

1 A bill to be entitled
 2 An act relating to the Department of Economic
 3 Opportunity; amending ss. 20.60, 288.906, and 288.907,
 4 F.S.; revising requirements for various annual reports
 5 submitted to the Governor and Legislature, including
 6 the annual report of the Department of Economic
 7 Opportunity, the annual report of Enterprise Florida,
 8 Inc., and the annual incentives report; consolidating
 9 the reporting requirements for various economic
 10 development programs into these annual reports;
 11 amending ss. 220.194, 288.012, 288.061, and 288.0656,
 12 F.S.; conforming provisions to changes made by the
 13 act; amending s. 288.095, F.S.; deleting requirements
 14 for an annual report related to certain payments made
 15 from the Economic Development Incentives Account of
 16 the Economic Development Trust Fund; amending ss.
 17 288.106, 288.1081, 288.1082, 288.1088, and 288.1089,
 18 F.S.; conforming provisions to changes made by the
 19 act; amending s. 288.1226, F.S.; revising membership
 20 of the board of directors of the Florida Tourism
 21 Industry Marketing Corporation; providing that the
 22 Governor shall serve as a nonvoting member; amending
 23 ss. 288.1253, 288.1254, and 288.1258, F.S.; revising
 24 requirements for annual reports by the Office of Film
 25 and Entertainment; amending ss. 288.714 and 288.7771,
 26 F.S.; conforming provisions to changes made by the
 27 act; amending s. 288.903, F.S.; revising the duties of
 28 Enterprise Florida, Inc., with respect to preparation

29 | of the annual incentives report; amending ss. 288.92,
 30 | 288.95155, 290.0056, and 290.014, F.S.; conforming
 31 | provisions to changes made by the act; amending ss.
 32 | 290.0411 and 290.042, F.S.; revising legislative
 33 | intent and definitions applicable to the Florida Small
 34 | Cities Community Development Block Grant Program Act;
 35 | amending s. 290.044, F.S.; requiring the department to
 36 | adopt rules for the distribution of block grant funds
 37 | to eligible local governments; deleting authority for
 38 | block grant funds to be distributed as loan guarantees
 39 | to local governments; requiring that block grant funds
 40 | be distributed to achieve the department's community
 41 | development objectives; requiring such objectives to
 42 | be consistent with certain national objectives;
 43 | amending s. 290.0455, F.S., relating to the Small
 44 | Cities Community Development Block Grant Loan
 45 | Guarantee Program; providing for the state's guarantee
 46 | of certain federal loans to local governments;
 47 | requiring applicants for such loans to pledge a
 48 | specified amount of revenues to guarantee the loans;
 49 | revising requirements for the department to submit
 50 | recommendations to the Federal Government for such
 51 | loans; revising the maximum amount of the loan
 52 | guarantee commitment that a local government may
 53 | receive; providing for reduction of a local
 54 | government's future community development block grants
 55 | if the local government defaults on the federal loan;
 56 | amending s. 290.046, F.S.; revising application

57 requirements for community development block grants
 58 and procedures for the ranking of applications and the
 59 determination of project funding; amending s. 290.047,
 60 F.S.; revising requirements for the establishment of
 61 grant ceilings and maximum expenditures on
 62 administrative costs from community development block
 63 grants; limiting an eligible local government's
 64 authority to contract for specified services in
 65 connection with community development block grants;
 66 amending s. 290.0475, F.S.; revising conditions under
 67 which grant applications are ineligible for funding;
 68 290.048, F.S.; revising the department's duties to
 69 administer the Small Cities Community Development
 70 Block Grant Loan Guarantee Program; deleting
 71 provisions authorizing the establishment of an
 72 advisory committee; amending ss. 331.3051 and 331.10,
 73 F.S., revising requirements for annual reports by
 74 Space Florida; amending s. 443.1113, F.S., relating to
 75 the Reemployment Assistance Claims and Benefits
 76 Information System; revising timeframe for deployment
 77 of a certain Internet portal as part of such system;
 78 amending s. 443.131, F.S., revising requirements for
 79 the estimate of interest due on advances received from
 80 the Federal Government to the Unemployment
 81 Compensation Trust Fund and the calculation of
 82 additional assessments to contributing employers to
 83 repay the interest; providing an exemption from such
 84 additional assessments; amending ss. 443.151 and

85 443.191, F.S.; imposes penalty against claimant who is
 86 overpaid reemployment assistance benefits due to fraud
 87 by the claimant and provides for deposit of moneys
 88 collected for such penalties in the Unemployment
 89 Compensation Trust Fund; amending s. 443.1715, F.S.;
 90 prohibiting the unlawful disclosure of certain
 91 confidential information relating to employing units
 92 and individuals under the Reemployment Assistance
 93 Program Law; providing penalties; amending s. 446.50,
 94 F.S.; conforming provisions to changes made by the
 95 act; providing an effective date.

96
 97 Be It Enacted by the Legislature of the State of Florida:

98
 99 Section 1. Subsection (10) of section 20.60, Florida
 100 Statutes, is amended to read:

101 20.60 Department of Economic Opportunity; creation; powers
 102 and duties.—

103 (10) The department, with assistance from Enterprise
 104 Florida, Inc., shall, by November 1 ~~January 1~~ of each year,
 105 submit an annual report to the Governor, the President of the
 106 Senate, and the Speaker of the House of Representatives on the
 107 condition of the business climate and economic development in
 108 the state. The report shall include the identification of
 109 problems and a prioritized list of recommendations. The report
 110 shall also include the following information from reports of
 111 other programs, including:

112 (a) Information from the displaced homemaker program plan

113 required under s. 446.50.

114 (b) Information from the report on the usage and revenue
 115 impact by county of state incentives required under s. 290.014,
 116 and from the report of each enterprise zone development agency
 117 required under s. 290.0056. The report shall include an analysis
 118 of the activities and accomplishments of each enterprise zone.

119 (c) Information from the report on the use of loan funds
 120 awarded pursuant to the Economic Gardening Business Loan Pilot
 121 Program required under s. 288.1081(8) and from the report on the
 122 progress of the Economic Gardening Technical Assistance Pilot
 123 Program required under s. 288.1082(8).

124 (d) Information from the report of the performance of the
 125 Black Business Loan Program and a cumulative summary of
 126 quarterly report data required under s. 288.714.

127 (e) Information from the report of all Rural Economic
 128 Development Initiative activities required under s. 288.0656.

129 Section 2. Subsection (9) of section 220.194, Florida
 130 Statutes, is amended to read:

131 220.194 Corporate income tax credits for spaceflight
 132 projects.—

133 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
 134 Economic Opportunity, in cooperation with Space Florida and the
 135 department, shall include in the ~~submit an~~ annual incentives
 136 report required under s. 288.907 a summary of ~~summarizing~~
 137 activities relating to the Florida Space Business Incentives Act
 138 established under this section ~~to the Governor, the President of~~
 139 ~~the Senate, and the Speaker of the House of Representatives by~~
 140 ~~each November 30.~~

141 Section 3. Subsection (3) of section 288.012, Florida
142 Statutes, is amended to read:

143 288.012 State of Florida international offices; state
144 protocol officer; protocol manual.—The Legislature finds that
145 the expansion of international trade and tourism is vital to the
146 overall health and growth of the economy of this state. This
147 expansion is hampered by the lack of technical and business
148 assistance, financial assistance, and information services for
149 businesses in this state. The Legislature finds that these
150 businesses could be assisted by providing these services at
151 State of Florida international offices. The Legislature further
152 finds that the accessibility and provision of services at these
153 offices can be enhanced through cooperative agreements or
154 strategic alliances between private businesses and state, local,
155 and international governmental entities.

