



Transportation & Economic Development Appropriations Subcommittee

Action Packet

**February 16, 2016
12:30 p.m. – 2:30 p.m.
Sumner Hall**

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Subcommittee

2/16/2016 12:30:00PM

Location: Sumner Hall (404 HOB)

Summary:

Transportation & Economic Development Appropriations Subcommittee

Tuesday February 16, 2016 12:30 pm

CS/HB 427	Favorable With Committee Substitute	Yeas: 12	Nays: 0
	Amendment 745415 Adopted Without Objection		
HB 1325	Favorable With Committee Substitute	Yeas: 11	Nays: 1
	Amendment 858285 Adopted Without Objection		
HB 1379	Favorable	Yeas: 12	Nays: 0

Committee meeting was reported out: Tuesday, February 16, 2016 2:09:29PM

COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Subcommittee
2/16/2016 12:30:00PM

Location: Sumner Hall (404 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Clay Ingram (Chair)	X		
Bruce Antone	X		
Frank Artiles			X
Bryan Avila	X		
Colleen Burton	X		
Brad Drake	X		
George Moraitis, Jr.	X		
W. Keith Perry	X		
Kathleen Peters	X		
Lake Ray	X		
Hazelle Rogers	X		
Richard Stark	X		
Victor Torres, Jr.	X		
Totals:	12	0	1

Committee meeting was reported out: Tuesday, February 16, 2016 2:09:29PM

COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Subcommittee
2/16/2016 12:30:00PM

Location: Sumner Hall (404 HOB)

CS/HB 427 : Recreational Vessel Registration

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry	X				
Kathleen Peters	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Stark	X				
Victor Torres, Jr.	X				
Clay Ingram (Chair)	X				
Total Yeas: 12		Total Nays: 0			

CS/HB 427 Amendments

Amendment 745415

Adopted Without Objection

Appearances:

Bon Larron, Todd (Lobbyist) - Waive In Support
 Palm Beach County
 Legislative Affairs Director
 301 N. Olive Ave.
 West Palm Beach FL 33401
 Phone: 561-355-3451

Pitts, Brian - Information Only
 Justice-2-Jesus
 1119 Newton Ave. S.
 St. Petersburg FL 33705
 Phone: 727-897-9291

Timmins, Margaret (Lobbyist) - Proponent
 Marine Industries Association of Florida
 2910 Kerry Forest Pkwy # D4-368
 Tallahassee FL
 Phone: 850-668-8000

Committee meeting was reported out: Tuesday, February 16, 2016 2:09:29PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Transportation & Economic
 2 Development Appropriations Subcommittee
 3 Representative Magar offered the following:
 4

Amendment (with title amendment)

Remove lines 85-116 and insert:

7 1. Class A-1-\$4.24.8 2. Class A-2-\$13.77.9 3. Class 1-\$24.83.10 4. Class 2-\$68.56.11 5. Class 3-\$112.31.12 6. Class 4-\$134.41.13 7. Class 5-\$167.11.

14 (c) A person who owns a personal locator beacon and who
 15 owns more than one recreational vessel qualifies to pay the
 16 reduced fee under paragraph (b) for only one such vessel.

17 (d) In order to qualify for reduced registration fees

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18 under this subsection, a vessel owner must, at the time of
19 registration, demonstrate that the vessel is equipped with an
20 emergency position-indicating radio beacon or that the vessel
21 owner owns a personal locator beacon. The Department of Highway
22 Safety and Motor Vehicles may adopt rules specifying what
23 constitutes sufficient proof to qualify for reduced registration
24 fees under this subsection, but such proof must contain, at a
25 minimum, the following:

- 26 1. The name of the beacon owner.
- 27 2. The expiration date of the beacon's registration.
- 28 3. The unique identification number of the beacon.
- 29 4. For vessels equipped with an emergency position-
30 indicating radio beacon, identification of the vessel equipped
31 with the beacon.

32 (e) For each vessel registration qualifying for reduced
33 registration fees under this subsection, an amount equal to the
34 difference between the full registration fee amount and the
35 actual amount of registration fee paid for such vessel
36 registration shall be transferred from the General Revenue Fund
37 to the Department of Highway Safety and Motor Vehicles and shall
38 be distributed pursuant to s. 328.76.

39 (f) Registration certificate fees provided in this
40 subsection shall only apply to applicable vessels registered
41 between July 1, 2016, and June 30, 2017. This subsection
42 expires July 1, 2017.

43

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44

45

T I T L E A M E N D M E N T

46

Remove line 12 and insert:

47

supplement the reduced amounts collected; providing a time

48

limitation for a reduced recreational vessel registration fee;

49

providing for an expiration of provisions; amending s.

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Subcommittee

2/16/2016 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 1325 : Economic Development

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila		X			
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry	X				
Kathleen Peters	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Stark	X				
Victor Torres, Jr.	X				
Clay Ingram (Chair)	X				
Total Yeas: 11		Total Nays: 1			

HB 1325 Amendments

Amendment 858285

Adopted Without Objection

Appearances:

Amendment 1

Zander, Skylar (Lobbyist) - Opponent
 Americans for Prosperity
 Deputy State Director
 200 W College Ave
 Tallahassee FL 32301
 Phone: 850-728-4522

Bill and Amendment 1

Doss, Virilindia (Lobbyist) - Information Only
 Commission on Ethics
 Executive Director
 3600 Maclay Blvd S Ste 201
 Tallahassee FL 32317-5709
 Phone: 850-488-7864

Pound, Greg (General Public) - Information Only

9166 Sunrise Dr
 Largo FL 33773

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COMMITTEE MEETING REPORT
Transportation & Economic Development Appropriations Subcommittee
2/16/2016 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 1325 : Economic Development (continued)

Appearances: (continued)

Poole, Eric (Lobbyist) - Information Only

Florida Association of Counties
100 S Monroe St
Tallahassee FL 32301
Phone: 850-922-4300

Bevis, Brewster (Lobbyist) - Waive In Support

Associated Industries of Florida
Senior Vice President
516 N Adams St
Tallahassee FL 32301
Phone: 850-224-7173

Cruz, David (Lobbyist) - Information Only

Florida League of Cities
Assistant General Counsel
PO Box 1757
Tallahassee FL 32302
Phone: 850-701-3076

Pitts, Brian - Information Only

Justice-2-Jesus
1119 Newton Ave. S.
St. Petersburg FL 33705
Phone: 727-897-9291

Committee meeting was reported out: Tuesday, February 16, 2016 2:09:29PM

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Transportation & Economic
 2 Development Appropriations Subcommittee
 3 Representative Boyd offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsection (7) of section 163.3175, Florida Statutes, is amended to read:

163.3175 Legislative findings on compatibility of development with military installations; exchange of information between local governments and military installations.-

(7) To facilitate the exchange of information provided for in this section, a representative of a military installation acting on behalf of all military installations within that jurisdiction shall serve ~~be included as an~~ ex officio as a nonvoting member of the county's or affected local government's land planning or zoning board. The representative is not

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18 required to file a statement of financial interest pursuant to
19 s. 112.3145 solely due to his or her service on the county's or
20 affected local government's land planning or zoning board.

21 Section 2. Subsection (7) is added to section 163.3180,
22 Florida Statutes, to read:

23 163.3180 Concurrency.—

24 (7) (a) Notwithstanding any other provision of law,
25 ordinance, or resolution, a local government may not apply
26 transportation concurrency within its jurisdiction and may not
27 require a proportionate-share contribution or construction for a
28 new business development before July 1, 2019, unless authorized
29 by the affirmative majority vote of the local government's
30 governing authority. This paragraph does not apply to:

31 1. Proportionate-share contribution or construction
32 assessed on an existing development before July 1, 2016.

33 2. A new business development that is larger than 6,000
34 square feet.

35 3. A new business development that includes a business
36 employing more than 12 full-time employees.

37 (b) To maintain the exemption from transportation
38 concurrency and proportionate-share contribution or construction
39 pursuant to paragraph (a), a new business development must
40 receive a certificate of occupancy on or before July 1, 2020. If
41 the certificate of occupancy is not received by July 1, 2020,
42 the local government may apply transportation concurrency and
43 require the appropriate proportionate-share contribution or

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44 construction for the business development that would have been
45 applied except for this subsection. Any outstanding obligation
46 related to the proportionate-share contribution or construction
47 runs with the land and is enforceable against any person
48 claiming a fee interest in the land subject to that obligation.

49 (c) This subsection does not apply if it results in a
50 reduction of previously pledged revenue of a local government
51 authority for outstanding bonds or notes or to a local
52 government with a mobility fee-based funding system in place on
53 or before January 1, 2016.

54 (d) Upon written notification to the local government, a
55 developer may elect to have the local government apply
56 transportation concurrency and proportionate-share contribution
57 or construction to a business development.

58 (e) This subsection expires July 1, 2020.

59 Section 3. Subsection (6) is added to section 163.31801,
60 Florida Statutes, to read:

61 163.31801 Impact fees; short title; intent; definitions;
62 ordinances levying impact fees.-

63 (6) (a) Notwithstanding any other provision of law,
64 ordinance, or resolution, a county, municipality, or special
65 district may not impose any new or existing impact fee or any
66 new or existing fee associated with the mitigation of
67 transportation impacts on new business development before July
68 1, 2019, unless authorized by the affirmative majority vote of

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69 the governing authority of the county, municipality, or special
70 district. This paragraph does not apply to:

71 1. An impact fee or fee associated with the mitigation of
72 transportation impacts previously enacted by law, ordinance, or
73 resolution assessed on an existing business development before
74 July 1, 2016.

75 2. A new business development larger than 6,000 square
76 feet.

77 3. A new business development that includes a business
78 employing more than 12 full-time employees.

79 (b) Any governing authority of a local government imposing
80 an impact fee in existence on July 1, 2016, must reauthorize the
81 imposition of the fee pursuant to this subsection.

82 (c) To maintain the exemption from impact fees and fees
83 associated with the mitigation of transportation impacts
84 pursuant to paragraph (a), a new business development must
85 receive a certificate of occupancy on or before July 1, 2020. If
86 the certificate of occupancy is not received by July 1, 2020,
87 the county, municipality, or special district may impose the
88 appropriate impact fees and fees associated with the mitigation
89 of transportation impacts on the development that would have
90 been applied except for this subsection. Any outstanding
91 obligation related to impact fees, and fees associated with the
92 mitigation of transportation impacts on the development, runs
93 with the land and is enforceable against any person claiming a
94 fee interest in the land subject to that obligation.

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95 (d) This subsection does not apply if it results in a
96 reduction of previously pledged revenue of a local government
97 authority for currently outstanding bonds or notes or to a local
98 government with a mobility fee-based funding system in place on
99 or before January 1, 2016.

100 (e) Upon notification to the county, municipality, or
101 special district, a developer may elect to have impact fees and
102 fees associated with the mitigation of transportation impacts
103 imposed on a development.

104 (f) This subsection expires July 1, 2020.

105 Section 4. Section 189.033, Florida Statutes, is amended
106 to read:

107 189.033 Independent special district services in
108 disproportionately affected county; rate reduction for providers
109 providing economic benefits.—If the governing body of an
110 independent special district that provides water, wastewater,
111 and sanitation services in a disproportionately affected county,
112 as defined in s. 220.191(1)(g)1. ~~288.106(8)~~, determines that a
113 new user or the expansion of an existing user of one or more of
114 its utility systems will provide a significant benefit to the
115 community in terms of increased job opportunities, economies of
116 scale, or economic development in the area, the governing body
117 may authorize a reduction of its rates, fees, or charges for
118 that user for a specified period of time. A governing body that
119 exercises this power must do so by resolution that states the

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120 anticipated economic benefit justifying the reduction as well as
121 the period of time that the reduction will remain in place.

122 Section 5. Paragraph (a) of subsection (14) of section
123 196.012, Florida Statutes, is amended to read:

124 196.012 Definitions.—For the purpose of this chapter, the
125 following terms are defined as follows, except where the context
126 clearly indicates otherwise:

127 (14) "New business" means:

128 (a)1. A business or organization establishing 10 or more
129 new jobs to employ 10 or more full-time employees in this state
130 which pays, ~~paying~~ an average wage for such new jobs which that
131 is above the average wage in the area and, ~~which~~ principally
132 engages in any one or more of the following operations:

133 a. Manufactures, processes, compounds, fabricates, or
134 produces for sale items of tangible personal property at a fixed
135 location and which comprises an industrial or manufacturing
136 plant; or

137 b. Is a target industry business as defined in s.
138 288.106(2) ~~s. 288.106(2)(g)~~;

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

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145 3. An office space in this state owned and used by a
146 business or organization newly domiciled in this state if
147 ~~provided~~ such office space houses 50 or more full-time employees
148 of such business or organization and, ~~provided that such~~
149 ~~business or organization office~~ first begins operation on a site
150 clearly separate from any other commercial or industrial
151 operation owned by the same business or organization.

152 Section 6. Paragraph (d) of subsection (6) of section
153 212.20, Florida Statutes, is amended to read:

154 212.20 Funds collected, disposition; additional powers of
155 department; operational expense; refund of taxes adjudicated
156 unconstitutionally collected.-

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

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

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

168 2. After the distribution under subparagraph 1., 8.9744
169 percent of the amount remitted by a sales tax dealer located
170 within a participating county pursuant to s. 218.61 shall be

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171 transferred into the Local Government Half-cent Sales Tax
172 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
173 transferred shall be reduced by 0.1 percent, and the department
174 shall distribute this amount to the Public Employees Relations
175 Commission Trust Fund less \$5,000 each month, which shall be
176 added to the amount calculated in subparagraph 3. and
177 distributed accordingly.

178 3. After the distribution under subparagraphs 1. and 2.,
179 0.0966 percent shall be transferred to the Local Government
180 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
181 to s. 218.65.

182 4. After the distributions under subparagraphs 1., 2., and
183 3., 2.0810 percent of the available proceeds shall be
184 transferred monthly to the Revenue Sharing Trust Fund for
185 Counties pursuant to s. 218.215.

