with approved local government
 1601 comprehensive plans of the units of local government in which
 1602 the port is located and consistency with the port master plan.
 1603 The Department of Economic Opportunity ~~Community Affairs~~ shall
 1604 identify and notify the council of those projects that ~~which~~ are
 1605 not consistent, to the maximum extent feasible, with such
 1606 comprehensive plans and port master plans.

1607 Section 54. Paragraph (b) of subsection (9), paragraph (a)
 1608 of subsection (35), and paragraph (b) of subsection (62) of
 1609 section 320.08058, Florida Statutes, are amended to read:

1610 320.08058 Specialty license plates.—

1611 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

1612 (b) The license plate annual use fees are to be annually
 1613 distributed as follows:

1614 1. Fifty-five percent of the proceeds from the Florida
 1615 Professional Sports Team plate must be deposited into the
 1616 Professional Sports Development Trust Fund within the Department
 1617 of Economic Opportunity. These funds must be used solely to
 1618 attract and support major sports events in this state. As used
 1619 in this subparagraph, the term "major sports events" means, but
 1620 is not limited to, championship or all-star contests of Major
 1621 League Baseball, the National Basketball Association, the
 1622 National Football League, the National Hockey League, the men's
 1623 and women's National Collegiate Athletic Association Final Four
 1624 basketball championship, or a horseracing or dogracing Breeders'

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1625 Cup. All funds must be used to support and promote major
 1626 sporting events, and the uses must be approved by the Department
 1627 of Economic Opportunity ~~Florida Sports Foundation~~.

1628 2. The remaining proceeds of the Florida Professional
 1629 Sports Team license plate must be allocated to Enterprise
 1630 Florida, Inc. These funds must be deposited into the
 1631 Professional Sports Development Trust Fund within the Department
 1632 of Economic Opportunity. These funds must be used by Enterprise
 1633 Florida, Inc., to promote the economic development of the sports
 1634 industry; to distribute licensing and royalty fees to
 1635 participating professional sports teams; to promote education
 1636 programs in Florida schools that provide an awareness of the
 1637 benefits of physical activity and nutrition standards; to
 1638 partner with the Department of Education and the Department of
 1639 Health to develop a program that recognizes schools whose
 1640 students demonstrate excellent physical fitness or fitness
 1641 improvement; to institute a grant program for communities
 1642 bidding on minor sporting events that create an economic impact
 1643 for the state; to distribute funds to Florida-based charities
 1644 designated by Enterprise Florida, Inc., and the participating
 1645 professional sports teams; and to fulfill the sports promotion
 1646 responsibilities of the Department of Economic Opportunity.

1647 3. Enterprise Florida, Inc., shall provide an annual
 1648 financial audit in accordance with s. 215.981 of its financial
 1649 accounts and records by an independent certified public
 1650 accountant pursuant to the contract established by the
 1651 Department of Economic Opportunity. The auditor shall submit the
 1652 audit report to the Department of Economic Opportunity for

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1653 review and approval. If the audit report is approved, the
 1654 Department of Economic Opportunity shall certify the audit
 1655 report to the Auditor General for review.

1656 4. Notwithstanding the provisions of subparagraphs 1. and
 1657 2., proceeds from the Professional Sports Development Trust Fund
 1658 may also be used for operational expenses of Enterprise Florida,
 1659 Inc., and financial support of the Sunshine State Games.

1660 (35) FLORIDA GOLF LICENSE PLATES.—

1661 (a) The Department of Highway Safety and Motor Vehicles
 1662 shall develop a Florida Golf license plate as provided in this
 1663 section. The word "Florida" must appear at the bottom of the
 1664 plate. The Dade Amateur Golf Association, following consultation
 1665 with the PGA TOUR, Enterprise Florida, Inc., ~~the Florida Sports~~
 1666 ~~Foundation~~, the LPGA, and the PGA of America may submit a
 1667 revised sample plate for consideration by the department.

1668 (62) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

1669 (b) The annual use fees shall be distributed to the
 1670 Wildlife Foundation of Florida, Inc., a citizen support
 1671 organization created pursuant to s. 379.223, which shall
 1672 administer the fees as follows:

1673 1. Wildlife Foundation of Florida, Inc., shall retain the
 1674 first \$60,000 of the annual use fees as direct reimbursement for
 1675 administrative costs, startup costs, and costs incurred in the
 1676 development and approval process.

1677 2. Thereafter, a maximum of 10 percent of the fees may be
 1678 used for administrative costs directly associated with education
 1679 programs, conservation, springs research, and grant
 1680 administration of the foundation. A maximum of 15 percent of the

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1681 fees may be used for continuing promotion and marketing of the
 1682 license plate.

1683 3. At least 55 percent of the fees shall be available for
 1684 competitive grants for targeted community-based springs research
 1685 not currently available for state funding. The remaining 20
 1686 percent shall be directed toward community outreach programs
 1687 aimed at implementing such research findings. The competitive
 1688 grants shall be administered and approved by the board of
 1689 directors of the Wildlife Foundation of Florida. The granting
 1690 advisory committee shall be composed of nine members, including
 1691 one representative from the Fish and Wildlife Conservation
 1692 Commission, one representative from the Department of
 1693 Environmental Protection, one representative from the Department
 1694 of Health, one representative from the Department of Economic
 1695 Opportunity ~~Community Affairs~~, three citizen representatives,
 1696 and two representatives from nonprofit stakeholder groups.

1697 4. The remaining funds shall be distributed with the
 1698 approval of and accountability to the board of directors of the
 1699 Wildlife Foundation of Florida, and shall be used to support
 1700 activities contributing to education, outreach, and springs
 1701 conservation.

1702 Section 55. Paragraph (b) of subsection (5) of section
 1703 339.135, Florida Statutes, is amended to read:

1704 339.135 Work program; legislative budget request;
 1705 definitions; preparation, adoption, execution, and amendment.—

1706 (5) ADOPTION OF THE WORK PROGRAM.—

1707 (b) Notwithstanding paragraph (a), and for the 2011-2012
 1708 fiscal year only, the Department of Transportation shall

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1709 transfer funds to the Department of Economic Opportunity ~~Office~~
 1710 ~~of Tourism, Trade, and Economic Development~~ in an amount equal
 1711 to \$15 million for the purpose of funding transportation-related
 1712 needs of economic development projects. This transfer does ~~shall~~
 1713 not reduce, delete, or defer any existing projects funded, as of
 1714 July 1, 2011, in the Department of Transportation's 5-year work
 1715 program. This paragraph expires July 1, 2012.

1716 Section 56. Subsection (1) of section 342.201, Florida
 1717 Statutes, is amended to read:

1718 342.201 Waterfronts Florida Program.—

1719 (1) There is established within the Department of Economic
 1720 Opportunity ~~Environmental Protection~~ the Waterfronts Florida
 1721 Program to provide technical assistance and support to
 1722 communities in revitalizing waterfront areas in this state.