156 (3) ~~By October 1 of each year,~~ Each international office
157 shall annually submit to Enterprise Florida, Inc., ~~the~~
158 ~~department~~ a complete and detailed report on its activities and
159 accomplishments during the previous ~~preceding~~ fiscal year for
160 inclusion in the annual report required under s. 288.906. In the
161 ~~a~~ format and by the annual date prescribed ~~provided~~ by
162 Enterprise Florida, Inc., the report must set forth information
163 on:

- 164 (a) The number of Florida companies assisted.
165 (b) The number of inquiries received about investment
166 opportunities in this state.
167 (c) The number of trade leads generated.
168 (d) The number of investment projects announced.

- 169 (e) The estimated U.S. dollar value of sales
- 170 confirmations.
- 171 (f) The number of representation agreements.
- 172 (g) The number of company consultations.
- 173 (h) Barriers or other issues affecting the effective
- 174 operation of the office.
- 175 (i) Changes in office operations which are planned for the
- 176 current fiscal year.
- 177 (j) Marketing activities conducted.
- 178 (k) Strategic alliances formed with organizations in the
- 179 country in which the office is located.
- 180 (l) Activities conducted with Florida's other
- 181 international offices.
- 182 (m) Any other information that the office believes would
- 183 contribute to an understanding of its activities.

184 Section 4. Subsection (3) of section 288.061, Florida
 185 Statutes, is amended to read:

186 288.061 Economic development incentive application
 187 process.—

188 (3) The department shall validate contractor performance
 189 and report. ~~such validation shall be reported~~ in the annual
 190 incentives incentive report required under s. 288.907.

191 Section 5. Subsection (8) of section 288.0656, Florida
 192 Statutes, is amended to read:

193 288.0656 Rural Economic Development Initiative.—

194 (8) REDI shall submit a report to the department Governor,
 195 ~~the President of the Senate, and the Speaker of the House of~~
 196 ~~Representatives each year on or before September 1~~ on all REDI

197 | activities for the previous ~~prior~~ fiscal year as a supplement to
 198 | the department's annual report required under s. 20.60. This
 199 | supplementary report shall include:

200 | (a) A status report on all projects currently being
 201 | coordinated through REDI, the number of preferential awards and
 202 | allowances made pursuant to this section, the dollar amount of
 203 | such awards, and the names of the recipients.

204 | (b) ~~The report shall also include~~ A description of all
 205 | waivers of program requirements granted.

206 | (c) ~~The report shall also include~~ Information as to the
 207 | economic impact of the projects coordinated by REDI, ~~and~~

208 | (d) Recommendations based on the review and evaluation of
 209 | statutes and rules having an adverse impact on rural
 210 | communities, ~~and~~ proposals to mitigate such adverse impacts.

211 | Section 6. Paragraphs (d) and (e) of subsection (3) of
 212 | section 288.095, Florida Statutes, are redesignated as
 213 | paragraphs (c) and (d), respectively, and present paragraph (c)
 214 | of that subsection is amended to read:

215 | 288.095 Economic Development Trust Fund.—

216 | (3)

217 | ~~(c) Pursuant to s. 288.907, Enterprise Florida, Inc.,~~
 218 | ~~shall submit a complete and detailed annual report to the~~
 219 | ~~Governor, the President of the Senate, and the Speaker of the~~
 220 | ~~House of Representatives of all applications received,~~
 221 | ~~recommendations made to the department, final decisions issued,~~
 222 | ~~tax refund agreements executed, and tax refunds paid or other~~
 223 | ~~payments made under all programs funded out of the Economic~~
 224 | ~~Development Incentives Account, including analyses of benefits~~

225 | ~~and costs, types of projects supported, and employment and~~
 226 | ~~investment created. The department shall also include a separate~~
 227 | ~~analysis of the impact of such tax refunds on state enterprise~~
 228 | ~~zones designated pursuant to s. 290.0065, rural communities,~~
 229 | ~~brownfield areas, and distressed urban communities. The report~~
 230 | ~~must also discuss the efforts made by the department to amend~~
 231 | ~~tax refund agreements to require tax refund claims to be~~
 232 | ~~submitted by January 31 for the net new full time equivalent~~
 233 | ~~jobs in this state as of December 31 of the preceding calendar~~
 234 | ~~year. The report must also list the name and tax refund amount~~
 235 | ~~for each business that has received a tax refund under s.~~
 236 | ~~288.1045 or s. 288.106 during the preceding fiscal year.~~

237 | Section 7. Paragraph (d) of subsection (7) of section
 238 | 288.106, Florida Statutes, is amended to read:

239 | 288.106 Tax refund program for qualified target industry
 240 | businesses.—

241 | (7) ADMINISTRATION.—

242 | (d) Beginning with tax refund agreements signed after July
 243 | 1, 2010, the department shall attempt to ascertain the causes
 244 | for any business's failure to complete its agreement and shall
 245 | include ~~report~~ its findings and recommendations in the annual
 246 | incentives report required under s. 288.907 ~~to the Governor, the~~
 247 | ~~President of the Senate, and the Speaker of the House of~~
 248 | ~~Representatives. The report shall be submitted by December 1 of~~
 249 | ~~each year beginning in 2011.~~

250 | Section 8. Subsection (8) of section 288.1081, Florida
 251 | Statutes, is amended to read:

252 | 288.1081 Economic Gardening Business Loan Pilot Program.—

253 (8) ~~On June 30 and December 31 of each year,~~ The
 254 department shall include in its annual ~~submit a report~~ required
 255 under s. 20.60 a detailed description of ~~to the Governor, the~~
 256 ~~President of the Senate, and the Speaker of the House of~~
 257 ~~Representatives which describes in detail~~ the use of the loan
 258 funds. The report must include, at a minimum, the number of
 259 businesses receiving loans, the number of full-time equivalent
 260 jobs created as a result of the loans, the amount of wages paid
 261 to employees in the newly created jobs, the locations and types
 262 of economic activity undertaken by the borrowers, the amounts of
 263 loan repayments made to date, and the default rate of borrowers.

264 Section 9. Subsection (8) of section 288.1082, Florida
 265 Statutes, is amended to read:

266 288.1082 Economic Gardening Technical Assistance Pilot
 267 Program.—

268 (8) ~~On December 31 of each year,~~ The department shall
 269 include in its annual ~~submit a report~~ required under s. 20.60 a
 270 detailed description of ~~to the Governor, the President of the~~
 271 ~~Senate, and the Speaker of the House of Representatives which~~
 272 ~~describes in detail~~ the progress of the pilot program. The
 273 report must include, at a minimum, the number of businesses
 274 receiving assistance, the number of full-time equivalent jobs
 275 created as a result of the assistance, if any, the amount of
 276 wages paid to employees in the newly created jobs, and the
 277 locations and types of economic activity undertaken by the
 278 businesses.

279 Section 10. Paragraph (e) of subsection (3) of section
 280 288.1088, Florida Statutes, is amended to read:

281 288.1088 Quick Action Closing Fund.—

282 (3)

283 (e) The department ~~Enterprise Florida, Inc.,~~ shall
 284 validate contractor performance and report— such validation in
 285 the annual incentives report required under s. 288.907 ~~shall be~~
 286 ~~reported within 6 months after completion of the contract to the~~
 287 ~~Governor, President of the Senate, and the Speaker of the House~~
 288 ~~of Representatives.~~

289 Section 11. Subsection (9) and paragraph (a) of subsection
 290 (11) of section 288.1089, Florida Statutes, are amended to read:

291 288.1089 Innovation Incentive Program.—

292 (9) The department shall validate the performance of an
 293 innovation business, a research and development facility, or an
 294 alternative and renewable energy business that has received an
 295 award. At the conclusion of the innovation incentive award
 296 agreement, or its earlier termination, the department shall
 297 include in the annual incentives report required under s.
 298 288.907 a detailed description of, ~~within 90 days, submit a~~
 299 ~~report to the Governor, the President of the Senate, and the~~
 300 ~~Speaker of the House of Representatives~~ detailing whether the
 301 recipient of the innovation incentive grant achieved its
 302 specified outcomes.