186 5. After the distributions under subparagraphs 1., 2., and
187 3., 1.3653 percent of the available proceeds shall be
188 transferred monthly to the Revenue Sharing Trust Fund for
189 Municipalities pursuant to s. 218.215. If the total revenue to
190 be distributed pursuant to this subparagraph is at least as
191 great as the amount due from the Revenue Sharing Trust Fund for
192 Municipalities and the former Municipal Financial Assistance
193 Trust Fund in state fiscal year 1999-2000, no municipality shall
194 receive less than the amount due from the Revenue Sharing Trust
195 Fund for Municipalities and the former Municipal Financial
196 Assistance Trust Fund in state fiscal year 1999-2000. If the

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197 total proceeds to be distributed are less than the amount
198 received in combination from the Revenue Sharing Trust Fund for
199 Municipalities and the former Municipal Financial Assistance
200 Trust Fund in state fiscal year 1999-2000, each municipality
201 shall receive an amount proportionate to the amount it was due
202 in state fiscal year 1999-2000.

203 6. Of the remaining proceeds:

204 a. In each fiscal year, the sum of \$29,915,500 shall be
205 divided into as many equal parts as there are counties in the
206 state, and one part shall be distributed to each county. The
207 distribution among the several counties must begin each fiscal
208 year on or before January 5th and continue monthly for a total
209 of 4 months. If a local or special law required that any moneys
210 accruing to a county in fiscal year 1999-2000 under the then-
211 existing provisions of s. 550.135 be paid directly to the
212 district school board, special district, or a municipal
213 government, such payment must continue until the local or
214 special law is amended or repealed. The state covenants with
215 holders of bonds or other instruments of indebtedness issued by
216 local governments, special districts, or district school boards
217 before July 1, 2000, that it is not the intent of this
218 subparagraph to adversely affect the rights of those holders or
219 relieve local governments, special districts, or district school
220 boards of the duty to meet their obligations as a result of
221 previous pledges or assignments or trusts entered into which
222 obligated funds received from the distribution to county

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223 governments under then-existing s. 550.135. This distribution
224 specifically is in lieu of funds distributed under s. 550.135
225 before July 1, 2000.

226 b. The department shall distribute \$166,667 monthly to
227 each applicant certified as a facility for a new or retained
228 professional sports franchise pursuant to s. 288.1162. Up to
229 \$41,667 shall be distributed monthly by the department to each
230 certified applicant as defined in s. 288.11621 for a facility
231 for a spring training franchise. However, not more than \$416,670
232 may be distributed monthly in the aggregate to all certified
233 applicants for facilities for spring training franchises.
234 Distributions begin 60 days after such certification and
235 continue for not more than 30 years, except as otherwise
236 provided in s. 288.11621. A certified applicant identified in
237 this sub-subparagraph may not receive more in distributions than
238 expended by the applicant for the public purposes provided in s.
239 288.1162(5) or s. 288.11621(3).

240 c. Beginning 30 days after notice by the Department of
241 Economic Opportunity to the Department of Revenue that an
242 applicant has been certified as the professional golf hall of
243 fame pursuant to s. 288.1168 and is open to the public, \$166,667
244 shall be distributed monthly, for up to 300 months, to the
245 applicant.

246 ~~d. Beginning 30 days after notice by the Department of~~
247 ~~Economic Opportunity to the Department of Revenue that the~~
248 ~~applicant has been certified as the International Game Fish~~

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249 ~~Association World Center facility pursuant to s. 288.1169, and~~
250 ~~the facility is open to the public, \$83,333 shall be distributed~~
251 ~~monthly, for up to 168 months, to the applicant. This~~
252 ~~distribution is subject to reduction pursuant to s. 288.1169. A~~
253 ~~lump sum payment of \$999,996 shall be made after certification~~
254 ~~and before July 1, 2000.~~

255 d.e. The department shall distribute up to \$83,333 monthly
256 to each certified applicant as defined in s. 288.11631 for a
257 facility used by a single spring training franchise, or up to
258 \$166,667 monthly to each certified applicant as defined in s.
259 288.11631 for a facility used by more than one spring training
260 franchise. Monthly distributions begin 60 days after such
261 certification or July 1, 2016, whichever is later, and continue
262 for not more than 20 years to each certified applicant as
263 defined in s. 288.11631 for a facility used by a single spring
264 training franchise or not more than 25 years to each certified
265 applicant as defined in s. 288.11631 for a facility used by more
266 than one spring training franchise. A certified applicant
267 identified in this sub-subparagraph may not receive more in
268 distributions than expended by the applicant for the public
269 purposes provided in s. 288.11631(3).

270 e.f. Beginning 45 days after notice by the Department of
271 Economic Opportunity to the Department of Revenue that an
272 applicant has been approved by the Legislature and certified by
273 the Department of Economic Opportunity under s. 288.11625 or
274 upon a date specified by the Department of Economic Opportunity

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275 as provided under s. 288.11625(6)(d), the department shall
276 distribute each month an amount equal to one-twelfth of the
277 annual distribution amount certified by the Department of
278 Economic Opportunity for the applicant. The department may not
279 distribute more than \$7 million in the 2014-2015 fiscal year or
280 more than \$13 million annually thereafter under this sub-
281 subparagraph.

282 ~~f.g.~~ Beginning December 1, 2015, and ending June 30, 2016,
283 the department shall distribute \$26,286 monthly to the State
284 Transportation Trust Fund. Beginning July 1, 2016, the
285 department shall distribute \$15,333 monthly to the State
286 Transportation Trust Fund.

287 7. All other proceeds must remain in the General Revenue
288 Fund.

289 Section 7. Paragraph (b) of subsection (1) of section
290 220.191, Florida Statutes, is amended to read:

291 220.191 Capital investment tax credit.—

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

293 (b) "Cumulative capital investment" means the total
294 capital investment in land, buildings, and equipment made by or
295 on behalf of a qualifying business in connection with a
296 qualifying project during the period from the beginning of
297 construction of the project to the commencement of operations.
298 The term does not include funds granted to or spent on behalf of
299 a qualifying business by the state, a local government, or
300 another governmental entity; funds appropriated in the General

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301 Appropriations Act; or funds otherwise provided to a qualifying
302 business by a state agency, a local government, or another
303 governmental entity.

304 Section 8. Paragraph (a) of subsection (2) of section
305 220.196, Florida Statutes, is amended to read:

306 220.196 Research and development tax credit.—

307 (2) TAX CREDIT.—

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

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

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

316 3. Is a qualified target industry business as defined in
317 s. 288.106(2)(m) ~~288.106(2)(n)~~. Only qualified target industry
318 businesses in the manufacturing, life sciences, information
319 technology, aviation and aerospace, homeland security and
320 defense, cloud information technology, marine sciences,
321 materials science, and nanotechnology industries may qualify for
322 a tax credit under this section. A business applying for a
323 credit pursuant to this section shall include a letter from the
324 Department of Economic Opportunity certifying whether the
325 business meets the requirements of this subparagraph with its

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326 application for credit. The Department of Economic Opportunity
327 shall provide such a letter upon receiving a request.

328 Section 9. Paragraphs (b) and (e) of subsection (2) of
329 section 288.0001, Florida Statutes, are amended to read:

330 288.0001 Economic Development Programs Evaluation.—The
331 Office of Economic and Demographic Research and the Office of
332 Program Policy Analysis and Government Accountability (OPPAGA)
333 shall develop and present to the Governor, the President of the
334 Senate, the Speaker of the House of Representatives, and the
335 chairs of the legislative appropriations committees the Economic
336 Development Programs Evaluation.

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

340 (b) By January 1, 2015, and every 3 years thereafter, an
341 analysis of the following:

342 1. The entertainment industry financial incentive program
343 established under s. 288.1254.

344 2. The entertainment industry sales tax exemption program
345 established under s. 288.1258.

346 3. The Florida Tourism Industry Marketing Corporation
347 ~~VISIT Florida~~ and its programs established or funded under ss.
348 288.122, 288.1226, 288.12265, and 288.124.

349 4. The Florida Sports Foundation and related programs
350 established under ss. 288.1162, 288.11621, 288.1166, 288.1167,
351 288.1168, ~~288.1169~~, and 288.1171.

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352 (e) Beginning January 1, 2018, and every 3 years
353 thereafter, an analysis of the Sports Development Program
354 established under s. 288.11625 and the retention of Major League
355 Baseball spring training baseball franchises under s. 288.11631.

356 Section 10. Present subsection (1) of section 288.005,
357 Florida Statutes, is amended, and present subsections (3)
358 through (6) of that section are redesignated as subsections (4)
359 through (7), respectively, and a new subsection (1) is added to
360 that section, to read:

361 288.005 Definitions.—As used in this chapter, the term:

362 (1) "Average private sector wage in the area" means the
363 statewide average wage in the private sector or the average of
364 all private sector wages in the county or in the standard
365 metropolitan area in which the project is located, as determined
366 by the department.

367 ~~(3)~~ (4) "Economic benefits" means the direct, indirect, and
368 induced gains in state revenues as a percentage of the state's
369 investment. The state's investment includes all state funds
370 spent or forwent to benefit a business, including, but not
371 limited to, state funds appropriated to public and private
372 entities, state grants, tax exemptions, tax refunds, tax
373 credits, and other state incentives.

374 Section 11. Section 288.061, Florida Statutes, is amended
375 to read:

376 288.061 Economic development incentive application
377 process.—

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378 (1) Effective January 1, 2017, the department shall
379 prescribe the format in which an application for an incentive
380 shall be made. At a minimum, the incentive application must
381 include the following:

382 (a) The applicant's federal employee identification
383 number, reemployment assistance account number, and state sales
384 tax registration number. If such numbers are not available at
385 the time of application, the numbers must be submitted to the
386 department in writing before disbursement of any economic
387 incentive payments or the grant of any tax credits or refunds.

388 (b) The applicant's signature.

389 (c) The location of the project.

390 (d) The anticipated commencement date of the project.

391 (e) A description of the type of business activity,
392 product, or research and development undertaken by the
393 applicant, including the six-digit North American Industry
394 Classification System code or codes associated with the project.

395 (f) An attestation verifying that the information provided
396 on the application is true and correct.

397 (2) ~~(1)~~ Upon receiving a submitted economic development
398 incentive application, the Division of Strategic Business
399 Development of the department of ~~Economic Opportunity~~ and
400 designated staff of Enterprise Florida, Inc., shall review the
401 application to ensure that the application is complete, whether
402 and what type of state and local permits may be necessary for
403 the applicant's project, whether it is possible to waive such

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404 permits, and what state incentives and amounts of such
405 incentives may be available to the applicant. The department
406 shall recommend to the executive director to approve or
407 disapprove an applicant business. If review of the application
408 demonstrates that the application is incomplete, the executive
409 director shall notify the applicant business within the first 5
410 business days after receiving the application.

411 ~~(3) (a) (2) Beginning July 1, 2013,~~ The department shall
412 review and evaluate each economic development incentive
413 application for the economic benefits of the proposed award of
414 state incentives proposed for the project. The review must occur
415 before the department approves an economic development incentive
416 application and before any approved incentive agreement or
417 contract is amended, modified, or extended by the department or
418 Enterprise Florida, Inc.

419 (b) An amendment, modification, or extension of an
420 executed contract under s. 288.1045, s. 288.106, s. 288.107, s.
421 288.108, s. 288.1088, or s. 288.1089 may not result in a 0.5-
422 point or greater reduction in the economic-benefit ratio of the
423 project, may not result in the waiver of any program
424 requirement, and is subject to a 14-day legislative
425 consultation. If the President of the Senate or the Speaker of
426 the House of Representatives timely advises the Executive Office
427 of the Governor in writing that the amendment, modification, or
428 extension exceeds the delegated authority of the Executive
429 Office of the Governor or is contrary to legislative policy or

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430 intent, the Executive Office of the Governor must void the
431 amendment, modification, or extension and instruct the
432 department to immediately change action or proposed action.
433 Except as otherwise provided in this chapter, the department may
434 not execute an amendment to an incentive agreement or contract
435 for a project for which the economic benefits have been reduced
436 unless the award of state incentives outlined in the incentive
437 agreement or contract have been reduced by a proportionate
438 amount. The department must include in its annual report
439 information pertaining to each incentive contract extension and
440 each contract amendment or modification that alters a
441 performance condition that a project must meet to obtain
442 incentive funds.

443 (c) As used in this subsection, the term "economic
444 benefits" has the same meaning as provided in s. 288.005. The
445 Office of Economic and Demographic Research shall establish the
446 methodology and model used to calculate the economic benefits,
447 including guidelines for the appropriate application of the
448 model. For purposes of this requirement, an amended definition
449 of "economic benefits" may be developed by the Office of
450 Economic and Demographic Research but must include all state
451 funds spent or forwent to benefit a business, including, but not
452 limited to, state funds appropriated to public and private
453 entities, state grants, tax exemptions, tax refunds, tax
454 credits, other state incentives, and any other source of state

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455 funds which should reasonably be known to the department at the
456 time of approval.

457 (d) For the purpose of calculating the economic benefits
458 of a project, the department may not attribute to the business
459 any capital investment made by the business using state funds.

460 (e) For the purpose of evaluating economic development
461 incentive applications, the department shall consider the
462 cumulative capital investment, as defined in s. 220.191.

463 (4) The department's evaluation of the application must
464 also include the following:

465 (a) A financial analysis of the company, including
466 information regarding liens and pending or ongoing litigation,
467 credit ratings, and regulatory filings.

468 (b) A review of any independent evaluations of the
469 company.

470 (c) A review of the historical market performance of the
471 company.

472 (d) A review of the latest audit of the company's
473 financial statement and the related auditor management letter.

474 (e) A review of any other audits that are related to the
475 internal controls or management of the company.

476 (f) A review of performance in connection with any
477 incentives previously awarded by state or local governments.