1723 Section 57. Paragraph (f) of subsection (5) of section
 1724 373.461, Florida Statutes, is amended to read:

1725 373.461 Lake Apopka improvement and management.—

1726 (5) PURCHASE OF AGRICULTURAL LANDS.—

1727 (f)1. Tangible personal property acquired by the district
 1728 as part of related facilities pursuant to this section, and
 1729 classified as surplus by the district, shall be sold by the
 1730 Department of Management Services. The Department of Management
 1731 Services shall deposit the proceeds of such sale in the Economic
 1732 Development Trust Fund in the Department of Economic Opportunity
 1733 ~~Executive Office of the Governor~~. The proceeds shall be used for
 1734 the purpose of providing economic and infrastructure development
 1735 in portions of northwestern Orange County and east central Lake
 1736 County which will be adversely affected economically due to the

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1737 acquisition of lands pursuant to this subsection.
 1738 2. The Department ~~Office~~ of ~~Tourism, Trade, and Economic~~
 1739 Opportunity Development shall, upon presentation of the
 1740 appropriate documentation justifying expenditure of the funds
 1741 deposited pursuant to this paragraph, pay any obligation for
 1742 which it has sufficient funds from the proceeds of the sale of
 1743 tangible personal property and which meets the limitations
 1744 specified in paragraph (g). The authority of the Department
 1745 ~~Office of Tourism, Trade, and Economic Opportunity Development~~
 1746 to expend such funds shall expire 5 years from the effective
 1747 date of this paragraph. Such expenditures may occur without
 1748 future appropriation from the Legislature.

1749 3. Funds deposited under this paragraph may not be used
 1750 for any purpose other than those enumerated in paragraph (g).

1751 Section 58. Paragraph (h) of subsection (2) of section
 1752 377.703, Florida Statutes, is amended to read:

1753 377.703 Additional functions of the Department of
 1754 Agriculture and Consumer Services.—

1755 (2) DUTIES.—The department shall perform the following
 1756 functions, unless as otherwise provided, consistent with the
 1757 development of a state energy policy:

1758 (h) The department shall promote the development and use
 1759 of renewable energy resources, in conformance with ~~the~~
 1760 ~~provisions of~~ chapter 187 and s. 377.601, by:

1761 1. Establishing goals and strategies for increasing the
 1762 use of solar energy in this state.

1763 2. Aiding and promoting the commercialization of solar
 1764 energy technology, in cooperation with the Florida Solar Energy

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1765 Center, Enterprise Florida, Inc., and any other federal, state,
 1766 or local governmental agency which may seek to promote research,
 1767 development, and demonstration of solar energy equipment and
 1768 technology.

1769 3. Identifying barriers to greater use of solar energy
 1770 systems in this state, and developing specific recommendations
 1771 for overcoming identified barriers, with findings and
 1772 recommendations to be submitted annually in the report to the
 1773 Governor and Legislature required under paragraph (f).

1774 4. In cooperation with the Department of Environmental
 1775 Protection, the Department of Transportation, the Department of
 1776 Economic Opportunity ~~Community Affairs~~, Enterprise Florida,
 1777 Inc., the Florida Solar Energy Center, and the Florida Solar
 1778 Energy Industries Association, investigating opportunities,
 1779 pursuant to the National Energy Policy Act of 1992, the Housing
 1780 and Community Development Act of 1992, and any subsequent
 1781 federal legislation, for solar electric vehicles and other solar
 1782 energy manufacturing, distribution, installation, and financing
 1783 efforts which will enhance this state's position as the leader
 1784 in solar energy research, development, and use.

1785 5. Undertaking other initiatives to advance the
 1786 development and use of renewable energy resources in this state.

1787
 1788 In the exercise of its responsibilities under this paragraph,
 1789 the department shall seek the assistance of the solar energy
 1790 industry in this state and other interested parties and is
 1791 authorized to enter into contracts, retain professional
 1792 consulting services, and expend funds appropriated by the

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1793 Legislature for such purposes.

1794 Section 59. Paragraphs (c) and (d) of subsection (4) of

1795 section 377.809, Florida Statutes, are amended to read:

1796 377.809 Energy Economic Zone Pilot Program.—

1797 (4)

1798 (c) Upon approving an incentive for an eligible business,

1799 the governing body that has jurisdiction over the energy

1800 economic zone shall provide the taxpayer with a certificate

1801 indicating the name and federal identification number of the

1802 eligible business, the date the incentive is provided, the name

1803 of the energy economic zone, the incentive type, and the

1804 incentive amount. The local governing body shall certify to the

1805 Department of Revenue or the Department of Economic Opportunity

1806 ~~Office of Tourism, Trade, and Economic Development~~, whichever is

1807 applicable, which businesses or properties are eligible to

1808 receive any or all of the state incentives according to their

1809 statutory requirements. The governing body that has jurisdiction

1810 over the energy economic zone shall provide a copy of the

1811 certificate to the Department of Revenue and the Department of

1812 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~

1813 ~~Development~~ as notification that such incentives were approved

1814 for the specific eligible business or property. For incentives

1815 to be claimed against the sales and use tax under chapter 212,

1816 the Department of Revenue shall send, within 14 days after

1817 receipt, written instructions to an eligible business on how to

1818 claim the credit on a sales and use tax return initiated through

1819 an electronic data interchange. Any credit against the sales and

1820 use tax shall be deducted from any sales and use tax remitted by

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1821 the dealer to the Department of Revenue by electronic funds
 1822 transfer and may be deducted only on a sales and use tax return
 1823 initiated through an electronic data interchange. The dealer
 1824 shall separately state the credit on the electronic return. The
 1825 net amount of tax due and payable must be remitted by electronic
 1826 funds transfer. If the credit exceeds the amount owed on the
 1827 sales and use tax return, such excess amount may be carried
 1828 forward for a period not to exceed 12 months after the date that
 1829 the credit is initially claimed.

1830 (d) If all conditions are deemed met, the Department of
 1831 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~
 1832 ~~Development~~ and the Department of Revenue may adopt emergency
 1833 rules pursuant to ss. 120.536(1) and 120.54 to administer ~~the~~
 1834 ~~provisions of~~ this subsection. The emergency rules shall remain
 1835 in effect for 6 months after the rules are adopted, and the
 1836 rules may be renewed while the procedures to adopt permanent
 1837 rules addressing the subject of the emergency rules are pending.

1838 Section 60. Paragraph (b) of subsection (6), paragraph (b)
 1839 of subsection (19), paragraphs (l) and (q) of subsection (24),
 1840 and paragraphs (b) and (c) of subsection (29) of section 380.06,
 1841 Florida Statutes, are amended to read:

1842 380.06 Developments of regional impact.—

1843 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT
 1844 PLAN AMENDMENTS.—

1845 (b) Any local government comprehensive plan amendments
 1846 related to a proposed development of regional impact, including
 1847 any changes proposed under subsection (19), may be initiated by
 1848 a local planning agency or the developer and must be considered

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1849 | by the local governing body at the same time as the application
 1850 | for development approval using the procedures provided for local
 1851 | plan amendment in s. 163.3187 and applicable local ordinances,
 1852 | without regard to local limits on the frequency of consideration
 1853 | of amendments to the local comprehensive plan. This paragraph
 1854 | does not require favorable consideration of a plan amendment
 1855 | solely because it is related to a development of regional
 1856 | impact. The procedure for processing such comprehensive plan
 1857 | amendments is as follows:

1858 | 1. If a developer seeks a comprehensive plan amendment
 1859 | related to a development of regional impact, the developer must
 1860 | so notify in writing the regional planning agency, the
 1861 | applicable local government, and the state land planning agency
 1862 | no later than the date of preapplication conference or the
 1863 | submission of the proposed change under subsection (19).

1864 | 2. When filing the application for development approval or
 1865 | the proposed change, the developer must include a written
 1866 | request for comprehensive plan amendments that would be
 1867 | necessitated by the development-of-regional-impact approvals
 1868 | sought. That request must include data and analysis upon which
 1869 | the applicable local government can determine whether to
 1870 | transmit the comprehensive plan amendment pursuant to s.
 1871 | 163.3184.