303 (11) (a) The department shall include in ~~submit to the~~
 304 ~~Governor, the President of the Senate, and the Speaker of the~~
 305 ~~House of Representatives, as part of the annual~~ incentives
 306 report required under s. 288.907, a report summarizing the
 307 activities and accomplishments of the recipients of grants from
 308 the Innovation Incentive Program during the previous 12 months

309 and an evaluation of whether the recipients are catalysts for
 310 additional direct and indirect economic development in Florida.

311 Section 12. Subsection (4) of section 288.1226, Florida
 312 Statutes, is amended to read:

313 288.1226 Florida Tourism Industry Marketing Corporation;
 314 use of property; board of directors; duties; audit.—

315 (4) BOARD OF DIRECTORS.—The board of directors of the
 316 corporation shall be composed of the Governor and 31 tourism-
 317 industry-related members, appointed by Enterprise Florida, Inc.,
 318 in conjunction with the department.

319 (a) The Governor shall serve ex officio as a nonvoting
 320 member of the board.

321 (b)~~(a)~~ The board shall consist of 16 members, appointed in
 322 such a manner as to equitably represent all geographic areas of
 323 the state, with no fewer than two members from any of the
 324 following regions:

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

328 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
 329 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
 330 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
 331 Taylor, and Union Counties.

332 3. Region 3, composed of Brevard, Indian River, Lake,
 333 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
 334 Volusia Counties.

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

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

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

341 ~~(c)(b)~~ The 15 additional tourism-industry-related members
 342 shall include 1 representative from the statewide rental car
 343 industry; 7 representatives from tourist-related statewide
 344 associations, including those that represent hotels,
 345 campgrounds, county destination marketing organizations,
 346 museums, restaurants, retail, and attractions; 3 representatives
 347 from county destination marketing organizations; 1
 348 representative from the cruise industry; 1 representative from
 349 an automobile and travel services membership organization that
 350 has at least 2.8 million members in Florida; 1 representative
 351 from the airline industry; and 1 representative from the space
 352 tourism industry, who will each serve for a term of 2 years.

353 Section 13. Subsection (3) of section 288.1253, Florida
 354 Statutes, is amended to read:

355 288.1253 Travel and entertainment expenses.—

356 (3) The Office of Film and Entertainment ~~department~~ shall
 357 include in the annual report for the entertainment industry
 358 financial incentive program required under s. 288.1254(10) a
 359 ~~prepare an annual~~ report of the office's expenditures ~~of the~~
 360 ~~Office of Film and Entertainment and provide such report to the~~
 361 ~~Legislature no later than December 30 of each year for the~~
 362 ~~expenditures of~~ the previous fiscal year. The report shall
 363 consist of a summary of all travel, entertainment, and
 364 incidental expenses incurred within the United States and all

365 travel, entertainment, and incidental expenses incurred outside
 366 the United States, as well as a summary of all successful
 367 projects that developed from such travel.

368 Section 14. Subsection (10) of section 288.1254, Florida
 369 Statutes, is amended to read:

370 288.1254 Entertainment industry financial incentive
 371 program.—

372 (10) ANNUAL REPORT.—Each November 1 ~~October 1~~, the Office
 373 of Film and Entertainment shall submit ~~provide~~ an annual report
 374 for the previous fiscal year to the Governor, the President of
 375 the Senate, and the Speaker of the House of Representatives
 376 which outlines the incentive program's return on investment and
 377 economic benefits to the state. The report shall also include an
 378 estimate of the full-time equivalent positions created by each
 379 production that received tax credits under this section and
 380 information relating to the distribution of productions
 381 receiving credits by geographic region and type of production.
 382 The report shall also include the expenditures report required
 383 under s. 288.1253(3) and the information describing the
 384 relationship between tax exemptions and incentives to industry
 385 growth required under s. 288.1258(5).

386 Section 15. Subsection (5) of section 288.1258, Florida
 387 Statutes, is amended to read:

388 288.1258 Entertainment industry qualified production
 389 companies; application procedure; categories; duties of the
 390 Department of Revenue; records and reports.—

391 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO
 392 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The Office of Film

393 and Entertainment shall keep annual records from the information
 394 provided on taxpayer applications for tax exemption certificates
 395 beginning January 1, 2001. These records also shall reflect a
 396 ratio of the annual amount of sales and use tax exemptions under
 397 this section, plus the incentives awarded pursuant to s.
 398 288.1254 to the estimated amount of funds expended by certified
 399 productions. In addition, the office shall maintain data showing
 400 annual growth in Florida-based entertainment industry companies
 401 and entertainment industry employment and wages. The employment
 402 information shall include an estimate of the full-time
 403 equivalent positions created by each production that received
 404 tax credits pursuant to s. 288.1254. The Office of Film and
 405 Entertainment shall include ~~report~~ this information in the
 406 annual report for the entertainment industry financial incentive
 407 program required under s. 288.1254(10) ~~to the Legislature no~~
 408 ~~later than December 1 of each year.~~

409 Section 16. Subsection (3) of section 288.714, Florida
 410 Statutes, is amended to read:

411 288.714 Quarterly and annual reports.—

412 (3) ~~By August 31 of each year,~~ The department shall
 413 include in its annual report required under s. 20.60 ~~provide to~~
 414 ~~the Governor, the President of the Senate, and the Speaker of~~
 415 ~~the House of Representatives~~ a detailed report of the
 416 performance of the Black Business Loan Program. The report must
 417 include a cumulative summary of the quarterly report data
 418 compiled pursuant to ~~required by~~ subsection (2) ~~(1)~~.

419 Section 17. Section 288.7771, Florida Statutes, is amended
 420 to read:

421 288.7771 Annual report of Florida Export Finance
 422 Corporation.—The corporation shall annually prepare and submit
 423 to Enterprise Florida, Inc., ~~the department~~ for inclusion in its
 424 annual report required under s. 288.906 ~~by s. 288.095~~ a complete
 425 and detailed report setting forth:

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

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

429 Section 18. Subsections (3), (4), and (5) of section
 430 288.903, Florida Statutes, are amended to read:

431 288.903 Duties of Enterprise Florida, Inc.—Enterprise
 432 Florida, Inc., shall have the following duties:

433 (3) Prepare an annual report pursuant to s. 288.906.

434 (4) Prepare, in conjunction with the department, ~~and~~ an
 435 annual incentives report pursuant to s. 288.907.

436 (5) ~~(4)~~ Assist the department with the development of an
 437 annual and a long-range strategic business blueprint for
 438 economic development required in s. 20.60.

439 (6) ~~(5)~~ In coordination with Workforce Florida, Inc.,
 440 identify education and training programs that will ensure
 441 Florida businesses have access to a skilled and competent
 442 workforce necessary to compete successfully in the domestic and
 443 global marketplace.

444 Section 19. Subsection (3) is added to section 288.906,
 445 Florida Statutes, to read:

446 288.906 Annual report of Enterprise Florida, Inc., and its
 447 divisions; audits.—

448 (3) The following reports shall be included as supplements

449 | to the detailed report required by this section:

450 | (a) The annual report of the Florida Export Finance
 451 | Corporation required under s. 288.7771.