478 (g) Any other review deemed necessary by the department.

479 (5) (a) ~~(3)~~ Within 10 business days after the department
480 receives a complete ~~the submitted~~ economic development incentive

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481 application, the executive director shall approve or disapprove
482 the application and issue a letter of certification to the
483 applicant which includes a justification of that decision,
484 unless the business requests an extension of ~~that~~ time.

485 (b) Within 7 business days after the executive director
486 approves or disapproves a complete economic development
487 incentive application for a project, the department shall
488 recommend to the Governor the approval or disapproval of the
489 application. The recommendation must include a justification for
490 the recommendation and the proposed performance conditions that
491 the project must meet to obtain incentive funds.

492 (c) ~~(a)~~ The contract or agreement with the applicant must
493 specify the total amount of the award, the performance
494 conditions that must be met to obtain the award, the schedule
495 for payment, and sanctions that would apply for failure to meet
496 performance conditions. The contract or agreement with the
497 applicant must require that the applicant use the state's job
498 bank system to advertise job openings created as a result of the
499 state incentive agreement. Any contract or agreement that
500 requires capital investment to be made by the business must also
501 require that such investment remain in this state for the
502 duration of the agreement or contract, except an investment made
503 in transportation-related assets specifically used for the
504 purpose of transporting goods or employees. The department may
505 enter into one agreement or contract covering all of the state
506 incentives that are being provided to the applicant. The

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507 contract must provide that release of funds is contingent upon
508 sufficient appropriation of funds by the Legislature. The state
509 may not enter into a contract or agreement with a term of more
510 than 10 years with any applicant. However, the department may
511 enter into a successive agreement or contract for a specific
512 project to extend the initial 10-year term, if each successive
513 contract or agreement is contingent upon the successful
514 completion of the previous contract or agreement and meets all
515 requirements of the applicable economic development program
516 being utilized as if it was a stand-alone project. The
517 restriction on the term of the agreement or contract does not
518 apply if the contract or agreement is for a project receiving an
519 innovation incentive program award pursuant to s. 288.1089 or a
520 capital investment tax credit pursuant to s. 220.191.

521 (d)(b) The release of funds for the incentive or
522 incentives awarded to the applicant depends upon the statutory
523 requirements of the particular incentive program.

524 (6)(4) The department shall validate contractor
525 performance and report such validation in the annual incentives
526 report required under s. 288.907.

527 (7)(5)(a) The executive director may not approve an
528 economic development incentive application unless the
529 application includes a signed written declaration by the
530 applicant which states that the applicant has read the
531 information in the application and that the information is true,

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532 correct, and complete to the best of the applicant's knowledge
533 and belief.

534 (b) After an economic development incentive application is
535 approved, the awardee shall provide, in each year that the
536 department is required to validate contractor performance, a
537 signed written declaration. The written declaration must state
538 that the awardee has reviewed the information and that the
539 information is true, correct, and complete to the best of the
540 awardee's knowledge and belief.

541 ~~(8)(6)~~ The department is authorized to adopt rules to
542 implement this section.

543 Section 12. Paragraphs (c) and (e) of subsection (1) of
544 section 288.076, Florida Statutes, are amended to read:

545 288.076 Return on investment reporting for economic
546 development programs.-

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

548 (c) "Project" has the same meaning as provided in s.
549 288.106(2)(1) ~~288.106(2)(m)~~.

550 (e) "State investment" means all state funds spent or
551 forwent to benefit a business, including, but not limited to,
552 state funds appropriated to public and private entities, any
553 state grants, tax exemptions, tax refunds, tax credits, and any
554 other source of state funds which should reasonably be known to
555 the department at the time of approval ~~or other state incentives~~
556 ~~provided to a business under a program administered by the~~

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557 | ~~department~~, including the capital investment tax credit under s.
558 | 220.191.

559 | Section 13. Section 288.103, Florida Statutes, is created
560 | to read:

561 | 288.103 Economic development programs; minimum residency
562 | period for awards for projects.-

563 | (1) The department shall include requirements to be met
564 | for a minimum three year residency period in each incentive
565 | contract at the time incentives are awarded. Each contractual
566 | residency period must include a provision for the project to
567 | remain in this state. Each residency period shall begin on the
568 | date the project last receives a program benefit or payment, or
569 | at the end of a project's maintenance period, whichever occurs
570 | last. The department shall also include in each incentive
571 | contract specific financial sanctions for businesses that fail
572 | to meet specified contract residency period requirements.

573 | (2) This section applies to contracts executed on or after
574 | July 1, 2016, for programs under ss. 220.191, 288.1045, 288.106,
575 | 288.107, 288.108, 288.1088, and 288.1089.

576 | Section 14. Paragraphs (b), (j), and (k) of subsection
577 | (1), paragraphs (b), (c), (d), and (j) of subsection (3),
578 | paragraph (b) of subsection (5), and subsection (7) of section
579 | 288.1045, Florida Statutes, are amended, and paragraph (i) is
580 | added to subsection (5) of that section, to read:

581 | 288.1045 Qualified defense contractor and space flight
582 | business tax refund program.-

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

584 ~~(b) "Average wage in the area" means the average of all~~
585 ~~wages and salaries in the state, the county, or in the standard~~
586 ~~metropolitan area in which the business unit is located.~~

587 (j) "Local financial support" means funding from local
588 sources, public or private, which is paid to the Economic
589 Development Trust Fund and which is equal to 20 percent of the
590 annual tax refund for a qualified applicant.

591 1. Local financial support may include excess payments
592 made to a utility company under a designated program to allow
593 decreases in service by the utility company under conditions,
594 regardless of when application is made.

595 2. A qualified applicant may not provide, directly or
596 indirectly, more than 5 percent of such funding in any fiscal
597 year. The sources of such funding may not include, directly or
598 indirectly, state funds appropriated from the General Revenue
599 Fund or any state trust fund, excluding tax revenues shared with
600 local governments pursuant to law.

601 3. A qualified applicant may not receive more than 80
602 percent of the total tax refund from state funds that are
603 authorized for the applicant under this section.

604 4. The department may grant a waiver that reduces the
605 required amount of local financial support for a project to 10
606 percent of the annual tax refund awarded to a qualified
607 applicant for a local government, or eliminates the required
608 amount of local financial support for a project for a local

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609 government located in a rural area of opportunity, as designated
610 by the Governor pursuant to s. 288.0656. To be eligible to
611 receive a waiver that reduces or eliminates the required amount
612 of local financial support, a local government must provide the
613 department with:

614 a. A resolution adopted by the governing body of the
615 county or municipality in whose jurisdiction the project will be
616 located, requesting the applicant's project be waived from the
617 local financial support requirement.

618 b. A statement prepared by a Florida certified public
619 accountant, as defined in s. 473.302, that describes the
620 financial constraints preventing the local government from
621 providing the local financial support required by this section.

622 This sub-subparagraph does not apply to a county considered
623 fiscally constrained pursuant to s. 218.67(1).

624 ~~(k) "Local financial support exemption option" means the~~
625 ~~option to exercise an exemption from the local financial support~~
626 ~~requirement available to any applicant whose project is located~~
627 ~~in a county designated by the Rural Economic Development~~
628 ~~Initiative, if the county commissioners of the county in which~~
629 ~~the project will be located adopt a resolution requesting that~~
630 ~~the applicant's project be exempt from the local financial~~
631 ~~support requirement. Any applicant that exercises this option is~~
632 ~~not eligible for more than 80 percent of the total tax refunds~~
633 ~~allowed such applicant under this section.~~

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634 (3) APPLICATION PROCESS; REQUIREMENTS; AGENCY
635 DETERMINATION.-

636 (b) Applications for certification based on the
637 consolidation of a Department of Defense contract or a new
638 Department of Defense contract must be submitted to the
639 department as prescribed by the department and must include, but
640 are not limited to, the following information:

641 1. The applicant's federal employer identification number,
642 the applicant's Florida sales tax registration number, and a
643 signature of an officer of the applicant.

644 2. The permanent location of the manufacturing,
645 assembling, fabricating, research, development, or design
646 facility in this state at which the project is or is to be
647 located.

648 3. The Department of Defense contract numbers of the
649 contract to be consolidated, the new Department of Defense
650 contract number, or the "RFP" number of a proposed Department of
651 Defense contract.

652 4. The date the contract was executed or is expected to be
653 executed, and the date the contract is due to expire or is
654 expected to expire.

655 5. The commencement date for project operations under the
656 contract in this state.

657 6. The number of net new full-time equivalent Florida jobs
658 included in the project as of December 31 of each year and the
659 average wage of such jobs.

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660 7. The total number of full-time equivalent employees
661 employed by the applicant in this state.

662 8. The percentage of the applicant's gross receipts
663 derived from Department of Defense contracts during the 5
664 taxable years immediately preceding the date the application is
665 submitted.

666 9. The number of full-time equivalent jobs in this state
667 to be retained by the project.

668 10. A brief statement concerning the applicant's need for
669 tax refunds, and the proposed uses of such refunds by the
670 applicant.

671 11. A resolution adopted by the governing board of the
672 county or municipality in which the project will be located,
673 which recommends the applicant be approved as a qualified
674 applicant, and which indicates that the necessary commitments of
675 local financial support for the applicant exist. ~~Prior to the~~
676 ~~adoption of the resolution, the county commission may review the~~
677 ~~proposed public or private sources of such support and determine~~
678 ~~whether the proposed sources of local financial support can be~~
679 ~~provided or, for any applicant whose project is located in a~~
680 ~~county designated by the Rural Economic Development Initiative,~~
681 ~~a resolution adopted by the county commissioners of such county~~
682 ~~requesting that the applicant's project be exempt from the local~~
683 ~~financial support requirement.~~

684 12. Any additional information requested by the
685 department.

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686 (c) Applications for certification based on the conversion
687 of defense production jobs to nondefense production jobs must be
688 submitted to the department as prescribed by the department and
689 must include, but are not limited to, the following information:

690 1. The applicant's federal employer identification number,
691 the applicant's Florida sales tax registration number, and a
692 signature of an officer of the applicant.

693 2. The permanent location of the manufacturing,
694 assembling, fabricating, research, development, or design
695 facility in this state at which the project is or is to be
696 located.

697 3. The Department of Defense contract numbers of the
698 contract under which the defense production jobs will be
699 converted to nondefense production jobs.

700 4. The date the contract was executed, and the date the
701 contract is due to expire or is expected to expire, or was
702 canceled.

703 5. The commencement date for the nondefense production
704 operations in this state.

705 6. The number of net new full-time equivalent Florida jobs
706 included in the nondefense production project as of December 31
707 of each year and the average wage of such jobs.

708 7. The total number of full-time equivalent employees
709 employed by the applicant in this state.

710 8. The percentage of the applicant's gross receipts
711 derived from Department of Defense contracts during the 5

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712 taxable years immediately preceding the date the application is
713 submitted.

714 9. The number of full-time equivalent jobs in this state
715 to be retained by the project.

716 10. A brief statement concerning the applicant's need for
717 tax refunds, and the proposed uses of such refunds by the
718 applicant.

719 11. A resolution adopted by the governing board of the
720 county or municipality in which the project will be located,
721 which recommends the applicant be approved as a qualified
722 applicant, and which indicates that the necessary commitments of
723 local financial support for the applicant exist. ~~Prior to the
724 adoption of the resolution, the county commission may review the
725 proposed public or private sources of such support and determine
726 whether the proposed sources of local financial support can be
727 provided or, for any applicant whose project is located in a
728 county designated by the Rural Economic Development Initiative,
729 a resolution adopted by the county commissioners of such county
730 requesting that the applicant's project be exempt from the local
731 financial support requirement.~~

732 12. Any additional information requested by the
733 department.

734 (d) Applications for certification based on a contract for
735 reuse of a defense-related facility must be submitted to the
736 department as prescribed by the department and must include, but
737 are not limited to, the following information:

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- 738 1. The applicant's Florida sales tax registration number
739 and a signature of an officer of the applicant.
- 740 2. The permanent location of the manufacturing,
741 assembling, fabricating, research, development, or design
742 facility in this state at which the project is or is to be
743 located.
- 744 3. The business entity holding a valid Department of
745 Defense contract or branch of the Armed Forces of the United
746 States that previously occupied the facility, and the date such
747 entity last occupied the facility.
- 748 4. A copy of the contract to reuse the facility, or such
749 alternative proof as may be prescribed by the department that
750 the applicant is seeking to contract for the reuse of such
751 facility.
- 752 5. The date the contract to reuse the facility was
753 executed or is expected to be executed, and the date the
754 contract is due to expire or is expected to expire.
- 755 6. The commencement date for project operations under the
756 contract in this state.
- 757 7. The number of net new full-time equivalent Florida jobs
758 included in the project as of December 31 of each year and the
759 average wage of such jobs.
- 760 8. The total number of full-time equivalent employees
761 employed by the applicant in this state.
- 762 9. The number of full-time equivalent jobs in this state
763 to be retained by the project.

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764 10. A brief statement concerning the applicant's need for
765 tax refunds, and the proposed uses of such refunds by the
766 applicant.

767 11. A resolution adopted by the governing board of the
768 county or municipality in which the project will be located,
769 which recommends the applicant be approved as a qualified
770 applicant, and which indicates that the necessary commitments of
771 local financial support for the applicant exist. ~~Before the~~
772 ~~adoption of the resolution, the county commission may review the~~
773 ~~proposed public or private sources of such support and determine~~
774 ~~whether the proposed sources of local financial support can be~~
775 ~~provided or, for any applicant whose project is located in a~~
776 ~~county designated by the Rural Economic Development Initiative,~~
777 ~~a resolution adopted by the county commissioners of such county~~
778 ~~requesting that the applicant's project be exempt from the local~~
779 ~~financial support requirement.~~

780 12. Any additional information requested by the
781 department.