1872 | 3. The local government must advertise a public hearing on
 1873 | the transmittal within 30 days after filing the application for
 1874 | development approval or the proposed change and must make a
 1875 | determination on the transmittal within 60 days after the
 1876 | initial filing unless that time is extended by the developer.

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1877 4. If the local government approves the transmittal,
 1878 procedures set forth in s. 163.3184(3)(b) and (c)
 1879 ~~163.3184(4)(b)-(d)~~ must be followed.

1880 5. Notwithstanding subsection (11) or subsection (19), the
 1881 local government may not hold a public hearing on the
 1882 application for development approval or the proposed change or
 1883 on the comprehensive plan amendments sooner than 30 days after
 1884 ~~from~~ receipt of the response from the state land planning agency
 1885 pursuant to s. 163.3184(3)(c)1. ~~163.3184(4)(d).~~

1886 6. The local government must hear both the application for
 1887 development approval or the proposed change and the
 1888 comprehensive plan amendments at the same hearing. However, the
 1889 local government must take action separately on the application
 1890 for development approval or the proposed change and on the
 1891 comprehensive plan amendments.

1892 7. Thereafter, the appeal process for the local government
 1893 development order must follow the provisions of s. 380.07, and
 1894 the compliance process for the comprehensive plan amendments
 1895 must follow the provisions of s. 163.3184.

1896 (19) SUBSTANTIAL DEVIATIONS.—

1897 (b) Any proposed change to a previously approved
 1898 development of regional impact or development order condition
 1899 which, either individually or cumulatively with other changes,
 1900 exceeds any of the following criteria shall constitute a
 1901 substantial deviation and shall cause the development to be
 1902 subject to further development-of-regional-impact review without
 1903 the necessity for a finding of same by the local government:

1904 1. An increase in the number of parking spaces at an

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1905 attraction or recreational facility by 15 percent or 500 spaces,
 1906 whichever is greater, or an increase in the number of spectators
 1907 that may be accommodated at such a facility by 15 percent or
 1908 1,500 spectators, whichever is greater.

1909 2. A new runway, a new terminal facility, a 25 percent ~~25-~~
 1910 ~~percent~~ lengthening of an existing runway, or a 25 percent ~~25-~~
 1911 ~~percent~~ increase in the number of gates of an existing terminal,
 1912 but only if the increase adds at least three additional gates.

1913 3. An increase in land area for office development by 15
 1914 percent or an increase of gross floor area of office development
 1915 by 15 percent or 100,000 gross square feet, whichever is
 1916 greater.

1917 4. An increase in the number of dwelling units by 10
 1918 percent or 55 dwelling units, whichever is greater.

1919 5. An increase in the number of dwelling units by 50
 1920 percent or 200 units, whichever is greater, provided that 15
 1921 percent of the proposed additional dwelling units are dedicated
 1922 to affordable workforce housing, subject to a recorded land use
 1923 restriction that shall be for a period of not less than 20 years
 1924 and that includes resale provisions to ensure long-term
 1925 affordability for income-eligible homeowners and renters and
 1926 provisions for the workforce housing to be commenced prior to
 1927 the completion of 50 percent of the market rate dwelling. For
 1928 purposes of this subparagraph, the term "affordable workforce
 1929 housing" means housing that is affordable to a person who earns
 1930 less than 120 percent of the area median income, or less than
 1931 140 percent of the area median income if located in a county in
 1932 which the median purchase price for a single-family existing

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1933 | home exceeds the statewide median purchase price of a single-
 1934 | family existing home. For purposes of this subparagraph, the
 1935 | term "statewide median purchase price of a single-family
 1936 | existing home" means the statewide purchase price as determined
 1937 | in the Florida Sales Report, Single-Family Existing Homes,
 1938 | released each January by the Florida Association of Realtors and
 1939 | the University of Florida Real Estate Research Center.

1940 | 6. An increase in commercial development by 60,000 square
 1941 | feet of gross floor area or of parking spaces provided for
 1942 | customers for 425 cars or a 10 percent ~~10-percent~~ increase,
 1943 | whichever is greater.

1944 | 7. An increase in a recreational vehicle park area by 10
 1945 | percent or 110 vehicle spaces, whichever is less.

1946 | 8. A decrease in the area set aside for open space of 5
 1947 | percent or 20 acres, whichever is less.

1948 | 9. A proposed increase to an approved multiuse development
 1949 | of regional impact where the sum of the increases of each land
 1950 | use as a percentage of the applicable substantial deviation
 1951 | criteria is equal to or exceeds 110 percent. The percentage of
 1952 | any decrease in the amount of open space shall be treated as an
 1953 | increase for purposes of determining when 110 percent has been
 1954 | reached or exceeded.

1955 | 10. A 15 percent ~~15-percent~~ increase in the number of
 1956 | external vehicle trips generated by the development above that
 1957 | which was projected during the original development-of-regional-
 1958 | impact review.

1959 | 11. Any change that ~~which~~ would result in development of
 1960 | any area which was specifically set aside in the application for

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1961 development approval or in the development order for
 1962 preservation or special protection of endangered or threatened
 1963 plants or animals designated as endangered, threatened, or
 1964 species of special concern and their habitat, any species
 1965 protected by 16 U.S.C. ss. 668a-668d, primary dunes, or
 1966 archaeological and historical sites designated as significant by
 1967 the Division of Historical Resources of the Department of State.
 1968 The refinement of the boundaries and configuration of such areas
 1969 shall be considered under sub-subparagraph (e)2.j.

1970
 1971 The substantial deviation numerical standards in subparagraphs
 1972 3., 6., and 9., excluding residential uses, and in subparagraph
 1973 10., are increased by 100 percent for a project certified under
 1974 s. 403.973 which creates jobs and meets criteria established by
 1975 the Department of Economic Opportunity ~~Office of Tourism, Trade,~~
 1976 ~~and Economic Development~~ as to its impact on an area's economy,
 1977 employment, and prevailing wage and skill levels. The
 1978 substantial deviation numerical standards in subparagraphs 3.,
 1979 4., 5., 6., 9., and 10. are increased by 50 percent for a
 1980 project located wholly within an urban infill and redevelopment
 1981 area designated on the applicable adopted local comprehensive
 1982 plan future land use map and not located within the coastal high
 1983 hazard area.

(24) STATUTORY EXEMPTIONS.—

1985 (1) Any proposed development within an urban service
 1986 boundary established under s. 163.3177(14), Florida Statutes
 1987 (2010), which is not otherwise exempt pursuant to subsection
 1988 (29), is exempt from this section if the local government having

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1989 jurisdiction over the area where the development is proposed has
 1990 adopted the urban service boundary and has entered into a
 1991 binding agreement with jurisdictions that would be impacted and
 1992 with the Department of Transportation regarding the mitigation
 1993 of impacts on state and regional transportation facilities.

1994 (q) Any development identified in an airport master plan
 1995 and adopted into the comprehensive plan pursuant to s.
 1996 163.3177(6)(k), Florida Statutes (2010), is exempt from this
 1997 section.

1998
 1999 If a use is exempt from review as a development of regional
 2000 impact under paragraphs (a)-(u), but will be part of a larger
 2001 project that is subject to review as a development of regional
 2002 impact, the impact of the exempt use must be included in the
 2003 review of the larger project, unless such exempt use involves a
 2004 development of regional impact that includes a landowner,
 2005 tenant, or user that has entered into a funding agreement with
 2006 the Department of Economic Opportunity under the Innovation
 2007 Incentive Program and the agreement contemplates a state award
 2008 of at least \$50 million.