452 | (b) The report on the state's international offices
 453 | required under s. 288.012.

454 | Section 20. Subsection (1) of section 288.907, Florida
 455 | Statutes, is amended to read:

456 | 288.907 Annual incentives report.—

457 | (1) ~~In addition to the annual report required under s.~~
 458 | ~~288.906,~~ Enterprise Florida, Inc., in conjunction with the
 459 | department, shall, by December 30 of each year, submit an annual
 460 | incentives report to ~~shall provide~~ the Governor, the President
 461 | of the Senate, and the Speaker of the House of Representatives
 462 | which details and quantifies ~~a detailed incentives report~~
 463 | ~~quantifying~~ the economic benefits for all of the economic
 464 | development incentive programs marketed by Enterprise Florida,
 465 | Inc.

466 | (a) The annual incentives report must include for each
 467 | incentive program:

- 468 | 1. A brief description of the incentive program.
- 469 | 2. The amount of awards granted, by year, since inception.
- 470 | 3. The economic benefits, as defined in s. 288.005, based
 471 | on the actual amount of private capital invested, actual number
 472 | of jobs created, and actual wages paid for incentive agreements
 473 | completed during the previous 3 years.
- 474 | 4. ~~The report shall also include~~ The actual amount of
 475 | private capital invested, actual number of jobs created, and
 476 | actual wages paid for incentive agreements completed during the

477 previous 3 years for each target industry sector.

478 (b) For projects completed during the previous state
479 fiscal year, the report must include:

480 1. The number of economic development incentive
481 applications received.

482 2. The number of recommendations made to the department by
483 Enterprise Florida, Inc., including the number recommended for
484 approval and the number recommended for denial.

485 3. The number of final decisions issued by the department
486 for approval and for denial.

487 4. The projects for which a tax refund, tax credit, or
488 cash grant agreement was executed and, identifying for each
489 project:

490 a. The number of jobs committed to be created.

491 b. The amount of capital investments committed to be made.

492 c. The annual average wage committed to be paid.

493 d. The amount of state economic development incentives
494 committed to the project from each incentive program under the
495 project's terms of agreement with the Department of Economic
496 Opportunity.

497 e. The amount and type of local matching funds committed
498 to the project.

499 5. Tax refunds paid or other payments made funded out of
500 the Economic Development Incentives Account for each project.

501 6. The types of projects supported.

502 (c) For economic development projects that received tax
503 refunds, tax credits, or cash grants under the terms of an
504 agreement for incentives, the report must identify:

505 | 1. The number of jobs actually created.

506 | 2. The amount of capital investments actually made.

507 | 3. The annual average wage paid.

508 | (d) For a project receiving economic development

509 | incentives approved by the department and receiving federal or

510 | local incentives, the report must include a description of the

511 | federal or local incentives, if available.

512 | (e) The report must state the number of withdrawn or

513 | terminated projects that did not fulfill the terms of their

514 | agreements with the department and consequently are not

515 | receiving incentives.

516 | (f) The report must include an analysis of the economic

517 | benefits, as defined in s. 288.005, of tax refunds, tax credits,

518 | or other payments made to projects locating or expanding in

519 | state enterprise zones, rural communities, brownfield areas, or

520 | distressed urban communities.

521 | (g) The report must also include a separate analysis of

522 | the impact of tax refunds on rural communities, brownfield

523 | areas, distressed urban communities, and state enterprise zones

524 | designated pursuant to s. 290.0065.

525 | (h) The report must list the name of each business that

526 | received a tax refund during the previous fiscal year, and the

527 | amount of the tax refund, pursuant to the qualified defense

528 | contractor and space flight business tax refund program under s.

529 | 288.1045 or the tax refund program for qualified target industry

530 | businesses under s. 288.106.

531 | (i) ~~(g)~~ The report must identify the target industry

532 | businesses and high-impact businesses.

533 | ~~(j)-(h)~~ The report must describe the trends relating to
 534 | business interest in, and usage of, the various incentives, and
 535 | the number of minority-owned or woman-owned businesses receiving
 536 | incentives.

537 | ~~(k)-(i)~~ The report must identify incentive programs not
 538 | used and include recommendations for changes utilized.

539 | (l) The report must include information related to the
 540 | validation of contractor performance required under s. 288.061.

541 | (m) Beginning in 2014, the report must summarize the
 542 | activities related to the Florida Space Business Incentives Act,
 543 | s. 220.194.

544 | Section 21. Subsection (3) of section 288.92, Florida
 545 | Statutes, is amended to read:

546 | 288.92 Divisions of Enterprise Florida, Inc.—

547 | (3) ~~By October 15 each year,~~ Each division shall draft and
 548 | submit an annual report for inclusion in the report required
 549 | under 288.906 which details the division's activities during the
 550 | previous ~~prior~~ fiscal year and includes ~~any~~ recommendations for
 551 | improving current statutes related to the division's ~~related~~
 552 | area of responsibility.

553 | Section 22. Subsection (5) of section 288.95155, Florida
 554 | Statutes, is amended to read:

555 | 288.95155 Florida Small Business Technology Growth
 556 | Program.—

557 | (5) Enterprise Florida, Inc., shall include in the annual
 558 | incentives report required under s. 288.907 ~~prepare for~~
 559 | ~~inclusion in the annual report of the department required by s.~~
 560 | ~~288.095~~ a report on the financial status of the program. The

561 report must specify the assets and liabilities of the program
 562 within the current fiscal year and must include a portfolio
 563 update that lists all of the businesses assisted, the private
 564 dollars leveraged by each business assisted, and the growth in
 565 sales and ~~in~~ employment of each business assisted.

566 Section 23. Subsection (11) of section 290.0056, Florida
 567 Statutes, is amended to read:

568 290.0056 Enterprise zone development agency.—

569 (11) Before October 1 ~~December 1~~ of each year, the agency
 570 shall submit to the department for inclusion in the department's
 571 annual report required under s. 20.60 a complete and detailed
 572 written report setting forth:

573 (a) Its operations and accomplishments during the fiscal
 574 year.

575 (b) The accomplishments and progress concerning the
 576 implementation of the strategic plan or measurable goals, and
 577 any updates to the strategic plan or measurable goals.

578 (c) The number and type of businesses assisted by the
 579 agency during the fiscal year.

580 (d) The number of jobs created within the enterprise zone
 581 during the fiscal year.

582 (e) The usage and revenue impact of state and local
 583 incentives granted during the calendar year.

584 (f) Any other information required by the department.

585 Section 24. Section 290.014, Florida Statutes, is amended
 586 to read:

587 290.014 Annual reports on enterprise zones.—

588 ~~(1)~~ By October 1 ~~February 1~~ of each year, the Department

589 of Revenue shall submit a ~~an annual~~ report to the department for
 590 inclusion in the department's annual report required under s.
 591 20.60 which details ~~detailing~~ the usage and revenue impact by
 592 county of the state incentives listed in s. 290.007.

593 ~~(2) By March 1 of each year, the department shall submit~~
 594 ~~an annual report to the Governor, the Speaker of the House of~~
 595 ~~Representatives, and the President of the Senate.~~ The report
 596 shall also include ~~the information provided by the department of~~
 597 ~~Revenue pursuant to subsection (1) and the information provided~~
 598 by the enterprise zone development agencies pursuant to s.
 599 290.0056(11) ~~290.0056~~. In addition, the report shall include an
 600 analysis of the activities and accomplishments of each
 601 enterprise zone.