782 (j) Applications for certification based upon a new space
783 flight business contract or the consolidation of a space flight
784 business contract must be submitted to the department as
785 prescribed by the department and must include, but are not
786 limited to, the following information:

787 1. The applicant's federal employer identification number,
788 the applicant's Florida sales tax registration number, and a
789 signature of an officer of the applicant.

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790 2. The permanent location of the space flight business
791 facility in this state where the project is or will be located.

792 3. The new space flight business contract number, the
793 space flight business contract numbers of the contract to be
794 consolidated, or the request-for-proposal number of a proposed
795 space flight business contract.

796 4. The date the contract was executed and the date the
797 contract is due to expire, is expected to expire, or was
798 canceled.

799 5. The commencement date for project operations under the
800 contract in this state.

801 6. The number of net new full-time equivalent Florida jobs
802 included in the project as of December 31 of each year and the
803 average wage of such jobs.

804 7. The total number of full-time equivalent employees
805 employed by the applicant in this state.

806 8. The percentage of the applicant's gross receipts
807 derived from space flight business contracts during the 5
808 taxable years immediately preceding the date the application is
809 submitted.

810 9. The number of full-time equivalent jobs in this state
811 to be retained by the project.

812 10. A brief statement concerning the applicant's need for
813 tax refunds and the proposed uses of such refunds by the
814 applicant.

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815 11. A resolution adopted by the governing board of the
816 county or municipality in which the project will be located
817 which recommends the applicant be approved as a qualified
818 applicant and indicates that the necessary commitments of local
819 financial support for the applicant exist. ~~Prior to the adoption~~
820 ~~of the resolution, the county commission may review the proposed~~
821 ~~public or private sources of such support and determine whether~~
822 ~~the proposed sources of local financial support can be provided~~
823 ~~or, for any applicant whose project is located in a county~~
824 ~~designated by the Rural Economic Development Initiative, a~~
825 ~~resolution adopted by the county commissioners of such county~~
826 ~~requesting that the applicant's project be exempt from the local~~
827 ~~financial support requirement.~~

828 12. Any additional information requested by the
829 department.

830 (5) ANNUAL CLAIM FOR REFUND.-

831 (b) The department shall verify claim for refund by the
832 qualified applicant must include a copy of all receipts
833 pertaining to the payment of taxes for which a refund is sought,
834 and data related to achieving each performance item contained in
835 the tax refund agreement pursuant to subsection (4). The amount
836 requested as a tax refund may not exceed the amount for the
837 relevant fiscal year in the written agreement entered pursuant
838 to subsection (4).

839 (i) A business that fails to timely submit documentation
840 requested by the department, as required by the agreement

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841 between the business and the department, which results in the
842 department's withholding an otherwise approved refund may
843 receive the approved refund if:

844 1. The business submits the requested documentation to the
845 department.

846 2. The business provides a written statement to the
847 department explaining the circumstances that resulted in the
848 business' failure to timely submit the documentation.

849 3. Funds appropriated for this section are available.

850 4. The business was scheduled, by the terms of the
851 agreement, to submit information to the department between
852 January 1, 2014, and December 31, 2014.

853 5. The business has satisfied all other requirements of
854 the agreement.

855 (7) EXPIRATION.—An applicant may not be certified as
856 qualified under this section after June 30, ~~2018~~ 2014. A tax
857 refund agreement existing on that date shall continue in effect
858 in accordance with its terms.

859 Section 15. Paragraphs (c), (j), and (k) of subsection
860 (2), paragraph (b) of subsection (4), paragraph (b) of
861 subsection (5), and subsection (8) of section 288.106, Florida
862 Statutes, are amended, present subsection (9) is redesignated as
863 subsection (10), and a new subsection (9) is added to that
864 section, to read:

865 288.106 Tax refund program for qualified target industry
866 businesses.—

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

868 ~~(c) "Average private sector wage in the area" means the~~
869 ~~statewide private sector average wage or the average of all~~
870 ~~private sector wages and salaries in the county or in the~~
871 ~~standard metropolitan area in which the business is located.~~

872 (j) "Local financial support" means funding from local
873 sources, public or private, that is paid to the Economic
874 Development Trust Fund and that is equal to 20 percent of the
875 annual tax refund for a qualified target industry business.

876 1. A qualified target industry business may not provide,
877 directly or indirectly, more than 5 percent of such funding in
878 any fiscal year. The sources of such funding may not include,
879 directly or indirectly, state funds appropriated from the
880 General Revenue Fund or any state trust fund, excluding tax
881 revenues shared with local governments pursuant to law.

882 2. A qualified target industry business may not receive
883 more than 80 percent of the total tax refund from state funds
884 authorized for the business under this section.

885 3. The department may grant a waiver that reduces the
886 required amount of local financial support for a project to 10
887 percent of the annual tax refund awarded to a qualified target
888 industry business for a local government, or eliminates the
889 required amount of local financial support for a project for a
890 local government located in a rural area of opportunity, as
891 designated by the Governor pursuant to s. 288.0656. To be
892 eligible for a waiver that reduces or eliminates the required

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893 amount of local financial support, a local government must
894 provide the department with:

895 a. A resolution adopted by the governing body of the
896 county or municipality in whose jurisdiction the project will be
897 located, requesting that the local financial support requirement
898 be waived for the applicant's project.

899 b. A statement prepared by a Florida certified public
900 accountant, as defined in s. 473.302, which describes the
901 financial constraints preventing the local government from
902 providing the local financial support required by this section.
903 This sub-subparagraph does not apply to a county considered
904 fiscally constrained pursuant to s. 218.67(1).

905 ~~(k) "Local financial support exemption option" means the~~
906 ~~option to exercise an exemption from the local financial support~~
907 ~~requirement available to any applicant whose project is located~~
908 ~~in a brownfield area, a rural city, or a rural community. Any~~
909 ~~applicant that exercises this option is not eligible for more~~
910 ~~than 80 percent of the total tax refunds allowed such applicant~~
911 ~~under this section.~~

912 (4) APPLICATION AND APPROVAL PROCESS.-

913 (b) To qualify for review by the department, the
914 application of a target industry business must, at a minimum,
915 establish the following to the satisfaction of the department:

916 1.a. The jobs proposed to be created under the
917 application, pursuant to subparagraph (a)4., must pay an
918 estimated annual average wage equaling at least 115 percent of

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919 the average private sector wage in the area ~~where the business~~
920 ~~is to be located or the statewide private sector average wage.~~
921 ~~The governing board of the local governmental entity providing~~
922 ~~the local financial support of the jurisdiction where the~~
923 ~~qualified target industry business is to be located shall notify~~
924 ~~the department and Enterprise Florida, Inc., which calculation~~
925 ~~of the average private sector wage in the area must be used as~~
926 ~~the basis for the business's wage commitment.~~ In determining the
927 average annual wage, the department shall include only new
928 proposed jobs, and wages for existing jobs shall be excluded
929 from this calculation.

930 b. The department may waive the average wage requirement
931 at the request of the local governing body recommending the
932 project and Enterprise Florida, Inc. The department may waive
933 the wage requirement for a project located in a brownfield area
934 designated under s. 376.80, in a rural city, in a rural
935 community, in an enterprise zone, or for a manufacturing project
936 at any location in the state if the jobs proposed to be created
937 pay an estimated annual average wage equaling at least 100
938 percent of the average private sector wage in the area ~~where the~~
939 ~~business is to be located~~, only if the merits of the individual
940 project or the specific circumstances in the community in
941 relationship to the project warrant such action. If the local
942 governing body and Enterprise Florida, Inc., make such a
943 recommendation, it must be transmitted in writing, and the
944 specific justification for the waiver recommendation must be

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945 explained. If the department elects to waive the wage
946 requirement, the waiver must be stated in writing, and the
947 reasons for granting the waiver must be explained.

948 2. The target industry business's project must result in
949 the creation of at least 10 jobs at the project and, in the case
950 of an expansion of an existing business, must result in a net
951 increase in employment of at least 10 percent at the business.
952 At the request of the local governing body recommending the
953 project and Enterprise Florida, Inc., the department may waive
954 this requirement for a business in a rural community or
955 enterprise zone if the merits of the individual project or the
956 specific circumstances in the community in relationship to the
957 project warrant such action. If the local governing body and
958 Enterprise Florida, Inc., make such a request, the request must
959 be transmitted in writing, and the specific justification for
960 the request must be explained. If the department elects to grant
961 the request, the grant must be stated in writing, and the reason
962 for granting the request must be explained.

963 3. The business activity or product for the applicant's
964 project must be within an industry identified by the department
965 as a target industry business that contributes to the economic
966 growth of the state and the area in which the business is
967 located, that produces a higher standard of living for residents
968 of this state in the new global economy, or that can be shown to
969 make an equivalent contribution to the area's and state's
970 economic progress.

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971 (5) TAX REFUND AGREEMENT.—

972 (b) Compliance with the terms and conditions of the
973 agreement is a condition precedent for the receipt of a tax
974 refund each year. The failure to comply with the terms and
975 conditions of the tax refund agreement results in the loss of
976 eligibility for receipt of all tax refunds previously authorized
977 under this section and the revocation by the department of the
978 certification of the business entity as a qualified target
979 industry business, unless the business is eligible to receive
980 and elects to accept a prorated refund under paragraph (6) (e) ~~or~~
981 ~~the department grants the business an economic recovery~~
982 ~~extension.~~

983 ~~1. A qualified target industry business may submit a~~
984 ~~request to the department for an economic recovery extension.~~
985 ~~The request must provide quantitative evidence demonstrating how~~
986 ~~negative economic conditions in the business's industry, the~~
987 ~~effects of a named hurricane or tropical storm, or specific acts~~
988 ~~of terrorism affecting the qualified target industry business~~
989 ~~have prevented the business from complying with the terms and~~
990 ~~conditions of its tax refund agreement.~~

991 ~~2. Upon receipt of a request under subparagraph 1., the~~
992 ~~department has 45 days to notify the requesting business, in~~
993 ~~writing, whether its extension has been granted or denied. In~~
994 ~~determining whether an extension should be granted, the~~
995 ~~department shall consider the extent to which negative economic~~
996 ~~conditions in the requesting business's industry have occurred~~

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997 ~~in the state or the effects of a named hurricane or tropical~~
998 ~~storm or specific acts of terrorism affecting the qualified~~
999 ~~target industry business have prevented the business from~~
1000 ~~complying with the terms and conditions of its tax refund~~
1001 ~~agreement. The department shall consider current employment~~
1002 ~~statistics for this state by industry, including whether the~~
1003 ~~business's industry had substantial job loss during the prior~~
1004 ~~year, when determining whether an extension shall be granted.~~

1005 ~~3. As a condition for receiving a prorated refund under~~
1006 ~~paragraph (6) (c) or an economic recovery extension under this~~
1007 ~~paragraph, a qualified target industry business must agree to~~
1008 ~~renegotiate its tax refund agreement with the department to, at~~
1009 ~~a minimum, ensure that the terms of the agreement comply with~~
1010 ~~current law and the department's procedures governing~~
1011 ~~application for and award of tax refunds. Upon approving the~~
1012 ~~award of a prorated refund or granting an economic recovery~~
1013 ~~extension, the department shall renegotiate the tax refund~~
1014 ~~agreement with the business as required by this subparagraph.~~
1015 ~~When amending the agreement of a business receiving an economic~~
1016 ~~recovery extension, the department may extend the duration of~~
1017 ~~the agreement for a period not to exceed 2 years.~~

1018 ~~4. A qualified target industry business may submit a~~
1019 ~~request for an economic recovery extension to the department in~~
1020 ~~lieu of any tax refund claim scheduled to be submitted after~~
1021 ~~January 1, 2009, but before July 1, 2012.~~

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1022 ~~5. A qualified target industry business that receives an~~
1023 ~~economic recovery extension may not receive a tax refund for the~~
1024 ~~period covered by the extension.~~

1025 ~~(8) SPECIAL INCENTIVES. If the department determines it is~~
1026 ~~in the best interest of the public for reasons of facilitating~~
1027 ~~economic development, growth, or new employment opportunities~~
1028 ~~within a Disproportionally Affected County, the department may,~~
1029 ~~between July 1, 2011, and June 30, 2014, waive any or all wage~~
1030 ~~or local financial support eligibility requirements and allow a~~
1031 ~~qualified target industry business from another state which~~
1032 ~~relocates all or a portion of its business to a~~
1033 ~~Disproportionally Affected County to receive a tax refund~~
1034 ~~payment of up to \$6,000 multiplied by the number of jobs~~
1035 ~~specified in the tax refund agreement under subparagraph~~
1036 ~~(5)(a)1. over the term of the agreement. Prior to granting such~~
1037 ~~waiver, the executive director of the department shall file with~~
1038 ~~the Governor a written statement of the conditions and~~
1039 ~~circumstances constituting the reason for the waiver. Such~~
1040 ~~business shall be eligible for the additional tax refund~~
1041 ~~payments specified in subparagraph (3)(b)4. if it meets the~~
1042 ~~criteria. As used in this section, the term "Disproportionally~~
1043 ~~Affected County" means Bay County, Escambia County, Franklin~~
1044 ~~County, Gulf County, Okaloosa County, Santa Rosa County, Walton~~
1045 ~~County, or Wakulla County.~~

1046 (9) INCENTIVE PAYMENTS.—The incentive payments made to a
1047 business pursuant to this section are not repayments of the

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1048 actual taxes paid to the state or to a local government by the
1049 business. The amount of state and local government taxes paid
1050 under subparagraph (3)(d)1., by a business for which the
1051 business has not and will not receive a credit, refund, or
1052 exemption as indicated in subparagraph (3)(e), serves as a
1053 limitation on the amount of incentive payments a business may
1054 receive.