2009 (29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.—

2010 (b) If a municipality that does not qualify as a dense
 2011 urban land area ~~pursuant to s. 163.3164~~ designates any of the
 2012 following areas in its comprehensive plan, any proposed
 2013 development within the designated area is exempt from the
 2014 development-of-regional-impact process:

- 2015 1. Urban infill as defined in s. 163.3164;
- 2016 2. Community redevelopment areas as defined in s. 163.340;

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2017 3. Downtown revitalization areas as defined in s.
 2018 163.3164;
 2019 4. Urban infill and redevelopment under s. 163.2517; or
 2020 5. Urban service areas as defined in s. 163.3164 or areas
 2021 within a designated urban service boundary under s.
 2022 163.3177(14).

2023 (c) If a county that does not qualify as a dense urban
 2024 land area ~~pursuant to s. 163.3164~~ designates any of the
 2025 following areas in its comprehensive plan, any proposed
 2026 development within the designated area is exempt from the
 2027 development-of-regional-impact process:

- 2028 1. Urban infill as defined in s. 163.3164;
- 2029 2. Urban infill and redevelopment under s. 163.2517; or
- 2030 3. Urban service areas as defined in s. 163.3164.

2031 Section 61. Paragraph (a) of subsection (4) of section
 2032 402.56, Florida Statutes, is amended to read:

2033 402.56 Children's cabinet; organization; responsibilities;
 2034 annual report.—

2035 (4) MEMBERS.—The cabinet shall consist of 14 members
 2036 including the Governor and the following persons:

- 2037 (a)1. The Secretary of Children and Family Services;
- 2038 2. The Secretary of Juvenile Justice;
- 2039 3. The director of the Agency for Persons with
 2040 Disabilities;
- 2041 4. The director of the Office ~~Division~~ of Early Learning;
- 2042 5. The State Surgeon General;
- 2043 6. The Secretary of Health Care Administration;
- 2044 7. The Commissioner of Education;

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2045 8. The director of the Statewide Guardian Ad Litem Office;
 2046 9. The director of the Office of Child Abuse Prevention;
 2047 and
 2048 10. Five members representing children and youth advocacy
 2049 organizations, who are not service providers and who are
 2050 appointed by the Governor.

2051 Section 62. Subsection (6) of section 403.0891, Florida
 2052 Statutes, is amended to read:

2053 403.0891 State, regional, and local stormwater management
 2054 plans and programs.—The department, the water management
 2055 districts, and local governments shall have the responsibility
 2056 for the development of mutually compatible stormwater management
 2057 programs.

2058 (6) The department and the Department of Economic
 2059 Opportunity ~~Community Affairs~~, in cooperation with local
 2060 governments in the coastal zone, shall develop a model
 2061 stormwater management program that could be adopted by local
 2062 governments. The model program shall contain dedicated funding
 2063 options, including a stormwater utility fee system based upon an
 2064 equitable unit cost approach. Funding options shall be designed
 2065 to generate capital to retrofit existing stormwater management
 2066 systems, build new treatment systems, operate facilities, and
 2067 maintain and service debt.

2068 Section 63. Subsection (8) of section 420.503, Florida
 2069 Statutes, is amended to read:

2070 420.503 Definitions.—As used in this part, the term:

2071 (8) "Contract" means the contract between the executive
 2072 director ~~secretary~~ of the department and the corporation for

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2073 provision of housing services referenced in s. 420.0006.
 2074 Section 64. Subsection (30) of section 420.507, Florida
 2075 Statutes, is amended to read:
 2076 420.507 Powers of the corporation.—The corporation shall
 2077 have all the powers necessary or convenient to carry out and
 2078 effectuate the purposes and provisions of this part, including
 2079 the following powers which are in addition to all other powers
 2080 granted by other provisions of this part:
 2081 (30) To prepare and submit to the executive director
 2082 ~~secretary~~ of the department a budget request for purposes of the
 2083 corporation, which request shall, notwithstanding the provisions
 2084 of chapter 216 and in accordance with s. 216.351, contain a
 2085 request for operational expenditures and separate requests for
 2086 other authorized corporation programs. The request need ~~shall~~
 2087 ~~not be required to~~ contain information on the number of
 2088 employees, salaries, or any classification thereof, and the
 2089 approved operating budget therefor need not comply with s.
 2090 216.181(8)-(10). The executive director may ~~secretary is~~
 2091 ~~authorized to~~ include within the department's budget request the
 2092 corporation's budget request in the form as authorized by this
 2093 section.
 2094 Section 65. Paragraph (d) of subsection (1) of section
 2095 420.101, Florida Statutes, is amended to read:
 2096 420.101 Housing Development Corporation of Florida;
 2097 creation, membership, and purposes.—
 2098 (1) Twenty-five or more persons, a majority of whom shall
 2099 be residents of this state, who may desire to create a housing
 2100 development corporation under the provisions of this part for

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2101 the purpose of promoting and developing housing and advancing
 2102 the prosperity and economic welfare of the state and, to that
 2103 end, to exercise the powers and privileges hereinafter provided,
 2104 may be incorporated by filing in the Department of State, as
 2105 hereinafter provided, articles of incorporation. The articles of
 2106 incorporation shall contain:

2107 (d) The names and post office addresses of the members of
 2108 the first board of directors. The first board of directors shall
 2109 be elected by and from the stockholders of the corporation and
 2110 shall consist of 21 members. However, five of such members shall
 2111 consist of the following persons, who shall be nonvoting
 2112 members: the executive director ~~secretary~~ of the Department of
 2113 Economic Opportunity or her or his designee; the head of the
 2114 Department of Financial Services or her or his designee with
 2115 expertise in banking matters; a designee of the head of the
 2116 Department of Financial Services with expertise in insurance
 2117 matters; one state senator appointed by the President of the
 2118 Senate; and one representative appointed by the Speaker of the
 2119 House of Representatives.

2120 Section 66. Section 420.0005, Florida Statutes, is amended
 2121 to read:

2122 420.0005 State Housing Trust Fund; State Housing Fund.—
 2123 There is ~~hereby~~ established in the State Treasury a separate
 2124 trust fund to be named the "State Housing Trust Fund." There
 2125 shall be deposited in the fund all moneys appropriated by the
 2126 Legislature, or moneys received from any other source, for the
 2127 purpose of this chapter, and all proceeds derived from the use
 2128 of such moneys. The fund shall be administered by the Florida

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2129 Housing Finance Corporation on behalf of the department, as
 2130 specified in this chapter. Money deposited to the fund and
 2131 appropriated by the Legislature must, notwithstanding the
 2132 provisions of chapter 216 or s. 420.504(3), be transferred
 2133 quarterly in advance, to the extent available, or, if not so
 2134 available, as soon as received into the State Housing Trust
 2135 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)
 2136 by the Chief Financial Officer to the corporation upon
 2137 certification by the executive director of the Department of
 2138 Economic Opportunity that the corporation is in compliance with
 2139 the requirements of s. 420.0006. The certification made by the
 2140 executive director ~~secretary~~ shall also include the split of
 2141 funds among programs administered by the corporation and the
 2142 department as specified in chapter 92-317, Laws of Florida, as
 2143 amended. Moneys advanced by the Chief Financial Officer must be
 2144 deposited by the corporation into a separate fund established
 2145 with a qualified public depository meeting the requirements of
 2146 chapter 280 to be named the "State Housing Fund" and used for
 2147 the purposes of this chapter. Administrative and personnel costs
 2148 incurred in implementing this chapter may be paid from the State
 2149 Housing Fund, but such costs may not exceed 5 percent of the
 2150 moneys deposited into such fund. To the State Housing Fund shall
 2151 be credited all loan repayments, penalties, and other fees and
 2152 charges accruing to such fund under this chapter. It is the
 2153 intent of this chapter that all loan repayments, penalties, and
 2154 other fees and charges collected be credited in full to the
 2155 program account from which the loan originated. Moneys in the
 2156 State Housing Fund which are not currently needed for the

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2157 | purposes of this chapter shall be invested in such manner as is
 2158 | provided for by statute. The interest received on any such
 2159 | investment shall be credited to the State Housing Fund.