602 Section 25. Section 290.0411, Florida Statutes, is amended
 603 to read:

604 290.0411 Legislative intent and purpose of ss. 290.0401-
 605 290.048.—It is the intent of the Legislature to provide the
 606 necessary means to develop, preserve, redevelop, and revitalize
 607 Florida communities exhibiting signs of decline, ~~or~~ distress, or
 608 economic need by enabling local governments to undertake the
 609 necessary community and economic development programs. The
 610 overall objective is to create viable communities by eliminating
 611 slum and blight, fortifying communities in urgent need,
 612 providing decent housing and suitable living environments, and
 613 expanding economic opportunities, principally for persons of low
 614 or moderate income. The purpose of ss. 290.0401-290.048 is to
 615 assist local governments in carrying out effective community and
 616 economic development and project planning and design activities

617 to arrest and reverse community decline and restore community
 618 vitality. Community development and project planning activities
 619 to maintain viable communities, revitalize existing communities,
 620 expand economic development and employment opportunities, and
 621 improve housing conditions and expand housing opportunities,
 622 providing direct benefit to persons of low or moderate income,
 623 are the primary purposes of ss. 290.0401-290.048. The
 624 Legislature, therefore, declares that the development,
 625 redevelopment, preservation, and revitalization of communities
 626 in this state and all the purposes of ss. 290.0401-290.048 are
 627 public purposes for which public money may be borrowed,
 628 expended, loaned, pledged to guarantee loans, and granted.

629 Section 26. Subsections (1) and (6) of section 290.042,
 630 Florida Statutes, are amended to read:

631 290.042 Definitions relating to Florida Small Cities
 632 Community Development Block Grant Program Act.—As used in ss.
 633 290.0401-290.048, the term:

634 (1) "Administrative closeout" means the notification of a
 635 grantee by the department that all applicable administrative
 636 actions and all required work of an existing ~~the~~ grant have been
 637 completed with the exception of the final audit.

638 (6) "Person of low or moderate income" means any person
 639 who meets the definition established by the department in
 640 accordance with the guidelines established in Title I of the
 641 Housing and Community Development Act of 1974, as amended, and
 642 the definition of the term "low- and moderate-income person" as
 643 provided in 24 C.F.R. s. 570.3.

644 Section 27. Subsections (2), (3), and (4) of section

645 290.044, Florida Statutes, are amended to read:

646 290.044 Florida Small Cities Community Development Block
647 Grant Program Fund; administration; distribution.—

648 (2) The department shall adopt rules establishing
649 guidelines for the distribution of ~~distribute such funds as loan~~
650 ~~guarantees and grants to eligible local governments~~ through ~~on~~
651 ~~the basis of a competitive selection process.~~

652 (3) The department shall define ~~the~~ broad community
653 development objectives consistent with national objectives
654 established by 42 U.S.C. s. 5304 and 24 C.F.R. s. 570.483
655 ~~objective to be achieved through the distribution of block grant~~
656 funds under this section. ~~by the activities in each of the~~
657 ~~following grant program categories, and require applicants for~~
658 ~~grants to compete against each other in these grant program~~
659 ~~categories:~~

- 660 ~~(a) Housing.~~
- 661 ~~(b) Economic development.~~
- 662 ~~(c) Neighborhood revitalization.~~
- 663 ~~(d) Commercial revitalization.~~
- 664 ~~(e) Project planning and design.~~

665 (4) The department may set aside an amount of up to 5
666 percent of the funds annually for use in any eligible local
667 government jurisdiction for which an emergency or natural
668 disaster has been declared by executive order. Such funds may
669 only be provided to a local government to fund eligible
670 emergency-related activities but must not be provided unless ~~for~~
671 ~~which~~ no other source of federal, state, or local disaster funds
672 is available. The department may provide for such set-aside by

673 rule. In the last quarter of the state fiscal year, any funds
 674 not allocated under the emergency-related set-aside shall be
 675 distributed to unfunded applications from the most recent
 676 funding cycle.

677 Section 28. Section 290.0455, Florida Statutes, is amended
 678 to read:

679 290.0455 Small Cities Community Development Block Grant
 680 Loan Guarantee Program; Section 108 loan guarantees.-

681 (1) The Small Cities Community Development Block Grant
 682 Loan Guarantee Program is created. The department shall
 683 administer the loan guarantee program pursuant to Section 108 ~~s.~~
 684 ~~108~~ of Title I of the Housing and Community Development Act of
 685 1974, as amended, and as further amended by s. 910 of the
 686 Cranston-Gonzalez National Affordable Housing Act. The purpose
 687 of the Small Cities Community Development Block Grant Loan
 688 Guarantee Program is to guarantee, or to make commitments to
 689 guarantee, notes or other obligations issued by public entities
 690 for the purposes of financing activities enumerated in 24 C.F.R.
 691 s. 570.703.

692 (2) Activities assisted under the loan guarantee program
 693 must meet the requirements contained in 24 C.F.R. ss. 570.700-
 694 570.710 and may not otherwise be financed in whole or in part
 695 from the Florida Small Cities Community Development Block Grant
 696 Program.

697 (3) The department may pledge existing revenues on deposit
 698 or future revenues projected to be available for deposit in the
 699 Florida Small Cities Community Development Block Grant Program
 700 in order to guarantee, ~~in whole or in part,~~ the payment of

701 principal and interest on a Section 108 loan ~~made under the loan~~
 702 ~~guarantee program.~~

703 (4) An applicant approved by the United States Department
 704 of Housing and Urban Development to receive a Section 108 loan
 705 shall enter into an agreement with the Department of Economic
 706 Opportunity which requires the applicant to pledge half of the
 707 amount necessary to guarantee the loan in the event of default.

708 (5) The department shall review all Section 108 loan
 709 applications that it receives from local governments. The
 710 department shall review the applications ~~must submit all~~
 711 ~~applications it receives to the United States Department of~~
 712 ~~Housing and Urban Development for loan approval,~~ in the order
 713 received, subject to a determination by the department
 714 ~~determining that~~ each ~~the~~ application meets all eligibility
 715 requirements contained in 24 C.F.R. ss. 570.700-570.710, and has
 716 been deemed financially feasible by a loan underwriter approved
 717 by the department. If the statewide maximum available for loan
 718 guarantee commitments established in subsection (6) has not been
 719 committed, the department may submit the Section 108 loan
 720 application to the United States Department of Housing and Urban
 721 Development with a recommendation that the loan be approved,
 722 with or without conditions, or be denied ~~provided that the~~
 723 ~~applicant has submitted the proposed activity to a loan~~
 724 ~~underwriter to document its financial feasibility.~~

725 (6)~~(5)~~ The maximum amount of an individual loan guarantee
 726 commitment that an ~~commitments that any~~ eligible local
 727 government may receive is ~~may be~~ limited to \$5 ~~\$7~~ million
 728 ~~pursuant to 24 C.F.R. s. 570.705,~~ and the maximum amount of loan

729 | guarantee commitments statewide may not exceed an amount equal
 730 | to two ~~five~~ times the amount of the most recent grant received
 731 | by the department under the Florida Small Cities Community
 732 | Development Block Grant Program.

733 | ~~(7)(6)~~ Section 108 loans guaranteed by the Small Cities
 734 | Community Development Block Grant Program ~~loan guarantee program~~
 735 | must be repaid within 20 years.

736 | ~~(8)(7)~~ Section 108 loan applicants must demonstrate
 737 | ~~guarantees may be used for an activity only if the local~~
 738 | ~~government provides evidence to the department that the~~
 739 | applicant investigated alternative financing services ~~were~~
 740 | ~~investigated~~ and the services were unavailable or insufficient
 741 | to meet the financing needs of the proposed activity.