1055 Section 16. Paragraphs (f) and (g) of subsection (2) of
1056 section 288.108, Florida Statutes, are redesignated as
1057 paragraphs (g) and (h), respectively, paragraph (b) of
1058 subsection (2) and subsection (5) are amended, and a new
1059 paragraph (f) is added to subsection (2) of that section, to
1060 read:

1061 288.108 High-impact business.—

1062 (2) DEFINITIONS.—As used in this section, the term:

1063 (b) "Cumulative investment" means the total investment in
1064 buildings and equipment made by a qualified high-impact business
1065 since the beginning of construction of such facility. The term
1066 does not include funds granted to or spent on behalf of the
1067 business by the state, a local government, or another
1068 governmental entity; funds appropriated in the General
1069 Appropriations Act; or funds otherwise provided to the business
1070 by a state agency or local government.

1071 (f) "Local financial support" means financial, in-kind, or
1072 other quantifiable contributions from local sources that,

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1073 combined, equal 20 percent or more of the total investment in
1074 the project by state and local sources.

1075 1. The department may grant a waiver that reduces the
1076 required amount of local financial support for a project to 10
1077 percent of the award granted to a business pursuant to this
1078 section for a local government, or eliminates the local
1079 financial support for a local government located in a rural area
1080 of opportunity, as designated by the Governor pursuant to s.
1081 288.0656.

1082 2. A local government requesting a waiver that reduces or
1083 eliminates the local financial support requirement must provide
1084 the department with a statement prepared by a Florida certified
1085 public accountant, as defined in s. 473.302, which describes the
1086 financial constraints preventing the local government from
1087 providing the local financial support required by this section.
1088 This subparagraph does not apply to a county considered fiscally
1089 constrained pursuant to s. 218.67(1).

1090 (5) APPLICATIONS; CERTIFICATION PROCESS; GRANT AGREEMENT.-

1091 (a) The department shall review an application pursuant to
1092 s. 288.061 which is received from any eligible business, as
1093 defined in subsection (2), for consideration as a qualified
1094 high-impact business before the business has made a decision to
1095 locate or expand a facility in this state. The business must
1096 provide the following information:

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1097 1. A complete description of the type of facility,
1098 business operations, and product or service associated with the
1099 project.

1100 2. The number of full-time equivalent jobs that will be
1101 created by the project and the average annual wage of those
1102 jobs.

1103 3. The cumulative amount of investment to be dedicated to
1104 this project within 3 years.

1105 4. A statement concerning any special impacts the facility
1106 is expected to stimulate in the sector, the state, or regional
1107 economy and in state universities and community colleges.

1108 5. A statement concerning the role the grant will play in
1109 the decision of the applicant business to locate or expand in
1110 this state.

1111 6. Any additional information requested by the department.

1112 (b) Within 7 business days after the executive director
1113 approves or disapproves an application, the department shall
1114 recommend to the Governor the approval or disapproval of an
1115 eligible high-impact business for receipt of funds.
1116 Recommendations to the Governor must include the total amount of
1117 the qualified high-impact business facility performance grant
1118 award; the anticipated project performance conditions,
1119 including, but not limited to, net new employment in the state,
1120 average salary, and total capital investment incurred by the
1121 business; a baseline of current service and a measure of
1122 enhanced capability; the methodology for validating performance;

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1123 the schedule of performance grant payments; and sanctions for
1124 failure to meet performance conditions ~~Applications shall be~~
1125 ~~reviewed and certified pursuant to s. 288.061.~~

1126 (c) The Governor may approve a high-impact business
1127 performance grant of less than \$2 million without consulting the
1128 Legislature. For such grants, the Governor shall provide a
1129 written description and evaluation of the approved project to
1130 the President of the Senate and the Speaker of the House of
1131 Representatives, within 1 business day after approval ~~The~~
1132 ~~department and the qualified high impact business shall enter~~
1133 ~~into a performance grant agreement setting forth the conditions~~
1134 ~~for payment of the qualified high impact business performance~~
1135 ~~grant. The agreement shall include the total amount of the~~
1136 ~~qualified high impact business facility performance grant award,~~
1137 ~~the performance conditions that must be met to obtain the award,~~
1138 ~~including the employment, average salary, investment, the~~
1139 ~~methodology for determining if the conditions have been met, and~~
1140 ~~the schedule of performance grant payments.~~

1141 (d) The Governor shall provide a written description and
1142 evaluation of each eligible high-impact business recommended for
1143 approval for a high-impact business performance grant of at
1144 least \$2 million, but not more than \$7.5 million, to the
1145 President of the Senate and the Speaker of the House of
1146 Representatives at least 14 days before approving a qualified
1147 high-impact business performance grant. If the President of the
1148 Senate or the Speaker of the House of Representatives timely

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1149 advises the Executive Office of the Governor in writing that the
1150 award of funds exceeds the delegated authority of the Executive
1151 Office of the Governor or is contrary to legislative policy or
1152 intent, the Executive Office of the Governor shall void the
1153 release of funds and instruct the department to immediately
1154 change action or proposed action.

1155 (e) The Governor shall provide the Legislative Budget
1156 Commission with a written description and evaluation of each
1157 eligible high-impact business recommended for approval of a
1158 high-impact business performance grant that exceeds \$7.5 million
1159 or that provides a waiver of program requirements and is at
1160 least \$5 million. The Legislative Budget Commission must approve
1161 such an award before final approval by the Governor.

1162 (f) Any contract or agreement executed by the department
1163 must embody the performance criteria and timelines submitted to
1164 the Legislature, whether during the legislative consultation
1165 period or in the provided written description and evaluation for
1166 those projects that do not require legislative consultation. If
1167 the executed contract or agreement fails to embody the
1168 performance criteria and timelines submitted to the legislature,
1169 whether during the legislative consultation period or in the
1170 provided written description and evaluation for those projects
1171 that do not require legislative consultation, the department may
1172 not expend any funds on the contract and the Chief Financial
1173 Officer is not authorized to release payment of funds.

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1174 (g) An amendment, modification, or extension of an
1175 executed contract may not result in a 0.5-point or greater
1176 reduction in the economic-benefit ratio of the project, may not
1177 result in waiver of any program requirement, and is subject to a
1178 14-day legislative consultation. If the President of the Senate
1179 or the Speaker of the House of Representatives timely advises
1180 the Executive Office of the Governor in writing that the
1181 amendment, modification, or extension exceeds the delegated
1182 authority of the Executive Office of the Governor or is contrary
1183 to legislative policy or intent, the Executive Office of the
1184 Governor shall void the amendment, modification, or extension
1185 and instruct the department to immediately change action or
1186 proposed action.

1187 (h) The department shall validate contractor performance
1188 and report such validation in the annual incentives report
1189 required by s. 288.907.

1190 Section 17. Subsections (2), (3), and (4) of section
1191 288.1088, Florida Statutes, are amended to read:

1192 288.1088 Florida Enterprise ~~Quick Action Closing~~ Fund.-

1193 (2) There is created within the department the Florida
1194 Enterprise ~~Quick Action Closing~~ Fund. Except as provided in
1195 subsection (3), projects eligible for receipt of funds from the
1196 Florida Enterprise ~~Quick Action Closing~~ Fund shall:

1197 (a) Be in an industry as referenced in s. 288.106.

1198 (b) Have a positive economic benefit ratio of at least 3 5
1199 to 1.

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1200 (c) Be an inducement to the project's location or
1201 expansion in the state.

1202 (d) Pay an average annual wage of at least 125 percent of
1203 the average private sector wage in the area areawide ~~or~~
1204 ~~statewide private sector average wage.~~

1205 (e) Be supported by the local community in which the
1206 project is to be located.

1207 1. Financial support by the local community must include
1208 financial, in-kind, or other quantifiable contributions from
1209 local sources that, combined, equal 20 percent or more of the
1210 total investment in the project by state and local sources.

1211 2. The department may grant a waiver that reduces the
1212 required amount of local financial support for a project to 10
1213 percent of the award granted to a business pursuant to this
1214 section for a local government, or eliminates the required
1215 amount of local financial support for a project for a local
1216 government located in a rural area of opportunity as designated
1217 by the Governor pursuant to s. 288.0656.

1218 3. A local government requesting a waiver that reduces or
1219 eliminates the local financial support requirement must provide
1220 the department with a statement prepared by a Florida certified
1221 public accountant, as defined in s. 473.302, which describes the
1222 financial constraints preventing the local government from
1223 providing the local financial support required by this section.
1224 This subparagraph does not apply to a county considered fiscally
1225 constrained pursuant to s. 218.67(1).

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1226 (f) Create at least 10 new jobs.

1227 (3)(a) The department and Enterprise Florida, Inc., shall
1228 jointly review applications pursuant to s. 288.061 and determine
1229 the eligibility of each project consistent with the criteria in
1230 subsection (2). ~~Waiver of these criteria may be considered under~~
1231 ~~the following criteria:~~

1232 ~~1. Based on extraordinary circumstances;~~

1233 ~~2. In order to mitigate the impact of the conclusion of~~
1234 ~~the space shuttle program; or~~

1235 ~~3. In rural areas of opportunity if the project would~~
1236 ~~significantly benefit the local or regional economy.~~

1237 (b) The department shall evaluate individual proposals for
1238 high-impact business facilities. Such evaluation must include,
1239 but need not be limited to:

1240 1. A description of the type of facility or
1241 infrastructure, its operations, and the associated product or
1242 service associated with the facility.

1243 2. The number of full-time-equivalent jobs that will be
1244 created by the facility and the total estimated average annual
1245 wages of those jobs or, in the case of privately developed rural
1246 infrastructure, the types of business activities and jobs
1247 stimulated by the investment.

1248 3. The cumulative amount of investment to be dedicated to
1249 the facility within a specified period.

1250 4. A statement of any special impacts the facility is
1251 expected to stimulate in a particular business sector in the

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1252 state or regional economy or in the state's universities and
1253 community colleges.

1254 5. A statement of the role the incentive is expected to
1255 play in the decision of the applicant business to locate or
1256 expand in this state or for the private investor to provide
1257 critical rural infrastructure.

1258 6. A report evaluating the quality and value of the
1259 company submitting a proposal. The report must include:

1260 a. A financial analysis of the company, including an
1261 evaluation of the company's short-term liquidity ratio as
1262 measured by its assets to liability, the company's profitability
1263 ratio, and the company's long-term solvency as measured by its
1264 debt-to-equity ratio;

1265 b. The historical market performance of the company;

1266 c. A review of any independent evaluations of the company;

1267 d. A review of the latest audit of the company's financial
1268 statement and the related auditor's management letter; and

1269 e. A review of any other types of audits that are related
1270 to the internal and management controls of the company.

1271 (c)1. Within 7 business days after the executive director
1272 approves or disapproves an application evaluating a project, the
1273 department shall recommend to the Governor the approval or
1274 disapproval of a project for receipt of funds from the Florida
1275 Enterprise Quick Action Closing Fund. In recommending a project,
1276 the department shall include the total amount of recommended
1277 funds to be awarded; the anticipated project performance

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1278 conditions, including, but not limited to, net new employment in
1279 the state, average salary, and total capital investment incurred
1280 by the business; a baseline of current service and a measure of
1281 enhanced capability; the methodology for validating performance;
1282 the schedule of payments from the fund; and sanctions for
1283 failure to meet performance conditions, including any clawback
1284 provisions ~~proposed performance conditions that the project must~~
1285 ~~meet to obtain incentive funds.~~

1286 2. The Governor may approve a Florida Enterprise Fund
1287 project award requiring less than \$2 million in funding ~~projects~~
1288 without consulting the Legislature ~~for projects requiring less~~
1289 ~~than \$2 million in funding.~~ For such projects, the Governor
1290 shall provide a written description and evaluation of the
1291 approved project to the President of the Senate and the Speaker
1292 of the House of Representatives within 1 business day after
1293 approval.

1294 3. ~~For projects requiring funding in the amount of \$2~~
1295 ~~million to \$5 million,~~ The Governor shall provide a written
1296 description and evaluation of each Florida Enterprise Fund a
1297 project award recommended for approval, which requires funding
1298 of \$2 million or more, ~~to the chair and vice chair of the~~
1299 ~~Legislative Budget Commission,~~ to the President of the Senate
1300 and the Speaker of the House of Representatives at least 14 ~~to~~
1301 days ~~prior to~~ giving final approval for a project. The
1302 recommendation must include the proposed performance conditions
1303 that the project must meet in order to obtain funds.

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1304 4. ~~If the chair or vice chair of the Legislative Budget~~
1305 ~~Commission or~~ the President of the Senate or the Speaker of the
1306 House of Representatives timely advises the Executive Office of
1307 the Governor, in writing, that such action or proposed action
1308 exceeds the delegated authority of the Executive Office of the
1309 Governor or is contrary to legislative policy or intent, the
1310 Executive Office of the Governor shall void the release of funds
1311 and instruct the department to immediately change such action or
1312 proposed action ~~until the Legislative Budget Commission or the~~
1313 ~~Legislature addresses the issue. Notwithstanding such~~
1314 ~~requirement, any project exceeding \$5 million must be approved~~
1315 ~~by the Legislative Budget Commission prior to the funds being~~
1316 ~~released.~~

1317 (e) ~~(d)~~ Upon the approval of the Governor in accordance
1318 with subparagraph (d)2., or upon expiration of the 14-day
1319 legislative consultation period provided in subparagraph (d)3.,
1320 unless advisement of objection is provided pursuant to
1321 subparagraph (d)4., the department and the business shall enter
1322 into a contract that sets forth the conditions for payment of
1323 moneys from the fund. Such payment may not be made to the
1324 business until the scheduled goals are achieved. The contract
1325 must include the total amount of funds awarded; the minimum and
1326 maximum amount of funds that may be awarded; the performance
1327 conditions that must be met to obtain the award, including, but
1328 not limited to, net new employment in the state, average salary,
1329 and total capital investment incurred by the business, and the

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1330 minimum and maximum number of jobs that will be created, if
1331 applicable; demonstrate a baseline of current service and a
1332 measure of enhanced capability; the methodology for validating
1333 performance; the schedule of payments from the fund; and
1334 sanctions for failure to meet performance conditions. The
1335 contract must provide that payment of moneys from the fund is
1336 contingent upon sufficient appropriation of funds by the
1337 Legislature.