2160 | Section 67. Section 420.0006, Florida Statutes, is amended
 2161 | to read:

2162 | 420.0006 Authority to contract with corporation; contract
 2163 | requirements; nonperformance.—The executive director ~~secretary~~
 2164 | of the department shall contract, notwithstanding ~~the provisions~~
 2165 | ~~of~~ part I of chapter 287, with the Florida Housing Finance
 2166 | Corporation on a multiyear basis to stimulate, provide, and
 2167 | foster affordable housing in the state. The contract must
 2168 | incorporate the performance measures required by s. 420.511 and
 2169 | must be consistent with the provisions of the corporation's
 2170 | strategic plan prepared in accordance with s. 420.511. The
 2171 | contract must provide that, in the event the corporation fails
 2172 | to comply with any of the performance measures required by s.
 2173 | 420.511, the executive director ~~secretary~~ shall notify the
 2174 | Governor and shall refer the nonperformance to the department's
 2175 | inspector general for review and determination as to whether
 2176 | such failure is due to forces beyond the corporation's control
 2177 | or whether such failure is due to inadequate management of the
 2178 | corporation's resources. Advances shall continue to be made
 2179 | pursuant to s. 420.0005 during the pendency of the review by the
 2180 | department's inspector general. If such failure is due to
 2181 | outside forces, it shall not be deemed a violation of the
 2182 | contract. If such failure is due to inadequate management, the
 2183 | department's inspector general shall provide recommendations
 2184 | regarding solutions. The Governor is authorized to resolve any

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2185 | differences of opinion with respect to performance under the
 2186 | contract and may request that advances continue in the event of
 2187 | a failure under the contract due to inadequate management. The
 2188 | Chief Financial Officer shall approve the request absent a
 2189 | finding by the Chief Financial Officer that continuing such
 2190 | advances would adversely impact the state; however, in any event
 2191 | the Chief Financial Officer shall provide advances sufficient to
 2192 | meet the debt service requirements of the corporation and
 2193 | sufficient to fund contracts committing funds from the State
 2194 | Housing Trust Fund so long as such contracts are in accordance
 2195 | with the laws of this state.

2196 | Section 68. Subsection (26) of section 443.036, Florida
 2197 | Statutes, is amended to read:

2198 | 443.036 Definitions.—As used in this chapter, the term:

2199 | (26) "Initial skills review" means an online education or
 2200 | training program, such as that established under s. 1004.99,
 2201 | which that is approved by the Department of Economic Opportunity
 2202 | ~~Agency for Workforce Innovation~~ and designed to measure an
 2203 | individual's mastery level of workplace skills.

2204 | Section 69. Paragraphs (c) and (d) of subsection (1) of
 2205 | section 443.091, Florida Statutes, are amended to read:

2206 | 443.091 Benefit eligibility conditions.—

2207 | (1) An unemployed individual is eligible to receive
 2208 | benefits for any week only if the Department of Economic
 2209 | Opportunity finds that:

2210 | (c) To make continued claims for benefits, she or he is
 2211 | reporting to the department in accordance with this paragraph
 2212 | and department agency rules, and participating in an initial

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2213 | skills review as directed by the department ~~agency~~. Department
 2214 | ~~Agency~~ rules may not conflict with s. 443.111(1)(b), which
 2215 | requires that each claimant continue to report regardless of any
 2216 | pending appeal relating to her or his eligibility or
 2217 | disqualification for benefits.

2218 | 1. For each week of unemployment claimed, each report
 2219 | must, at a minimum, include the name, address, and telephone
 2220 | number of each prospective employer contacted, or the date the
 2221 | claimant reported to a one-stop career center, pursuant to
 2222 | paragraph (d).

2223 | 2. The administrator or operator of the initial skills
 2224 | review shall notify the department ~~agency~~ when the individual
 2225 | completes the initial skills review and report the results of
 2226 | the review to the regional workforce board or the one-stop
 2227 | career center as directed by the workforce board. The workforce
 2228 | board shall use the initial skills review to develop a plan for
 2229 | referring individuals to training and employment opportunities.
 2230 | The failure of the individual to comply with this requirement
 2231 | will result in the individual being determined ineligible for
 2232 | benefits for the week in which the noncompliance occurred and
 2233 | for any subsequent week of unemployment until the requirement is
 2234 | satisfied. However, this requirement does not apply if the
 2235 | individual is able to affirmatively attest to being unable to
 2236 | complete such review due to illiteracy or a language impediment.

2237 | (d) She or he is able to work and is available for work.
 2238 | In order to assess eligibility for a claimed week of
 2239 | unemployment, the department shall develop criteria to determine
 2240 | a claimant's ability to work and availability for work. A

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2241 claimant must be actively seeking work in order to be considered
 2242 available for work. This means engaging in systematic and
 2243 sustained efforts to find work, including contacting at least
 2244 five prospective employers for each week of unemployment
 2245 claimed. The department ~~agency~~ may require the claimant to
 2246 provide proof of such efforts to the one-stop career center as
 2247 part of reemployment services. The department ~~agency~~ shall
 2248 conduct random reviews of work search information provided by
 2249 claimants. As an alternative to contacting at least five
 2250 prospective employers for any week of unemployment claimed, a
 2251 claimant may, for that same week, report in person to a one-stop
 2252 career center to meet with a representative of the center and
 2253 access reemployment services of the center. The center shall
 2254 keep a record of the services or information provided to the
 2255 claimant and shall provide the records to the department ~~agency~~
 2256 upon request by the department ~~agency~~. However:

2257 1. Notwithstanding any other provision of this paragraph
 2258 or paragraphs (b) and (e), an otherwise eligible individual may
 2259 not be denied benefits for any week because she or he is in
 2260 training with the approval of the department, or by reason of s.
 2261 443.101(2) relating to failure to apply for, or refusal to
 2262 accept, suitable work. Training may be approved by the
 2263 department in accordance with criteria prescribed by rule. A
 2264 claimant's eligibility during approved training is contingent
 2265 upon satisfying eligibility conditions prescribed by rule.

2266 2. Notwithstanding any other provision of this chapter, an
 2267 otherwise eligible individual who is in training approved under
 2268 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be

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2269 | determined ineligible or disqualified for benefits due to
 2270 | enrollment in such training or because of leaving work that is
 2271 | not suitable employment to enter such training. As used in this
 2272 | subparagraph, the term "suitable employment" means work of a
 2273 | substantially equal or higher skill level than the worker's past
 2274 | adversely affected employment, as defined for purposes of the
 2275 | Trade Act of 1974, as amended, the wages for which are at least
 2276 | 80 percent of the worker's average weekly wage as determined for
 2277 | purposes of the Trade Act of 1974, as amended.

2278 | 3. Notwithstanding any other provision of this section, an
 2279 | otherwise eligible individual may not be denied benefits for any
 2280 | week because she or he is before any state or federal court
 2281 | pursuant to a lawfully issued summons to appear for jury duty.