742 | (9) If a local government defaults on a Section 108 loan
 743 | received from the United States Department of Housing and Urban
 744 | Development and guaranteed through the Florida Small Cities
 745 | Community Development Block Grant Program, thereby requiring the
 746 | department to reduce its annual grant award in order to pay the
 747 | annual debt service on the loan, any future community
 748 | development block grants that the local government receives must
 749 | be reduced in an amount equal to the amount of the state's grant
 750 | award used in payment of debt service on the loan.

751 | (10) If a local government receives a Section 108 loan
 752 | guaranteed through the Florida Small Cities Community
 753 | Development Block Grant Program and is granted entitlement
 754 | community status as defined in subpart D of 24 C.F.R. part 570
 755 | by the United States Department of Housing and Urban Development
 756 | before paying the loan in full, the local government must pledge

757 its community development block grant entitlement allocation as
 758 a guarantee of its previous loan and request that the United
 759 States Department of Housing and Urban Development release the
 760 department as guarantor of the loan.

761 ~~(8) The department must, before approving an application~~
 762 ~~for a loan, evaluate the applicant's prior administration of~~
 763 ~~block grant funds for community development. The evaluation of~~
 764 ~~past performance must take into account the procedural aspects~~
 765 ~~of previous grants or loans as well as substantive results. If~~
 766 ~~the department finds that any applicant has failed to~~
 767 ~~substantially accomplish the results proposed in the applicant's~~
 768 ~~last previously funded application, the department may prohibit~~
 769 ~~the applicant from receiving a loan or may penalize the~~
 770 ~~applicant in the rating of the current application.~~

771 Section 29. Section 290.046, Florida Statutes, is amended
 772 to read:

773 (Substantial rewording of section. See
 774 s. 290.046, F.S., for present text.)
 775 290.046 Applications for grants; procedures;
 776 requirements.-

777 (1) The department shall adopt rules establishing
 778 application procedures.

779 (2) (a) Except for economic development projects, each
 780 local government that is eligible by rule to apply for a grant
 781 during an application cycle may submit one application for a
 782 noneconomic development project during the application cycle. A
 783 local government that is eligible by rule to apply for an
 784 economic development grant may apply up to three times each

785 funding cycle for an economic development grant and may have
 786 more than one open economic development grant.

787 (b) The department shall establish minimum criteria
 788 pertaining to the number of jobs created for persons of low or
 789 moderate income, the degree of private sector financial
 790 commitment, the economic feasibility of the proposed project,
 791 and any other criteria the department deems appropriate.

792 (c) The department may not award a grant until the
 793 department has completed a site visit to verify the information
 794 contained in the application.

795 (3) (a) The department shall adopt rules establishing
 796 criteria for evaluating applications received during each
 797 application cycle and the department must rank each application
 798 in accordance with those rules. Such rules must allow the
 799 department to consider relevant factors, including, but not
 800 limited to, community need, unemployment, poverty levels, low
 801 and moderate income populations, health and safety, and the
 802 condition of physical structures. The department shall
 803 incorporate into its ranking system a procedure intended to
 804 eliminate or reduce any existing population-related bias that
 805 places exceptionally small communities at a disadvantage in the
 806 competition for funds.

807 (b) Project funding must be determined by the rankings
 808 established in each application cycle. If economic development
 809 funding remains available after the application cycle closes,
 810 funding will be awarded to eligible projects on a first-come,
 811 first-served basis until funding for this category is fully
 812 obligated.

813 (4) In order to provide the public with information
814 concerning an applicant's proposed program before an application
815 is submitted to the department, the applicant shall, for each
816 funding cycle:

817 (a) Conduct an initial public hearing to inform the public
818 of funding opportunities available to meet community needs and
819 eligible activities and to solicit public input on community
820 needs.

821 (b) Publish a summary of the proposed application which
822 affords the public an opportunity to examine the contents of the
823 application and submit comments.

824 (c) Conduct a second public hearing to obtain public
825 comments on the proposed application and make appropriate
826 modifications to the application.

827 Section 30. Section 290.047, Florida Statutes, is amended
828 to read:

829 (Substantial rewording of section. See
830 s. 290.047, F.S., for present text.)

831 290.047 Establishment of grant ceilings and maximum
832 administrative cost percentages.-

833 (1) The department shall adopt rules to establish:

834 (a) Grant ceilings.

835 (b) The maximum percentage of block grant funds that may
836 be spent on administrative costs by an eligible local
837 government.

838 (c) Grant administration procurement procedures for
839 eligible local governments.

840 (2) An eligible local government may not contract with the

841 same individual or business entity for more than one service to
 842 be performed in connection with a community development block
 843 grant, including, but not limited to, application preparation
 844 services, administrative services, architectural and engineering
 845 services, and construction services, unless it can be
 846 demonstrated by the eligible local government that the
 847 individual or business entity is the sole source of the service
 848 or is the responsive proposer whose proposal is determined in
 849 writing from a competitive process to be the most advantageous
 850 to the local government.

851 (3) The maximum amount of block grant funds that may be
 852 spent on architectural and engineering costs by an eligible
 853 local government must be determined by a methodology adopted by
 854 the department by rule.

855 Section 31. Section 290.0475, Florida Statutes, is amended
 856 to read:

857 290.0475 Rejection of grant applications; penalties for
 858 failure to meet application conditions.—Applications received
 859 for funding are ineligible if ~~under all program categories shall~~
 860 ~~be rejected without scoring only in the event that any of the~~
 861 ~~following circumstances arise:~~

862 (1) The application is not received by the department by
 863 the application deadline.

864 (2) The proposed project does not meet one of the three
 865 national objectives as described ~~contained~~ in s. 290.044(3)
 866 ~~federal and state legislation.~~

867 (3) The proposed project is not an eligible activity as
 868 contained in the federal legislation.

869 (4) The application is not consistent with the local
 870 government's comprehensive plan adopted pursuant to s. 163.3184.

871 (5) The applicant has an open community development block
 872 grant, except as provided in s. s. 290.046(2) (a) and department
 873 rule 290.046(2) (e).

874 (6) The local government is not in compliance with the
 875 citizen participation requirements prescribed in ss. 104(a) (1)
 876 and (2) and 106(d) (5) (c) of Title I of the Housing and Community
 877 Development Act of 1984, s. 290.046(4), and department rule
 878 rules.

879 ~~(7) Any information provided in the application that~~
 880 ~~affects eligibility or scoring is found to have been~~
 881 ~~misrepresented, and the information is not a mathematical error~~
 882 ~~which may be discovered and corrected by readily computing~~
 883 ~~available numbers or formulas provided in the application.~~

884 Section 32. Subsections (5), (6), and (7) of section
 885 290.048, Florida Statutes, are amended to read:

886 290.048 General powers of department under ss. 290.0401-
 887 290.048.—The department has all the powers necessary or
 888 appropriate to carry out the purposes and provisions of the
 889 program, including the power to:

890 ~~(5) Adopt and enforce strict requirements concerning an~~
 891 ~~applicant's written description of a service area. Each such~~
 892 ~~description shall contain maps which illustrate the location of~~
 893 ~~the proposed service area. All such maps must be clearly legible~~
 894 ~~and must:~~

895 ~~(a) Contain a scale which is clearly marked on the map.~~

896 ~~(b) Show the boundaries of the locality.~~

897 ~~(c) Show the boundaries of the service area where the~~
 898 ~~activities will be concentrated.~~

899 ~~(d) Display the location of all proposed area activities.~~

900 ~~(e) Include the names of streets, route numbers, or easily~~
 901 ~~identifiable landmarks where all service activities are located.~~

902 (5)~~(6)~~ Pledge community development block grant revenues
 903 from the Federal Government in order to guarantee notes or other
 904 obligations of a public entity which are approved pursuant to s.
 905 290.0455.