1338 (f) Any contract or agreement executed by the department
1339 shall embody the performance criteria and timelines submitted to
1340 the Legislature, whether during the legislative consultation
1341 period or in the provided written description and evaluation for
1342 those projects that do not require legislative consultation. If
1343 the executed contract or agreement fails to embody the
1344 performance criteria and timelines submitted to the legislature,
1345 whether during the legislative consultation period or in the
1346 provided written description and evaluation for those projects
1347 that do not require legislative consultation, the department may
1348 not expend any funds on the contract and the Chief Financial
1349 Officer is not authorized to release payment of funds.

1350 (g) An amendment, modification, or extension of an
1351 executed contract may not result in a 0.5-point or greater
1352 reduction in the economic-benefit ratio of the project, may not
1353 result in the waiver of any program requirement, and is subject
1354 to a 14-day legislative consultation. If the President of the
1355 Senate or the Speaker of the House of Representatives timely

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1356 advises the Executive Office of the Governor in writing that the
1357 amendment, modification, or extension exceeds the delegated
1358 authority of the Executive Office of the Governor or is contrary
1359 to legislative policy or intent, the Executive Office of the
1360 Governor must void the amendment, modification, or extension and
1361 instruct the department to immediately change action or proposed
1362 action.

1363 (h) (e) The department shall validate contractor
1364 performance and report such validation in the annual incentives
1365 report required under s. 288.907.

1366 (4) Funds appropriated by the Legislature for purposes of
1367 implementing this section shall be placed in reserve and may
1368 only be released pursuant to the legislative consultation and
1369 review requirements set forth in this section. Notwithstanding
1370 s. 216.301 and pursuant to s. 216.351, the department may carry
1371 forward the balance of any unexpected state appropriations into
1372 succeeding fiscal years. Such funds will remain in reserve and
1373 may only be released pursuant to the legislative consultation
1374 and review requirements set forth in this section.

1375 Section 18. Paragraph (b) of subsection (2) and
1376 subsections (4), (7), and (8) of section 288.1089, Florida
1377 Statutes, are amended to read:

1378 288.1089 Innovation Incentive Program.—

1379 (2) As used in this section, the term:

1380 ~~(b) "Average private sector wage" means the statewide~~
1381 ~~average wage in the private sector or the average of all private~~

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1382 ~~sector wages in the county or in the standard metropolitan area~~
1383 ~~in which the project is located as determined by the department.~~

1384 (4) To qualify for review by the department, the applicant
1385 must, at a minimum, establish the following to the satisfaction
1386 of the department:

1387 (a) The jobs created by the project must pay an estimated
1388 annual average wage equaling at least 130 percent of the average
1389 private sector wage in the area. The department may waive this
1390 average wage requirement at the request of Enterprise Florida,
1391 Inc., for a project located in a rural area, a brownfield area,
1392 or an enterprise zone, when the merits of the individual project
1393 or the specific circumstances in the community in relationship
1394 to the project warrant such action. A recommendation for waiver
1395 by Enterprise Florida, Inc., must include a specific
1396 justification for the waiver and be transmitted to the
1397 department in writing. If the department elects to waive the
1398 wage requirement, the waiver must be stated in writing and the
1399 reasons for granting the waiver must be explained.

1400 (b) A research and development project must:

1401 1. Serve as a catalyst for an emerging or evolving
1402 technology cluster.

1403 2. Demonstrate a plan for significant higher education
1404 collaboration.

1405 3. Provide the state, at a minimum, a cumulative break-
1406 even economic benefit within a 20-year period.

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1407 4. Be provided with a one-to-one match from the local
1408 community. The match requirement may be reduced or waived in
1409 rural areas of opportunity or reduced in rural areas, brownfield
1410 areas, and enterprise zones. A local government requesting a
1411 waiver that reduces or eliminates the one-to-one match must
1412 provide the department with a statement prepared by a Florida
1413 certified public accountant, as defined in s. 473.302, which
1414 describes the financial constraints preventing the local
1415 government from meeting the local financial support requirement
1416 of this section. This subparagraph does not apply to a county
1417 considered fiscally constrained pursuant to s. 218.67(1).

1418 (c) An innovation business project in this state, other
1419 than a research and development project, must:

1420 1.a. Result in the creation of at least 1,000 direct, new
1421 jobs at the business; or

1422 b. Result in the creation of at least 500 direct, new jobs
1423 if the project is located in a rural area, a brownfield area, or
1424 an enterprise zone.

1425 2. Have an activity or product that is within an industry
1426 that is designated as a target industry business under s.
1427 288.106 or a designated sector under s. 288.108.

1428 3.a. Have a cumulative investment of at least \$500 million
1429 within a 5-year period; or

1430 b. Have a cumulative investment that exceeds \$250 million
1431 within a 10-year period if the project is located in a rural
1432 area, brownfield area, or an enterprise zone.

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1433 4. Be provided with a one-to-one match from the local
1434 community. The match requirement may be reduced or waived in
1435 rural areas of opportunity or reduced in rural areas, brownfield
1436 areas, and enterprise zones. A local government requesting a
1437 waiver that reduces or eliminates the one-to-one match must
1438 provide the department with a statement prepared by a Florida
1439 certified public accountant, as defined in s. 473.302, which
1440 describes the financial constraints preventing the local
1441 government from meeting the local financial support requirement
1442 of this section. This subparagraph does not apply to a county
1443 considered fiscally constrained pursuant to s. 218.67(1).

1444 (d) For an alternative and renewable energy project in
1445 this state, the project must:

1446 1. Demonstrate a plan for significant collaboration with
1447 an institution of higher education.†

1448 2. Provide the state, at a minimum, a cumulative break-
1449 even economic benefit within a 20-year period.†

1450 3. Include matching funds provided by the applicant or
1451 other available sources. The match requirement may be reduced or
1452 waived in rural areas of opportunity or reduced in rural areas,
1453 brownfield areas, and enterprise zones. A local government
1454 requesting a waiver that reduces or eliminates the one-to-one
1455 match must provide the department with a statement prepared by a
1456 Florida certified public accountant, as defined in s. 473.302,
1457 which describes the financial constraints preventing the local
1458 government from meeting the one-to-one match requirement of this

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1459 section. This subparagraph does not apply to a county considered
1460 fiscally constrained pursuant to s. 218.67(1).†

1461 4. Be located in this state.†~~and~~

1462 5. Provide at least 35 direct,† new jobs that pay an
1463 estimated annual average wage that equals at least 130 percent
1464 of the average private sector wage in the area.

1465 (7) (a) Within 7 business days after the executive director
1466 approves or disapproves an application for an innovation
1467 incentive award proposal, the department shall recommend to the
1468 Governor the approval or disapproval of an innovation incentive
1469 award. In recommending an award, the department shall include
1470 the total amount of the innovation incentive award; the
1471 anticipated performance conditions that must be met to obtain
1472 the award, including, but not limited to, net new employment in
1473 the state, average salary, and total capital investment incurred
1474 by the business; a baseline of current service and a measure of
1475 enhanced capability; the methodology for validating performance;
1476 the schedule of payments; and sanctions for failure to meet
1477 performance conditions, including any clawback provisions ~~Upon~~
1478 ~~receipt of the evaluation and recommendation from the~~
1479 ~~department, the Governor shall approve or deny an award. In~~
1480 ~~recommending approval of an award, the department shall include~~
1481 ~~proposed performance conditions that the applicant must meet in~~
1482 ~~order to obtain incentive funds and any other conditions that~~
1483 ~~must be met before the receipt of any incentive funds. The~~
1484 ~~Governor shall consult with the President of the Senate and the~~

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1485 ~~Speaker of the House of Representatives before giving approval~~
1486 ~~for an award. Upon review and approval of an award by the~~
1487 ~~Legislative Budget Commission, the Executive Office of the~~
1488 ~~Governor shall release the funds.~~

1489 (b) The Governor may approve an innovation incentive award
1490 of less than \$2 million without consulting the Legislature. For
1491 such awards, the Governor shall provide a written description
1492 and evaluation of the approved project to the President of the
1493 Senate and the Speaker of the House of Representatives within 1
1494 business day after approval.

1495 (c) The Governor shall provide a written description and
1496 evaluation of each innovation incentive award proposal
1497 recommended for approval for an innovation incentive award of at
1498 least \$2 million, but not more than \$7.5 million, to the
1499 President of the Senate and the Speaker of the House of
1500 Representatives at least 14 days before giving final approval
1501 for an award. If the President of the Senate or the Speaker of
1502 the House of Representatives timely advises the Executive Office
1503 of the Governor in writing that the award of incentive funds
1504 exceeds the delegated authority of the Executive Office of the
1505 Governor or is contrary to legislative policy or intent, the
1506 Executive Office of the Governor shall void the release of funds
1507 and instruct the department to immediately change action or
1508 proposed action.

1509 (d) The Governor shall provide the Legislative Budget
1510 Commission a written description and evaluation of each eligible

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1511 business recommended for approval of an innovation incentive
1512 award that exceeds \$7.5 million or that provides a waiver of
1513 program requirements and is at least \$5 million. The Legislative
1514 Budget Commission must approve such an award before final
1515 approval by the Governor.

1516 (e) Any contract or agreement executed by the department
1517 shall embody the performance criteria and timelines submitted to
1518 the Legislature, whether during the legislative consultation
1519 period or in the provided written description and evaluation for
1520 those projects that do not require legislative consultation. If
1521 the executed contract or agreement fails to embody the
1522 performance criteria and timelines submitted to the Legislature,
1523 whether during the legislative consultation period or in the
1524 provided written description and evaluation for those projects
1525 that do not require legislative consultation, the department may
1526 not expend any funds on the contract and the Chief Financial
1527 Officer is not authorized to release payment of funds.

1528 (f) An amendment, modification, or extension of an
1529 executed contract may not result in a 0.5-point or greater
1530 reduction in the economic-benefit ratio of the project, may not
1531 result in the waiver of any program requirement, and is subject
1532 to a 14-day legislative consultation. If the President of the
1533 Senate or the Speaker of the House of Representatives timely
1534 advises the Executive Office of the Governor in writing that the
1535 amendment, modification, or extension exceeds the delegated
1536 authority of the Executive Office of the Governor or is contrary

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1537 to legislative policy or intent, the Executive Office of the
1538 Governor shall void the amendment, modification, or extension
1539 and instruct the department to immediately change action or
1540 proposed action.

1541 (8)(a) In addition to the requirements provided in
1542 paragraph (7) (a), a contract between the department and an award
1543 recipient After the conditions set forth in subsection (7) have
1544 been met, the department shall issue a letter certifying the
1545 applicant as qualified for an award. The department and the
1546 award recipient shall enter into an agreement that sets forth
1547 the conditions for payment of the incentive funds. The agreement
1548 must include, at a minimum:

1549 1. The total amount of funds awarded.

1550 2. The performance conditions that must be met in order to
1551 obtain the award or portions of the award, including, but not
1552 limited to, net new employment in the state, average wage, and
1553 total cumulative investment.

1554 3. Demonstration of a baseline of current service and a
1555 measure of enhanced capability.

1556 4. The methodology for validating performance.

1557 5. The schedule of payments.

1558 6. Sanctions for failure to meet performance conditions,
1559 including any clawback provisions.

1560 (b) Additionally, agreements signed on or after July 1,
1561 2009, must include the following provisions:

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1562 1. Notwithstanding subsection (4), a requirement that the
1563 jobs created by the recipient of the incentive funds pay an
1564 annual average wage at least equal to the relevant industry's
1565 annual average wage or at least 130 percent of the average
1566 private sector wage in the area, whichever is greater.

1567 2. A reinvestment requirement. Each recipient of an award
1568 shall reinvest up to 15 percent of net royalty revenues,
1569 including revenues from spin-off companies and the revenues from
1570 the sale of stock it receives from the licensing or transfer of
1571 inventions, methods, processes, and other patentable discoveries
1572 conceived or reduced to practice using its facilities in Florida
1573 or its Florida-based employees, in whole or in part, and to
1574 which the recipient of the grant becomes entitled during the 20
1575 years following the effective date of its agreement with the
1576 department. Each recipient of an award also shall reinvest up to
1577 15 percent of the gross revenues it receives from naming
1578 opportunities associated with any facility it builds in this
1579 state. Reinvestment payments shall commence no later than 6
1580 months after the recipient of the grant has received the final
1581 disbursement under the contract and shall continue until the
1582 maximum reinvestment, as specified in the contract, has been
1583 paid. Reinvestment payments shall be remitted to the department
1584 for deposit in the Biomedical Research Trust Fund for companies
1585 specializing in biomedicine or life sciences, or in the Economic
1586 Development Trust Fund for companies specializing in fields
1587 other than biomedicine or the life sciences. If these trust

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1588 funds no longer exist at the time of the reinvestment, the
1589 state's share of reinvestment shall be deposited in their
1590 successor trust funds as determined by law. Each recipient of an
1591 award shall annually submit a schedule of the shares of stock
1592 held by it as payment of the royalty required by this paragraph
1593 and report on any trades or activity concerning such stock. Each
1594 recipient's reinvestment obligations survive the expiration or
1595 termination of its agreement with the state.

1596 3. Requirements for the establishment of internship
1597 programs or other learning opportunities for educators and
1598 secondary, postsecondary, graduate, and doctoral students.

1599 4. A requirement that the recipient submit quarterly
1600 reports and annual reports related to activities and performance
1601 to the department, according to standardized reporting periods.

1602 5. A requirement for an annual accounting to the
1603 department of the expenditure of funds disbursed under this
1604 section.

1605 6. A process for amending the agreement.

1606 Section 19. Subsection (7) of section 288.11621, Florida
1607 Statutes, is amended to read:

1608 288.11621 Spring training baseball franchises.—

1609 (7) STRATEGIC PLANNING.—The department shall request
1610 assistance from the Florida Sports Foundation Enterprise
1611 Florida, Inc., and the Florida Grapefruit League Association to
1612 develop a comprehensive strategic plan to:

1613 (a) Finance spring training facilities.