2282 | Section 70. Paragraph (a) of subsection (5) of section
 2283 | 443.111, Florida Statutes, is amended to read:

2284 | 443.111 Payment of benefits.—

2285 | (5) DURATION OF BENEFITS.—

2286 | (a) As used in this section, the term "Florida average
 2287 | unemployment rate" means the average of the 3 months for the
 2288 | most recent third calendar year quarter of the seasonally
 2289 | adjusted statewide unemployment rates as published by the
 2290 | Department of Economic Opportunity ~~Agency for Workforce~~
 2291 | ~~Innovation.~~

2292 | Section 71. Paragraph (b) of subsection (1) of section
 2293 | 443.141, Florida Statutes, is amended to read:

2294 | 443.141 Collection of contributions and reimbursements.—

2295 | (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,
 2296 | ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

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2297 (b) *Penalty for delinquent, erroneous, incomplete, or*
 2298 *insufficient reports.*—

2299 1. An employing unit that fails to file any report
 2300 required by the Department of Economic Opportunity or its tax
 2301 collection service provider, in accordance with rules for
 2302 administering this chapter, shall pay to the service provider
 2303 for each delinquent report the sum of \$25 for each 30 days or
 2304 fraction thereof that the employing unit is delinquent, unless
 2305 the department ~~agency~~ or its service provider, whichever
 2306 required the report, finds that the employing unit has good
 2307 reason for failing to file the report. The department or its
 2308 service provider may assess penalties only through the date of
 2309 the issuance of the final assessment notice. However, additional
 2310 penalties accrue if the delinquent report is subsequently filed.

2311 2.a. An employing unit that files an erroneous,
 2312 incomplete, or insufficient report with the department or its
 2313 tax collection service provider shall pay a penalty. The amount
 2314 of the penalty is \$50 or 10 percent of any tax due, whichever is
 2315 greater, but no more than \$300 per report. The penalty shall be
 2316 added to any tax, penalty, or interest otherwise due.

2317 b. The department or its tax collection service provider
 2318 shall waive the penalty if the employing unit files an accurate,
 2319 complete, and sufficient report within 30 days after a penalty
 2320 notice is issued to the employing unit. The penalty may not be
 2321 waived pursuant to this subparagraph more than one time during a
 2322 12-month period.

2323 c. As used in this subsection, the term "erroneous,
 2324 incomplete, or insufficient report" means a report so lacking in

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2325 information, completeness, or arrangement that the report cannot
 2326 be readily understood, verified, or reviewed. Such reports
 2327 include, but are not limited to, reports having missing wage or
 2328 employee information, missing or incorrect social security
 2329 numbers, or illegible entries; reports submitted in a format
 2330 that is not approved by the department or its tax collection
 2331 service provider; and reports showing gross wages that do not
 2332 equal the total of the wages of each employee. However, the term
 2333 does not include a report that merely contains inaccurate data
 2334 that was supplied to the employer by the employee, if the
 2335 employer was unaware of the inaccuracy.

2336 3. Penalties imposed pursuant to this paragraph shall be
 2337 deposited in the Special Employment Security Administration
 2338 Trust Fund.

2339 4. The penalty and interest for a delinquent, erroneous,
 2340 incomplete, or insufficient report may be waived if the penalty
 2341 or interest is inequitable. The provisions of s. 213.24(1) apply
 2342 to any penalty or interest that is imposed under this section.

2343 Section 72. Paragraph (b) of subsection (2) of section
 2344 443.1715, Florida Statutes, is amended to read:

2345 443.1715 Disclosure of information; confidentiality.—

2346 (2) DISCLOSURE OF INFORMATION.—

2347 (b) The employer or the employer's workers' compensation
 2348 carrier against whom a claim for benefits under chapter 440 has
 2349 been made, or a representative of either, may request from the
 2350 department records of wages of the employee reported to the
 2351 department by any employer for the quarter that includes the
 2352 date of the accident that is the subject of such claim and for

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2353 subsequent quarters.

2354 1. The request must be made with the authorization or
 2355 consent of the employee or any employer who paid wages to the
 2356 employee after the date of the accident.

2357 2. The employer or carrier shall make the request on a
 2358 form prescribed by rule for such purpose by the department
 2359 ~~agency~~. Such form shall contain a certification by the
 2360 requesting party that it is a party entitled to the information
 2361 requested.

2362 3. The department shall provide the most current
 2363 information readily available within 15 days after receiving the
 2364 request.

2365 Section 73. Subsections (1), (2), (4), (5), (6), and (7)
 2366 of section 443.17161, Florida Statutes, are amended to read:

2367 443.17161 Authorized electronic access to employer
 2368 information.-

2369 (1) Notwithstanding any other provision of this chapter,
 2370 the Department of Economic Opportunity ~~Agency for Workforce~~
 2371 ~~Innovation~~ shall contract with one or more consumer reporting
 2372 agencies to provide users with secured electronic access to
 2373 employer-provided information relating to the quarterly wages
 2374 report submitted in accordance with the state's unemployment
 2375 compensation law. The access is limited to the wage reports for
 2376 the appropriate amount of time for the purpose the information
 2377 is requested.

2378 (2) Users must obtain consent in writing or by electronic
 2379 signature from an applicant for credit, employment, or other
 2380 permitted purposes. Any written or electronic signature consent

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2381 from an applicant must be signed and must include the following:

2382 (a) Specific notice that information concerning the
 2383 applicant's wage and employment history will be released to a
 2384 consumer reporting agency;

2385 (b) Notice that the release is made for the sole purpose
 2386 of reviewing the specific application for credit, employment, or
 2387 other permitted purpose made by the applicant;

2388 (c) Notice that the files of the Department of Economic
 2389 Opportunity Agency for Workforce Innovation or its tax
 2390 collection service provider containing information concerning
 2391 wage and employment history which is submitted by the applicant
 2392 or his or her employers may be accessed; and

2393 (d) A listing of the parties authorized to receive the
 2394 released information.

2395 (4) If a consumer reporting agency or user violates this
 2396 section, the Department of Economic Opportunity Agency for
 2397 Workforce Innovation shall, upon 30 days' written notice to the
 2398 consumer reporting agency, terminate the contract established
 2399 between the Department of Economic Opportunity Agency for
 2400 Workforce Innovation and the consumer reporting agency or
 2401 require the consumer reporting agency to terminate the contract
 2402 established between the consumer reporting agency and the user
 2403 under this section.

2404 (5) The Department of Economic Opportunity Agency for
 2405 Workforce Innovation shall establish minimum audit, security,
 2406 net worth, and liability insurance standards, technical
 2407 requirements, and any other terms and conditions considered
 2408 necessary in the discretion of the state agency to safeguard the

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2409 confidentiality of the information released under this section
 2410 and to otherwise serve the public interest. The Department of
 2411 Economic Opportunity Agency ~~for Workforce Innovation~~ shall also
 2412 include, in coordination with any necessary state agencies,
 2413 necessary audit procedures to ensure that these rules are
 2414 followed.

2415 (6) In contracting with one or more consumer reporting
 2416 agencies under this section, any revenues generated by the
 2417 contract must be used to pay the entire cost of providing access
 2418 to the information. Further, in accordance with federal
 2419 regulations, any additional revenues generated by the Department
 2420 of Economic Opportunity Agency ~~for Workforce Innovation~~ or the
 2421 state under this section must be paid into the Administrative
 2422 Trust Fund of the Department of Economic Opportunity Agency ~~for~~
 2423 ~~Workforce Innovation~~ for the administration of the unemployment
 2424 compensation system or be used as program income.