906 ~~(7) Establish an advisory committee of no more than 13~~
 907 ~~members to solicit participation in designing, administering,~~
 908 ~~and evaluating the program and in linking the program with other~~
 909 ~~housing and community development resources.~~

910 Section 33. Subsection (11) of section 331.3051, Florida
 911 Statutes, is amended to read:

912 331.3051 Duties of Space Florida.—Space Florida shall:

913 (11) Annually report on its performance with respect to
 914 its business plan, to include finance, spaceport operations,
 915 research and development, workforce development, and education.
 916 The report shall be submitted to the Governor, the President of
 917 the Senate, and the Speaker of the House of Representatives by
 918 November 30 ~~no later than September 1~~ for the previous ~~prior~~
 919 fiscal year. The annual report shall include operations
 920 information as required under s. 331.310(2)(e).

921 Section 34. Paragraph (e) of subsection (2) of section
 922 331.310, Florida Statutes, is amended to read:

923 331.310 Powers and duties of the board of directors.—

924 (2) The board of directors shall:

925 (e) Prepare an annual report of operations as a supplement
 926 to the annual report required under s. 331.3051(11). The report
 927 shall include, but not be limited to, a balance sheet, an income
 928 statement, a statement of changes in financial position, a
 929 reconciliation of changes in equity accounts, a summary of
 930 significant accounting principles, the auditor's report, a
 931 summary of the status of existing and proposed bonding projects,
 932 comments from management about the year's business, and
 933 prospects for the next year, ~~which shall be submitted each year~~
 934 ~~by November 30 to the Governor, the President of the Senate, the~~
 935 ~~Speaker of the House of Representatives, the minority leader of~~
 936 ~~the Senate, and the minority leader of the House of~~
 937 ~~Representatives.~~

938 Section 35. Paragraph (b) of subsection (4) of section
 939 443.1113, Florida Statutes, is amended to read:

940 443.1113 Reemployment Assistance Claims and Benefits
 941 Information System.—

942 (4) The project to implement the Reemployment Assistance
 943 Claims and Benefits Information System shall be comprised of the
 944 following phases and corresponding implementation timeframes:

945 (b) The Reemployment Assistance Claims and Benefits
 946 Internet portal that replaces the Florida Unemployment Internet
 947 Direct and the Florida Continued Claims Internet Directory
 948 systems, the Call Center Interactive Voice Response System, the
 949 Benefit Overpayment Screening System, the Internet and Intranet
 950 Appeals System, and the Claims and Benefits Mainframe System
 951 shall be deployed to full operational status no later than the
 952 end of fiscal year 2013-2014 ~~2012-2013~~.

953 Section 36. Subsection (5) of section 443.131, Florida
 954 Statutes, is amended to read:

955 443.131 Contributions.—

956 (5) ADDITIONAL RATE FOR INTEREST ON FEDERAL ADVANCES.—

957 (a) When the Unemployment Compensation Trust Fund has
 958 received advances from the Federal Government under the
 959 provisions of 42 U.S.C. s. 1321, each contributing employer
 960 shall be assessed an additional rate solely for the purpose of
 961 paying interest due on such federal advances. The additional
 962 rate shall be assessed no later than February 1 in each calendar
 963 year in which an interest payment is due.

964 (b) The Revenue Estimating Conference shall estimate the
 965 amount of ~~such~~ interest due on federal advances by no later than
 966 December 1 of the calendar year before ~~preceding~~ the calendar
 967 year in which an interest payment is due. The Revenue Estimating
 968 Conference shall, at a minimum, consider the following as the
 969 basis for the estimate:

- 970 1. The amounts actually advanced to the trust fund.
- 971 2. Amounts expected to be advanced to the trust fund based
 972 on current and projected unemployment patterns and employer
 973 contributions.
- 974 3. The interest payment due date.
- 975 4. The interest rate that will be applied by the Federal
 976 Government to any accrued outstanding balances.

977 (c) ~~(b)~~ The tax collection service provider shall calculate
 978 the additional rate to be assessed against contributing
 979 employers. The additional rate assessed for a calendar year
 980 shall be determined by dividing the estimated amount of interest

981 to be paid in that year by 95 percent of the taxable wages as
 982 described in s. 443.1217 paid by all employers for the year
 983 ending June 30 of the previous ~~immediately preceding~~ calendar
 984 year. The amount to be paid by each employer shall be the
 985 product obtained by multiplying such employer's taxable wages as
 986 described in s. 443.1217 for the year ending June 30 of the
 987 previous ~~immediately preceding~~ calendar year by the rate as
 988 determined by this subsection. An assessment may not be made if
 989 the amount of assessments on deposit from previous years, plus
 990 any earned interest, is at least 80 percent of the estimated
 991 amount of interest.

992 (d) The tax collection service provider shall make a
 993 separate collection of such assessment, which may be collected
 994 at the time of employer contributions and subject to the same
 995 penalties for failure to file a report, imposition of the
 996 standard rate pursuant to paragraph (3)(h), and interest if the
 997 assessment is not received on or before June 30. Section
 998 443.141(1)(d) and (e) does not apply to this separately
 999 collected assessment. The tax collection service provider shall
 1000 maintain those funds in the tax collection service provider's
 1001 Audit and Warrant Clearing Trust Fund until the provider is
 1002 directed by the Governor or the Governor's designee to make the
 1003 interest payment to the Federal Government. Assessments on
 1004 deposit shall be available to pay the interest on advances
 1005 received from the Federal Government under 42 U.S.C. s. 1321.
 1006 Assessments on deposit may be invested and any interest earned
 1007 shall be part of the balance available to pay the interest on
 1008 advances received from the Federal Government under 42 U.S.C. s.

1009 | 1321.

1010 | (e) Four months after ~~In the calendar year that~~ all

1011 | advances from the Federal Government under 42 U.S.C. s. 1321 and

1012 | associated interest are repaid, ~~if there are assessment funds in~~

1013 | ~~excess of the amount required to meet the final interest~~

1014 | ~~payment,~~ any ~~such~~ excess assessed funds in the Audit and Warrant

1015 | Clearing Trust Fund, including associated interest, shall be

1016 | transferred to ~~credited to employer accounts in~~ the Unemployment

1017 | Compensation Trust Fund. Any assessment amounts subsequently

1018 | collected shall also be transferred to the Unemployment

1019 | Compensation Trust Fund in an amount equal to the employer's

1020 | ~~contribution to the assessment for that year divided by the~~

1021 | ~~total amount of the assessment for that year, the result of~~

1022 | ~~which is multiplied by the amount of excess assessed funds.~~

1023 | (f) If ~~However,~~ if the state is permitted to defer

1024 | interest payments due during a calendar year under 42 U.S.C. s.

1025 | 1322, payment of the interest assessment shall not be due. If a

1026 | deferral of interest expires or is subsequently disallowed by

1027 | the Federal Government, either prospectively or retroactively,

1028 | the interest assessment shall be immediately due and payable.

1029 | Notwithstanding any other provision of this section, if interest

1030 | due during a calendar year on federal advances is forgiven or

1031 | postponed under federal law and is no longer due during that

1032 | calendar year, no interest assessment shall be assessed against

1033 | an employer for that calendar year, and any assessment already

1034 | assessed and collected against an employer before the

1035 | forgiveness or postponement of the interest for that calendar

1036 | year shall be credited to such employer's account in the

1037 Unemployment Compensation Trust Fund. However, such funds may be
 1038 used only to pay benefits or refunds of erroneous contributions.

1039 (g) This subsection expires July 1, 2014.