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1614 (b) Monitor and oversee the use of state funds awarded to
1615 applicants.

1616 (c) Identify the financial impact that spring training has
1617 on the state and ways in which to maintain or improve that
1618 impact.

1619 (d) Identify opportunities to develop public-private
1620 partnerships to engage in marketing activities and advertise
1621 spring training baseball.

1622 (e) Identify efforts made by other states to maintain or
1623 develop partnerships with baseball spring training teams.

1624 (f) Develop recommendations for the Legislature to sustain
1625 or improve this state's spring training tradition.

1626 Section 20. Section 288.1169, Florida Statutes, is
1627 repealed.

1628 Section 21. Effective July 1, 2016, notwithstanding the
1629 repeal of section 288.1229, Florida Statutes, in s. 485, chapter
1630 2011-142, Laws of Florida, section 288.1229, Florida Statutes,
1631 is revived, reenacted, and amended to read:

1632 288.1229 Promotion and development of sports-related
1633 industries and amateur athletics; direct-support organization
1634 established; powers and duties.-

1635 (1) The Department of Economic Opportunity shall establish
1636 a direct-support organization known as the Florida Sports
1637 Foundation. The foundation shall ~~The Office of Tourism, Trade,~~
1638 ~~and Economic Development may authorize a direct support~~
1639 ~~organization to assist the~~ department office in:

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1640 (a) The promotion and development of the sports industry
1641 and related industries for the purpose of improving the economic
1642 presence of these industries in Florida.

1643 (b) The promotion of amateur athletic participation for
1644 the citizens of Florida and the promotion of Florida as a host
1645 for national and international amateur athletic competitions for
1646 the purpose of encouraging and increasing the direct and
1647 ancillary economic benefits of amateur athletic events and
1648 competitions.

1649 (c) The retention of professional sports franchises,
1650 including the spring training operations of Major League
1651 Baseball.

1652 (2) The Florida Sports Foundation ~~To be authorized as a~~
1653 ~~direct support organization, an organization~~ must:

1654 (a) Be incorporated as a corporation not for profit
1655 pursuant to chapter 617.

1656 (b) 1. Be governed by a board of directors, which must
1657 consist of 20 ~~up to 15~~ members appointed by the Governor, which
1658 include:

1659 a. Ten members representing Florida major league
1660 franchises of Major League Baseball, National Basketball
1661 Association, National Football League, Arena Football League,
1662 National Hockey League, and Major League Soccer teams domiciled
1663 in this state.

1664 b. A member representing Florida Sports Commissions.

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- 1665 c. A member representing the boating and fishing
1666 industries in Florida.
- 1667 d. A member representing the golf industry in Florida.
- 1668 e. A member representing Major League Baseball spring
1669 training.
- 1670 f. A member representing the auto racing industry in
1671 Florida.
- 1672 g. Five members at-large and up to 15 members appointed by
1673 the existing board of directors. In making at-large
1674 appointments, the governor board must consider a potential
1675 member's background in community service and sports activism in,
1676 and financial support of, the sports industry, professional
1677 sports, or organized amateur athletics. Members must be
1678 residents of the state and highly knowledgeable about or active
1679 in professional or organized amateur sports.
- 1680 2. The board must contain representatives of all
1681 geographical regions of the state and must represent ethnic and
1682 gender diversity. The terms of office of the members shall be 4
1683 years. No member may serve more than two consecutive terms. The
1684 Governor may remove any member for cause and shall fill all
1685 vacancies that occur.
- 1686 (c) Have as its purpose, as stated in its articles of
1687 incorporation, to receive, hold, invest, and administer
1688 property; to raise funds and receive gifts; and to promote and
1689 develop the sports industry and related industries for the

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1690 purpose of increasing the economic presence of these industries
1691 in Florida.

1692 (d) Have a prior determination by the department ~~office of~~
1693 ~~Tourism, Trade, and Economic Development~~ that the organization
1694 will benefit the department ~~office~~ and act in the best interests
1695 of the state as a direct-support organization to the department
1696 ~~office~~.

1697 (3) The Florida Sports Foundation shall operate under
1698 contract with the department. The department shall enter into a
1699 contract with the foundation by July 1, 2016. The contract must
1700 provide ~~Office of Tourism, Trade, and Economic Development~~ shall
1701 ~~contract with the organization and shall include in the contract~~
1702 that:

1703 (a) The department ~~office~~ may review the foundation's
1704 ~~organization's~~ articles of incorporation.

1705 (b) The foundation ~~organization~~ shall submit an annual
1706 budget proposal to the department ~~office~~, on a form provided by
1707 the department ~~office~~, in accordance with department ~~office~~
1708 procedures for filing budget proposals based upon the
1709 recommendation of the department ~~office~~.

1710 (c) Any funds that the foundation ~~organization~~ holds in
1711 trust will revert to the state upon the expiration or
1712 cancellation of the contract.

1713 (d) The foundation ~~organization~~ is subject to an annual
1714 financial and performance review by the department ~~office~~ to
1715 determine whether the foundation ~~organization~~ is complying with

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1716 the terms of the contract and whether it is acting in a manner
1717 consistent with the goals of the department office and in the
1718 best interests of the state.

1719 (e) The fiscal year of the foundation begins organization
1720 ~~will begin~~ July 1 of each year and ends ~~end~~ June 30 of the next
1721 ensuing year.

1722 (4) The department Office of Tourism, Trade, and Economic
1723 Development may allow the foundation organization to use the
1724 property, facilities, personnel, and services of the department
1725 office if the foundation organization provides equal employment
1726 opportunities to all persons regardless of race, color,
1727 religion, sex, age, or national origin, subject to the approval
1728 of the executive director of the department office.

1729 (5) The foundation organization shall provide for an
1730 annual financial audit in accordance with s. 215.981.

1731 (6) The foundation organization is not granted any taxing
1732 power.

1733 ~~(7) In exercising the power provided in this section, the~~
1734 ~~Office of Tourism, Trade, and Economic Development may authorize~~
1735 ~~and contract with the direct support organization existing on~~
1736 ~~June 30, 1996, and authorized by the former Florida Department~~
1737 ~~of Commerce to promote sports related industries. An appointed~~
1738 ~~member of the board of directors of such direct support~~
1739 ~~organization as of June 30, 1996, may serve the remainder of his~~
1740 ~~or her unexpired term.~~

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1741 ~~(7)(8)~~ To promote amateur sports and physical fitness, the
1742 foundation direct support organization shall:

1743 (a) Develop, foster, and coordinate services and programs
1744 for amateur sports for the people of Florida.

1745 (b) Sponsor amateur sports workshops, clinics,
1746 conferences, and other similar activities.

1747 (c) Give recognition to outstanding developments and
1748 achievements in, and contributions to, amateur sports.

1749 (d) Encourage, support, and assist local governments and
1750 communities in the development of or hosting of local amateur
1751 athletic events and competitions.

1752 (e) Promote Florida as a host for national and
1753 international amateur athletic competitions.

1754 (f) Develop a statewide programs ~~program~~ of amateur
1755 athletic competition to be known as the "Florida Senior Games"
1756 and the "Sunshine State Games."

1757 (g) Continue the successful amateur sports programs
1758 previously conducted by the Florida Governor's Council on
1759 Physical Fitness and Amateur Sports created under former s.
1760 14.22.

1761 (h) Encourage and continue the use of volunteers in its
1762 amateur sports programs to the maximum extent possible.

1763 (i) Develop, foster, and coordinate services and programs
1764 designed to encourage the participation of Florida's youth in
1765 Olympic sports activities and competitions.

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1766 (j) Foster and coordinate services and programs designed
1767 to contribute to the physical fitness of the citizens of
1768 Florida.

1769 ~~(8)(9)(a)~~ The Sunshine State Games and Florida Senior
1770 Games shall both be patterned after the Summer Olympics with
1771 variations as necessitated by availability of facilities,
1772 equipment, and expertise. The games shall be designed to
1773 encourage the participation of athletes representing a broad
1774 range of age groups, skill levels, and Florida communities.
1775 ~~Participants shall be residents of this state. Regional~~
1776 ~~competitions shall be held throughout the state, and the top~~
1777 ~~qualifiers in each sport shall proceed to the final competitions~~
1778 ~~to be held at a site in the state with the necessary facilities~~
1779 ~~and equipment for conducting the competitions.~~

1780 (b) The department ~~Executive Office of the Governor~~ is
1781 authorized to permit the use of property, facilities, and
1782 personal services of or at any State University System facility
1783 or institution by the direct-support organization operating the
1784 Sunshine State Games and Florida Senior Games. For the purposes
1785 of this paragraph, personal services includes full-time or part-
1786 time personnel as well as payroll processing.

1787 Section 22. Subsection (2) and paragraph (b) of subsection
1788 (5) of section 288.901, Florida Statutes, are amended to read:

1789 288.901 Enterprise Florida, Inc.—

1790 (2) PURPOSES.—Enterprise Florida, Inc., shall act as the
1791 economic development organization for the state, using ~~utilizing~~

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1792 private sector and public sector expertise in collaboration with
1793 the department to:

1794 (a) Increase private investment in Florida.†

1795 (b) Advance international and domestic trade
1796 opportunities.†

1797 (c) Market the state both as a probusiness location for
1798 new investment and as an unparalleled tourist destination.†

1799 (d) Revitalize Florida's space and aerospace industries,
1800 and promote emerging complementary industries.†

1801 (e) Promote opportunities for minority-owned businesses.†

1802 (f) Assist and market professional and amateur sport teams
1803 and sporting events in Florida.†—and

1804 (g) Assist, promote, and enhance economic opportunities in
1805 this state's rural and urban communities.

1806 (h) Foster and encourage high-technology startup and
1807 second-stage business development within the state.

1808 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

1809 (b) In making their appointments, the Governor, the
1810 President of the Senate, and the Speaker of the House of
1811 Representatives shall ensure that the composition of the board
1812 of directors reflects the diversity of Florida's business
1813 community and is representative of the economic development
1814 goals in subsection (2). The board must include at least one
1815 director for each of the following areas of expertise:
1816 international business, tourism marketing, the space or
1817 aerospace industry, managing or financing a minority-owned

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1818 business, manufacturing, finance and accounting, and rural
1819 economic development. ~~and sports marketing.~~

1820 Section 23. Subsection (1) of section 288.9015, Florida
1821 Statutes, is amended to read:

1822 288.9015 Powers of Enterprise Florida, Inc.; board of
1823 directors.—

1824 (1) Enterprise Florida, Inc., shall integrate its efforts
1825 in business recruitment and expansion, job creation, marketing
1826 the state for tourism ~~and sports~~, and promoting economic
1827 opportunities for minority-owned businesses and promoting
1828 economic opportunities for rural and distressed urban
1829 communities with those of the department, to create an
1830 aggressive, agile, and collaborative effort to reinvigorate the
1831 state's economy.

1832 Section 24. Section 288.913, Florida Statutes, is created
1833 to read:

1834 288.913 Innovation Florida Initiative.—

1835 (1) LEGISLATIVE FINDINGS AND DECLARATIONS.—The Legislature
1836 finds that successful high-technology startup and second-stage
1837 businesses are critical to the state's overall economic growth
1838 and such businesses play an outsized role in job creation. The
1839 Legislature also finds that Enterprise Florida, Inc., the
1840 state's economic development organization, is uniquely suited to
1841 foster and encourage more high-technology startup and second-
1842 stage business development within the state. Therefore, the
1843 Legislature declares that it is the policy of the state to

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1844 prioritize high-technology startup and second-stage business
1845 development within the state and directs Enterprise Florida,
1846 Inc., to develop the Innovation Florida Initiative to further
1847 such policy.

1848 (2) DEFINITIONS.—As used in this section, the term:

1849 (a) "Advanced technology products" means high-technology
1850 products produced by a business that employs a high proportion
1851 of scientists, engineers, and technicians. Such products may be
1852 classified within, but not be limited to, the following fields:

1853 1. Biotechnology products related to advanced scientific
1854 discoveries in genetics.

1855 2. Life science products related to the application of
1856 nonbiological scientific advances to medical science.

1857 3. Optoelectronic products related to the emission or
1858 detection of light.

1859 4. Information and communications products related to the
1860 processing of increased volumes of information in shorter
1861 periods of time.

1862 5. Electronics products related to design advances in
1863 electronic components that result in improved performance and
1864 capacity, or reduced size.

1865 6. Flexible manufacturing products related to robotics,
1866 numerically-controlled machine tools, and similar products
1867 involving industrial automation that allows for greater
1868 flexibility in the manufacturing process and reduction in the
1869 amount of human intervention.

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1870 7. Advanced materials products related to advances in the
1871 development of materials that allow for further development and
1872 application of other advanced technologies.

1873 8. Aerospace products related to military and civil
1874 helicopters, airplanes, and spacecraft.

1875 9. Weapons products related to products with military
1876 application.

1877 10. Nuclear technology products related to nuclear power
1878 production apparatus.

1879 (b) "High-technology startup" means a business unit that
1880 has been in operation for less than 5 years, and employs fewer
1881 than 10 employees, which produces a high proportion of advanced
1882 technology products.

1883 (c) "Second-stage business" means a business unit that
1884 employs at least 10 but not more than 50 employees, generates at
1885 least \$1 million but not more than \$25 million in annual
1886 revenue, and produces a high proportion of advanced technology
1887 products.

1888 (3) STATEWIDE STRATEGIC PLAN.--

1889 (a) The department shall develop a statewide strategic
1890 plan for high-technology startup and second-stage business
1891 growth and development in consultation with Enterprise Florida,
1892 Inc., the Institute for the Commercialization of Public
1893 Research, the Florida Economic Gardening Institute, the state's
1894 local and regional economic development organizations, and other
1895 stakeholders, public and private, that have experience and

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1896 expertise in high-technology startup and second-stage business
1897 growth and development activities.