2425 (7) The Department of Economic Opportunity Agency ~~for~~
 2426 ~~Workforce Innovation~~ may not provide wage and employment history
 2427 information to any consumer reporting agency before the consumer
 2428 reporting agency or agencies under contract with the Department
 2429 of Economic Opportunity Agency ~~for Workforce Innovation~~ pay all
 2430 development and other startup costs incurred by the state in
 2431 connection with the design, installation, and administration of
 2432 technological systems and procedures for the electronic access
 2433 program.

2434 Section 74. Subsection (2) of section 446.50, Florida
 2435 Statutes, is amended to read:

2436 446.50 Displaced homemakers; multiservice programs; report

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2437 | to the Legislature; Displaced Homemaker Trust Fund created.—
 2438 | (2) DEFINITION.—For the purposes of this section, the term
 2439 | "displaced homemaker" means an individual who:
 2440 | (a) Is 35 years of age or older;
 2441 | (b) Has worked in the home, providing unpaid household
 2442 | services for family members;
 2443 | (c) Is not adequately employed, as defined by rule of the
 2444 | department ~~agency~~;
 2445 | (d) Has had, or would have, difficulty in securing
 2446 | adequate employment; and
 2447 | (e) Has been dependent on the income of another family
 2448 | member but is no longer supported by such income, or has been
 2449 | dependent on federal assistance.
 2450 | Section 75. Section 450.261, Florida Statutes, is amended
 2451 | to read:
 2452 | 450.261 Interstate Migrant Labor Commission; Florida
 2453 | membership.—In selecting the Florida membership of the
 2454 | Interstate Migrant Labor Commission, the Governor may designate
 2455 | the executive director ~~secretary~~ of the Department of Economic
 2456 | Opportunity as his or her representative.
 2457 | Section 76. Paragraph (c) of subsection (7) of section
 2458 | 509.032, Florida Statutes, is amended to read:
 2459 | 509.032 Duties.—
 2460 | (7) PREEMPTION AUTHORITY.—
 2461 | (c) Paragraph (b) does not apply to any local law,
 2462 | ordinance, or regulation exclusively relating to property
 2463 | valuation as a criterion for vacation rental if the local law,
 2464 | ordinance, or regulation is required to be approved by the state

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2465 land planning agency ~~Department of Community Affairs~~ pursuant to
 2466 an area of critical state concern designation.

2467 Section 77. Subsection (3) of section 624.5105, Florida
 2468 Statutes, is amended to read:

2469 624.5105 Community contribution tax credit; authorization;
 2470 limitations; eligibility and application requirements;
 2471 administration; definitions; expiration.—

2472 (3) APPLICATION REQUIREMENTS.—

2473 (a) Any eligible sponsor wishing to participate in this
 2474 program must submit a proposal to the Department of Economic
 2475 Opportunity ~~Office of Tourism, Trade, and Economic Development~~
 2476 which sets forth the sponsor, the project, the area in which the
 2477 project is located, and such supporting information as may be
 2478 prescribed by rule. The proposal shall also contain a resolution
 2479 from the local governmental unit in which the proposed project
 2480 is located certifying that the project is consistent with local
 2481 plans and regulations.

2482 (b)1. Any insurer wishing to participate in this program
 2483 must submit an application for tax credit to the Department of
 2484 Economic Opportunity ~~office~~ which sets forth the sponsor; the
 2485 project; and the type, value, and purpose of the contribution.
 2486 The sponsor must verify, in writing, the terms of the
 2487 application and indicate its willingness to receive the
 2488 contribution, which verification must accompany the application
 2489 for tax credit.

2490 2. The insurer must submit a separate application for tax
 2491 credit for each individual contribution which it proposes to
 2492 contribute to each individual project.

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2493 Section 78. Subsection (4) of section 1002.75, Florida
 2494 Statutes, is amended to read:

2495 1002.75 Office of Early Learning; powers and duties;
 2496 operational requirements.—

2497 (4) The Office of Early Learning shall also adopt
 2498 procedures for the ~~agency's~~ distribution of funds to early
 2499 learning coalitions under s. 1002.71.

2500 Section 79. Subsection (2) of section 1002.79, Florida
 2501 Statutes, is amended to read:

2502 1002.79 Rulemaking authority.—

2503 (2) The Office of Early Learning shall adopt rules under
 2504 ss. 120.536(1) and 120.54 to administer the provisions of this
 2505 part conferring duties upon the office ~~agency~~.

2506 Section 80. Subsections (7) through (9) of section
 2507 163.3178, Florida Statutes, are renumbered as subsections (6)
 2508 through (8), respectively, and paragraph (h) of subsection (2)
 2509 and present subsection (6) of that section are amended to read:

2510 163.3178 Coastal management.—

2511 (2) Each coastal management element required by s.
 2512 163.3177(6)(g) shall be based on studies, surveys, and data; be
 2513 consistent with coastal resource plans prepared and adopted
 2514 pursuant to general or special law; and contain:

2515 (h) Designation of coastal high-hazard areas and the
 2516 criteria for mitigation for a comprehensive plan amendment in a
 2517 coastal high-hazard area as defined in subsection (8) ~~(9)~~. The
 2518 coastal high-hazard area is the area below the elevation of the
 2519 category 1 storm surge line as established by a Sea, Lake, and
 2520 Overland Surges from Hurricanes (SLOSH) computerized storm surge

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2521 model. Application of mitigation and the application of
 2522 development and redevelopment policies, pursuant to s.
 2523 380.27(2), and any rules adopted thereunder, shall be at the
 2524 discretion of local government.

2525 ~~(6) Local governments are encouraged to adopt countywide~~
 2526 ~~marina siting plans to designate sites for existing and future~~
 2527 ~~marinas. The Coastal Resources Interagency Management Committee,~~
 2528 ~~at the direction of the Legislature, shall identify incentives~~
 2529 ~~to encourage local governments to adopt such siting plans and~~
 2530 ~~uniform criteria and standards to be used by local governments~~
 2531 ~~to implement state goals, objectives, and policies relating to~~
 2532 ~~marina siting. These criteria must ensure that priority is given~~
 2533 ~~to water-dependent land uses. Countywide marina siting plans~~
 2534 ~~must be consistent with state and regional environmental~~
 2535 ~~planning policies and standards. Each local government in the~~
 2536 ~~coastal area which participates in adoption of a countywide~~
 2537 ~~marina siting plan shall incorporate the plan into the coastal~~
 2538 ~~management element of its local comprehensive plan.~~

2539 Section 81. Paragraph (a) of subsection (1) of section
 2540 259.035, Florida Statutes, is amended to read:

2541 259.035 Acquisition and Restoration Council.—

2542 (1) There is created the Acquisition and Restoration
 2543 Council.

2544 (a) The council shall be composed of 10 ~~eleven~~ voting
 2545 members, four of whom shall be appointed by the Governor. Of
 2546 these four appointees, three shall be from scientific
 2547 disciplines related to land, water, or environmental sciences
 2548 and the fourth shall have at least 5 years of experience in

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2549 managing lands for both active and passive types of recreation.
 2550 They shall serve 4-year terms, except that, initially, to
 2551 provide for staggered terms, two of the appointees shall serve
 2552 2-year terms. All subsequent appointments shall be for 4-year
 2553 terms. An ~~No~~ appointee may not shall serve more than 6 years.
 2554 The Governor may at any time fill a vacancy for the unexpired
 2555 term of a member appointed under this paragraph.