1040 Section 37. Paragraph (a) of subsection (6) of section
 1041 443.151, Florida Statutes, is amended to read:

1042 443.151 Procedure concerning claims.—

1043 (6) RECOVERY AND RECOUPMENT.—

1044 (a) Any person who, by reason of her or his fraud,
 1045 receives benefits under this chapter to which she or he is not
 1046 entitled is liable for repaying those benefits to the Department
 1047 of Economic Opportunity on behalf of the trust fund or, in the
 1048 discretion of the department, to have those benefits deducted
 1049 from future benefits payable to her or him under this chapter.

1050 In addition, the department shall impose upon the claimant a
 1051 penalty equal to 15 percent of the amount overpaid. To enforce
 1052 this paragraph, the department must find the existence of fraud
 1053 through a redetermination or decision under this section within
 1054 2 years after the fraud was committed. Any recovery or
 1055 recoupment of benefits must be commenced within 7 years after
 1056 the redetermination or decision.

1057 Section 38. Subsection (1) of section 443.1715, Florida
 1058 Statutes, is amended to read:

1059 443.1715 Disclosure of information; confidentiality.—

1060 (1) RECORDS AND REPORTS.—Information revealing an
 1061 employing unit's or individual's identity obtained from the
 1062 employing unit or any individual under the administration of
 1063 this chapter, and any determination revealing that information,
 1064 is confidential and exempt from s. 119.07(1) and s. 24(a), Art.

1065 I of the State Constitution. This confidential information may
 1066 be released in accordance with the provisions in 20 C.F.R. part
 1067 603. A person receiving confidential information who violates
 1068 this subsection commits a misdemeanor of the second degree,
 1069 punishable as provided in s. 775.082 or s. 775.083. The
 1070 Department of Economic Opportunity or its tax collection service
 1071 provider may, however, furnish to any employer copies of any
 1072 report submitted by that employer upon the request of the
 1073 employer and may furnish to any claimant copies of any report
 1074 submitted by that claimant upon the request of the claimant. The
 1075 department or its tax collection service provider may charge a
 1076 reasonable fee for copies of these reports as prescribed by
 1077 rule, which may not exceed the actual reasonable cost of the
 1078 preparation of the copies. Fees received for copies under this
 1079 subsection must be deposited in the Employment Security
 1080 Administration Trust Fund.

1081 Section 39. Subsection (1) of section 443.191, Florida
 1082 Statutes, is amended to read:

1083 443.191 Unemployment Compensation Trust Fund;
 1084 establishment and control.—

1085 (1) There is established, as a separate trust fund apart
 1086 from all other public funds of this state, an Unemployment
 1087 Compensation Trust Fund, which shall be administered by the
 1088 Department of Economic Opportunity exclusively for the purposes
 1089 of this chapter. The fund shall consist of:

1090 (a) All contributions and reimbursements collected under
 1091 this chapter;

1092 (b) Interest earned on any moneys in the fund;

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1093 (c) Any property or securities acquired through the use of
 1094 moneys belonging to the fund;

1095 (d) All earnings of these properties or securities;

1096 (e) All money credited to this state's account in the
 1097 federal Unemployment Compensation Trust Fund under 42 U.S.C. s.
 1098 1103; ~~and~~

1099 (f) All money collected for penalties imposed pursuant to
 1100 s. 443.151(6) (a); and

1101 (g) Advances on the amount in the federal Unemployment
 1102 Compensation Trust Fund credited to the state under 42 U.S.C. s.
 1103 1321, as requested by the Governor or the Governor's designee.

1104

1105 Except as otherwise provided in s. 443.1313(4), all moneys in
 1106 the fund shall be mingled and undivided.

1107 Section 40. Paragraph (b) of subsection (3) and subsection
 1108 (4) of section 446.50, Florida Statutes, is amended to read:

1109 446.50 Displaced homemakers; multiservice programs; report
 1110 to the Legislature; Displaced Homemaker Trust Fund created.—

1111 (3) POWERS AND DUTIES OF THE DEPARTMENT OF ECONOMIC
 1112 OPPORTUNITY.—

1113 (b)1. The department shall enter into contracts with, and
 1114 make grants to, public and nonprofit private entities for
 1115 purposes of establishing multipurpose service programs for
 1116 displaced homemakers under this section. Such grants and
 1117 contracts shall be awarded pursuant to chapter 287 and based on
 1118 criteria established in the program state plan as provided in
 1119 subsection (4) developed pursuant to this section. The
 1120 department shall designate catchment areas that together, shall

1121 | compose the entire state, and, to the extent possible from
 1122 | revenues in the Displaced Homemaker Trust Fund, the department
 1123 | shall contract with, and make grants to, entities that will
 1124 | serve entire catchment areas so that displaced homemaker service
 1125 | programs are available statewide. These catchment areas shall be
 1126 | coterminous with the state's workforce development regions. The
 1127 | department may give priority to existing displaced homemaker
 1128 | programs when evaluating bid responses to the request for
 1129 | proposals.

1130 | 2. In order to receive funds under this section, and
 1131 | unless specifically prohibited by law from doing so, an entity
 1132 | that provides displaced homemaker service programs must receive
 1133 | at least 25 percent of its funding from one or more local,
 1134 | municipal, or county sources or nonprofit private sources. In-
 1135 | kind contributions may be evaluated by the department and
 1136 | counted as part of the required local funding.

1137 | 3. The department shall require an entity that receives
 1138 | funds under this section to maintain appropriate data to be
 1139 | compiled in an annual report to the department. Such data shall
 1140 | include, but shall not be limited to, the number of clients
 1141 | served, the units of services provided, designated client-
 1142 | specific information including intake and outcome information
 1143 | specific to each client, costs associated with specific services
 1144 | and program administration, total program revenues by source and
 1145 | other appropriate financial data, and client followup
 1146 | information at specified intervals after the placement of a
 1147 | displaced homemaker in a job.

1148 | (4) DISPLACED HOMEWORKER PROGRAM ~~STATE~~ PLAN.—

1149 ~~(a)~~ The Department of Economic Opportunity shall include
 1150 in its annual report required under s. 20.60 a ~~develop a 3-year~~
 1151 ~~state plan for the displaced homemaker program which shall be~~
 1152 ~~updated annually.~~ The plan must address, at a minimum, the need
 1153 for programs specifically designed to serve displaced
 1154 homemakers, any necessary service components for such programs
 1155 in addition to those described ~~enumerated~~ in this section, goals
 1156 of the displaced homemaker program with an analysis of the
 1157 extent to which those goals are being met, and recommendations
 1158 for ways to address any unmet program goals. Any request for
 1159 funds for program expansion must be based on the ~~state plan.~~

1160 ~~(b)~~ The displaced homemaker program ~~Each annual update~~
 1161 ~~must address any changes in the components of the 3-year state~~
 1162 ~~plan and a report that~~ must include, but need not be limited to,
 1163 the following:

1164 (a)1. The scope of the incidence of displaced homemakers;

1165 (b)2. A compilation and report, by program, of data
 1166 submitted to the department pursuant to subparagraph 3. by
 1167 funded displaced homemaker service programs;

1168 (c)3. An identification and description of the programs in
 1169 the state which receive funding from the department, including
 1170 funding information; and

1171 (d)4. An assessment of the effectiveness of each displaced
 1172 homemaker service program based on outcome criteria established
 1173 by rule of the department.

1174 ~~(e)~~ ~~The 3-year state plan must be submitted to the~~
 1175 ~~President of the Senate, the Speaker of the House of~~
 1176 ~~Representatives, and the Governor on or before January 1, 2001,~~

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1177 | ~~and annual updates of the plan must be submitted by January 1 of~~
1178 | ~~each subsequent year.~~

1179 | Section 41. This act shall take effect July 1, 2013.