2556 Section 82. Subsection (2) of section 288.12265, Florida
 2557 Statutes, is amended to read:

2558 288.12265 Welcome centers.—

2559 (2) Enterprise Florida, Inc., shall administer and operate
 2560 the welcome centers. Pursuant to a contract with the Department
 2561 of Transportation, Enterprise Florida, Inc., shall be
 2562 responsible for routine repair, replacement, or improvement and
 2563 the day-to-day management of interior areas occupied by the
 2564 welcome centers. All other repairs, replacements, or
 2565 improvements to the welcome centers shall be the responsibility
 2566 of the Department of Transportation. Enterprise Florida, Inc.,
 2567 may contract with the Florida Tourism Industry Marketing
 2568 Corporation for the management and operation of the welcome
 2569 centers.

2570 Section 83. Paragraph (a) of subsection (5) of section
 2571 288.901, Florida Statutes, is amended to read:

2572 288.901 Enterprise Florida, Inc.—

2573 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

2574 (a) In addition to the Governor or the Governor's
 2575 designee, the board of directors shall consist of the following
 2576 appointed members:

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2577 | 1. The Commissioner of Education or the commissioner's
 2578 | designee.
 2579 | 2. The Chief Financial Officer or his or her designee.
 2580 | 3. The chairperson of the board of directors of Workforce
 2581 | Florida, Inc.
 2582 | 4. The Secretary of State or the secretary's designee.
 2583 | 5. Twelve members from the private sector, six of whom
 2584 | shall be appointed by the Governor, three of whom shall be
 2585 | appointed by the President of the Senate, and three of whom
 2586 | shall be appointed by the Speaker of the House of
 2587 | Representatives. Members appointed by the Governor ~~All~~
 2588 | ~~appointees~~ are subject to Senate confirmation.
 2589 | Section 84. Paragraph (d) of subsection (2) and subsection
 2590 | (3) of section 288.980, Florida Statutes, are amended to read:
 2591 | 288.980 Military base retention; legislative intent;
 2592 | grants program.—
 2593 | (2)
 2594 | (d) In making grant awards the department ~~office~~ shall
 2595 | consider, at a minimum, the following factors:
 2596 | 1. The relative value of the particular military
 2597 | installation in terms of its importance to the local and state
 2598 | economy relative to other military installations vulnerable to
 2599 | closure.
 2600 | 2. The potential job displacement within the local
 2601 | community should the military installation be closed.
 2602 | 3. The potential adverse impact on industries and
 2603 | technologies which service the military installation.
 2604 | (3) The Florida Economic Reinvestment Initiative is

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2605 established to respond to the need for this state and defense-
 2606 dependent communities in this state to develop alternative
 2607 economic diversification strategies to lessen reliance on
 2608 national defense dollars in the wake of base closures and
 2609 reduced federal defense expenditures and the need to formulate
 2610 specific base reuse plans and identify any specific
 2611 infrastructure needed to facilitate reuse. The initiative shall
 2612 consist of the following three ~~two~~ distinct grant programs to be
 2613 administered by the department:

2614 (a) The Florida Defense Planning Grant Program, through
 2615 which funds shall be used to analyze the extent to which the
 2616 state is dependent on defense dollars and defense infrastructure
 2617 and prepare alternative economic development strategies. The
 2618 state shall work in conjunction with defense-dependent
 2619 communities in developing strategies and approaches that will
 2620 help communities make the transition from a defense economy to a
 2621 nondefense economy. Grant awards may not exceed \$250,000 per
 2622 applicant and shall be available on a competitive basis.

2623 (b) The Florida Defense Implementation Grant Program,
 2624 through which funds shall be made available to defense-dependent
 2625 communities to implement the diversification strategies
 2626 developed pursuant to paragraph (a). Eligible applicants include
 2627 defense-dependent counties and cities, and local economic
 2628 development councils located within such communities. Grant
 2629 awards may not exceed \$100,000 per applicant and shall be
 2630 available on a competitive basis. Awards shall be matched on a
 2631 one-to-one basis.

2632 (c) The Florida Military Installation Reuse Planning and

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2633 Marketing Grant Program, through which funds shall be used to
 2634 help counties, cities, and local economic development councils
 2635 develop and implement plans for the reuse of closed or realigned
 2636 military installations, including any necessary infrastructure
 2637 improvements needed to facilitate reuse and related marketing
 2638 activities.

2639
 2640 Applications for grants under this subsection must include a
 2641 coordinated program of work or plan of action delineating how
 2642 the eligible project will be administered and accomplished,
 2643 which must include a plan for ensuring close cooperation between
 2644 civilian and military authorities in the conduct of the funded
 2645 activities and a plan for public involvement.

2646 Section 85. Section 331.3081, Florida Statutes, is amended
 2647 to read:

2648 331.3081 Board of directors; ~~advisory board.~~-

2649 ~~(1)~~ Space Florida shall be governed by a 13-member ~~12-~~
 2650 ~~member~~ independent board of directors that consists of the
 2651 members appointed to the board of directors of Enterprise
 2652 Florida, Inc., by the Governor, the President of the Senate, and
 2653 the Speaker of the House of Representatives pursuant to s.
 2654 288.901(5)(a)5. The Governor shall serve ex officio, or may
 2655 appoint a designee to serve, as the chair and voting member of
 2656 the board.

2657 ~~(2) Space Florida shall have a 15-member advisory council,~~
 2658 ~~appointed by the Governor from a list of nominations submitted~~
 2659 ~~by the board of directors. The advisory council shall be~~
 2660 ~~composed of Florida residents with expertise in the space~~

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2661 ~~industry, and each of the following areas of expertise or~~
 2662 ~~experience must be represented by at least one advisory council~~
 2663 ~~member: human space-flight programs, commercial launches into~~
 2664 ~~space, organized labor with experience working in the aerospace~~
 2665 ~~industry, aerospace-related industries, a commercial company~~
 2666 ~~working under Federal Government contracts to conduct space-~~
 2667 ~~related business, an aerospace company whose primary client is~~
 2668 ~~the United States Department of Defense, and an alternative~~
 2669 ~~energy enterprise with potential for aerospace applications. The~~
 2670 ~~advisory council shall elect a member to serve as the chair of~~
 2671 ~~the council.~~

2672 ~~(3) The advisory council shall make recommendations to the~~
 2673 ~~board of directors of Enterprise Florida, Inc., on the operation~~
 2674 ~~of Space Florida, including matters pertaining to ways to~~
 2675 ~~improve or enhance Florida's efforts to expand its existing~~
 2676 ~~space and aerospace industry, to improve management and use of~~
 2677 ~~Florida's state-owned real property assets related to space and~~
 2678 ~~aerospace, how best to retain and, if necessary, retrain~~
 2679 ~~Florida's highly skilled space and aerospace workforce, and how~~
 2680 ~~to strengthen bonds between this state, NASA, the Department of~~
 2681 ~~Defense, and private space and aerospace industries.~~

2682 ~~(4) The term for an advisory council member is 4 years. A~~
 2683 ~~member may not serve more than two consecutive terms. The~~
 2684 ~~Governor may remove any member for cause and shall fill all~~
 2685 ~~vacancies that occur.~~

2686 ~~(5) Advisory council members shall serve without~~
 2687 ~~compensation but may be reimbursed for all reasonable,~~
 2688 ~~necessary, and actual expenses as determined by the board of~~

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2689 ~~directors of Enterprise Florida, Inc.~~

2690 Section 86. Sections 163.03 and 379.2353, Florida
2691 Statutes, are repealed.

2692 Section 87. This act shall take effect upon becoming a
2693 law.