1898 (b) In developing the strategic plan, the department shall
1899 evaluate best practices; examine the startup, entrepreneurship,
1900 and second-stage business programs of other states; and survey
1901 high-technology startups and second-stage businesses and support
1902 organizations, both within and outside the state.

1903 (c) The strategic plan must include:

1904 1. Actionable steps to provide technical support to local
1905 and regional economic development organizations to enhance high-
1906 technology startup and second-stage business growth at local and
1907 regional levels.

1908 2. An evaluation of the accessibility of the state's
1909 economic development incentive and loan programs to high-
1910 technology startups and second-stage businesses.

1911 (d) By January 1, 2017, the department shall deliver the
1912 strategic plan to the Governor, the President of the Senate, and
1913 the Speaker of the House of Representatives.

1914 (e) Upon completion of the strategic plan, the plan shall
1915 become part of the 5-year statewide strategic plan developed by
1916 the Division of Strategic Business Development required by s.
1917 20.60.

1918 (4) MARKETING.—Enterprise Florida, Inc., shall market the
1919 state's economic development activities related to the growth
1920 and development of high-technology startups and second-stage
1921 businesses both inside and outside the state.

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1922 (5) ANNUAL REPORT.—Enterprise Florida, Inc., shall provide
 1923 information regarding its activities related to the growth and
 1924 development of high-technology startups and second-stage
 1925 businesses in its annual report required by s. 288.906.

1926 Section 25. Subsection (1) of section 288.92, Florida
 1927 Statutes, is amended to read:

1928 288.92 Divisions of Enterprise Florida, Inc.—

1929 (1) Enterprise Florida, Inc., may create and dissolve
 1930 divisions as necessary to carry out its mission. Each division
 1931 shall have distinct responsibilities and complementary missions.
 1932 At a minimum, Enterprise Florida, Inc., shall have divisions
 1933 related to the following areas:

1934 (a) International Trade and Business Development;

1935 (b) Business Retention and Recruitment;

1936 (c) Tourism Marketing; and

1937 (d) Minority Business Development, ~~and~~

1938 ~~(e) Sports Industry Development.~~

1939 Section 26. Paragraph (b) of subsection (3) of section
 1940 288.9604, Florida Statutes, is amended to read:

1941 288.9604 Creation of the authority.—

1942 (3)

1943 (b)1. The powers of the corporation shall be exercised by
 1944 the directors thereof. A majority of the directors constitutes a
 1945 quorum for the purposes of conducting business and exercising
 1946 the powers of the corporation and for all other purposes. Action
 1947 may be taken by the corporation upon a vote of a majority of the

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1948 directors present, unless in any case the bylaws require a
1949 larger number. Any person may be appointed as director if he or
1950 she resides, or is engaged in business, which means owning a
1951 business, practicing a profession, or performing a service for
1952 compensation or serving as an officer or director of a
1953 corporation or other business entity so engaged, within the
1954 state.

1955 2. Meetings of the directors may be conducted remotely by
1956 utilizing communications media technology. The board shall hold
1957 a meeting in person if the board is aware of opposition to a
1958 bond issuance on the agenda for such meeting or if the board
1959 receives a request to hold the meeting in person prior to 72
1960 hours before the scheduled meeting. "Communications media
1961 technology" as used in this subparagraph means conference
1962 telephone, video conference, or other communications technology
1963 by which all persons attending a meeting may audibly
1964 communicate.

1965 3. Any action taken by the full board of directors of the
1966 corporation on or before March 31, 2015, to ratify or reject
1967 actions taken by a previous board while such previous board was
1968 incomplete due to director vacancies, has the same effect as if
1969 the ratifying or rejecting board took the original action.

1970 Section 27. Paragraph (x) is added to subsection (2) of
1971 section 288.9605, Florida Statutes, to read:

1972 288.9605 Corporation powers.-

1973 (2) The corporation is authorized and empowered to:

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1974 (x) Documents, agreements and instruments executed by the
1975 corporation may be executed and delivered in accordance with and
1976 to the extent permitted by the Electronic Signature Act of 1996,
1977 Part I of chapter 688.

1978 Section 28. Paragraph (c) of subsection (3) and subsection
1979 (4) of section 288.980, Florida Statutes, is amended to read:

1980 288.980 Military base retention; legislative intent;
1981 grants program.—

1982 (3)

1983 (c) The department shall require that an applicant:

1984 1. Represent a local government with a military
1985 installation or military installations that could be adversely
1986 affected by federal actions.

1987 2. ~~Agree to match at least 30 percent of any grant~~
1988 ~~awarded.~~

1989 3. Prepare a coordinated program or plan of action
1990 delineating how the eligible project will be administered and
1991 accomplished.

1992 ~~3.4.~~ Provide documentation describing the potential for
1993 changes to the mission of a military installation located in the
1994 applicant's community and the potential impacts such changes
1995 will have on the applicant's community.

1996 (4) The Florida Defense Reinvestment Grant Program is
1997 established to respond to the need for this state to work in
1998 conjunction with defense-dependent communities in developing and
1999 implementing strategies and approaches that will help

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2000 communities support the missions of military installations, and
2001 in developing and implementing alternative economic
2002 diversification strategies to transition from a defense economy
2003 to a nondefense economy. The department shall administer the
2004 program.

2005 (a) Eligible applicants include defense-dependent counties
2006 and cities, and local economic development councils located
2007 within such communities. ~~The program shall be administered by~~
2008 ~~the department and grant~~ Grant awards may be provided to support
2009 community-based activities that:

2010 1. ~~(a)~~ Protect existing military installations;

2011 2. ~~(b)~~ Diversify the economy of a defense-dependent
2012 community; or

2013 3. ~~(c)~~ Develop plans for the reuse of closed or realigned
2014 military installations, including any plans necessary for
2015 infrastructure improvements needed to facilitate reuse and
2016 related marketing activities.

2017 (b) Applications for grants under paragraph (a) ~~this~~
2018 ~~subsection~~ must include a coordinated program of work or plan of
2019 action delineating how the eligible project will be administered
2020 and accomplished, which must include a plan for ensuring close
2021 cooperation between civilian and military authorities in the
2022 conduct of the funded activities and a plan for public
2023 involvement. An applicant must agree to match at least 30
2024 percent of any grant awarded.

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2025 Section 29. Section 288.9937, Florida Statutes, is amended
2026 to read:

2027 288.9937 Evaluation of programs.—The Office of Economic
2028 and Demographic Research and the Office of Program Policy
2029 Analysis and Government Accountability shall analyze and
2030 evaluate, and determine the economic benefits, as defined in s.
2031 288.005, of the first 3 years of the Microfinance Loan Program
2032 and the Microfinance Guarantee Program. The analysis by the
2033 Office of Economic and Demographic Research must ~~also~~ evaluate
2034 the number of jobs created, the increase or decrease in personal
2035 income, and the impact on state gross domestic product from the
2036 direct, indirect, and induced effects of the state's investment.
2037 The analysis by the Office of Program Policy Analysis and
2038 Government Accountability must ~~also~~ identify any inefficiencies
2039 in the programs and provide recommendations for changes to the
2040 programs. Each ~~The~~ office shall submit a report to the President
2041 of the Senate and the Speaker of the House of Representatives by
2042 January 15 ~~1~~, 2018. This section expires January 31, 2018.

2043 Section 30. Subsections (1) and (3), paragraph (a) of
2044 subsection (5), and paragraph (e) of subsection (7) of section
2045 288.11625, Florida Statutes, are amended to read:

2046 288.11625 Sports development.—

2047 (1) ADMINISTRATION.—The department shall serve as the
2048 state agency responsible for screening applicants for state
2049 funding under s. 212.20(6)(d)6.e. ~~212.20(6)(d)6.f.~~

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2050 (3) PURPOSE.—The purpose of this section is to provide
2051 applicants state funding under s. 212.20(6)(d)6.e.
2052 ~~212.20(6)(d)6.f.~~ for the public purpose of constructing,
2053 reconstructing, renovating, or improving a facility.

2054 (5) EVALUATION PROCESS.—

2055 (a) Before recommending an applicant to receive a state
2056 distribution under s. 212.20(6)(d)6.e. ~~212.20(6)(d)6.f.~~, the
2057 department must verify that:

2058 1. The applicant or beneficiary is responsible for the
2059 construction, reconstruction, renovation, or improvement of a
2060 facility and obtained at least three bids for the project.

2061 2. If the applicant is not a unit of local government, a
2062 unit of local government holds title to the property on which
2063 the facility and project are, or will be, located.

2064 3. If the applicant is a unit of local government in whose
2065 jurisdiction the facility is, or will be, located, the unit of
2066 local government has an exclusive intent agreement to negotiate
2067 in this state with the beneficiary.

2068 4. A unit of local government in whose jurisdiction the
2069 facility is, or will be, located supports the application for
2070 state funds. Such support must be verified by the adoption of a
2071 resolution, after a public hearing, that the project serves a
2072 public purpose.

2073 5. The applicant or beneficiary has not previously
2074 defaulted or failed to meet any statutory requirements of a
2075 previous state-administered sports-related program under s.

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2076 288.1162, s. 288.11621, s. 288.11631, or this section.

2077 Additionally, the applicant or beneficiary is not currently
2078 receiving state distributions under s. 212.20 for the facility
2079 that is the subject of the application, unless the applicant
2080 demonstrates that the franchise that applied for a distribution
2081 under s. 212.20 no longer plays at the facility that is the
2082 subject of the application.

2083 6. The applicant or beneficiary has sufficiently
2084 demonstrated a commitment to employ residents of this state,
2085 contract with Florida-based firms, and purchase locally
2086 available building materials to the greatest extent possible.

2087 7. If the applicant is a unit of local government, the
2088 applicant has a certified copy of a signed agreement with a
2089 beneficiary for the use of the facility. If the applicant is a
2090 beneficiary, the beneficiary must enter into an agreement with
2091 the department. The applicant's or beneficiary's agreement must
2092 also require the following:

2093 a. The beneficiary must reimburse the state for state
2094 funds that will be distributed if the beneficiary relocates or
2095 no longer occupies or uses the facility as the facility's
2096 primary tenant before the agreement expires. Reimbursements must
2097 be sent to the Department of Revenue for deposit into the
2098 General Revenue Fund.

2099 b. The beneficiary must pay for signage or advertising
2100 within the facility. The signage or advertising must be placed
2101 in a prominent location as close to the field of play or

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2102 competition as is practicable, must be displayed consistent with
2103 signage or advertising in the same location and of like value,
2104 and must feature Florida advertising approved by the Florida
2105 Tourism Industry Marketing Corporation.

2106 8. The project will commence within 12 months after
2107 receiving state funds or did not commence before January 1,
2108 2013.

2109 (7) CONTRACT.—An applicant approved by the Legislature and
2110 certified by the department must enter into a contract with the
2111 department which:

2112 (e) Requires the applicant to reimburse the state by
2113 electing to do one of the following:

2114 1. After all distributions have been made, reimburse at
2115 the end of the contract term any amount by which the total
2116 distributions made under s. 212.20(6)(d)6.e. ~~212.20(6)(d)6.f.~~
2117 exceed actual new incremental state sales taxes generated by
2118 sales at the facility during the contract, plus a 5 percent
2119 penalty on that amount.

2120 2. After the applicant begins to submit the independent
2121 analysis under paragraph (c), reimburse each year any amount by
2122 which the previous year's annual distribution exceeds 75 percent
2123 of the actual new incremental state sales taxes generated by
2124 sales at the facility.

2125
2126 Any reimbursement due to the state must be made within 90 days
2127 after the applicable distribution under this paragraph. If the

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2128 applicant is unable or unwilling to reimburse the state for such
2129 amount, the department may place a lien on the applicant's
2130 facility. If the applicant is a municipality or county, it may
2131 reimburse the state from its half-cent sales tax allocation, as
2132 provided in s. 218.64(3). Reimbursements must be sent to the
2133 Department of Revenue for deposit into the General Revenue Fund.

2134 Section 31. Paragraph (c) of subsection (2) and paragraphs
2135 (a), (c), and (d) of subsection (3) of section 288.11631,
2136 Florida Statutes, are amended to read:

2137 288.11631 Retention of Major League Baseball spring
2138 training baseball franchises.-

2139 (2) CERTIFICATION PROCESS.-

2140 (c) Each applicant certified on or after July 1, 2013,
2141 shall enter into an agreement with the department which:

2142 1. Specifies the amount of the state incentive funding to
2143 be distributed. The amount of state incentive funding per
2144 certified applicant may not exceed \$20 million. However, if a
2145 certified applicant's facility is used by more than one spring
2146 training franchise, the maximum amount may not exceed \$50
2147 million, and the Department of Revenue shall make distributions
2148 to the applicant pursuant to s. 212.20(6)(d)6.d.

2149 ~~212.20(6)(d)6.e.~~

2150 2. States the criteria that the certified applicant must
2151 meet in order to remain certified. These criteria must include a
2152 provision stating that the spring training franchise must
2153 reimburse the state for any funds received if the franchise does

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2154 not comply with the terms of the contract. If bonds were issued
2155 to construct or renovate a facility for a spring training
2156 franchise, the required reimbursement must be equal to the total
2157 amount of state distributions expected to be paid from the date
2158 the franchise violates the agreement with the applicant through
2159 the final maturity of the bonds.

2160 3. States that the certified applicant is subject to
2161 decertification if the certified applicant fails to comply with
2162 this section or the agreement.

2163 4. States that the department may recover state incentive
2164 funds if the certified applicant is decertified.

2165 5. Specifies the information that the certified applicant
2166 must report to the department.

2167 6. Includes any provision deemed prudent by the
2168 department.

2169 (3) USE OF FUNDS.—

2170 (a) A certified applicant may use funds provided under s.
2171 212.20(6)(d)6.d. ~~212.20(6)(d)6.e.~~ only to:

2172 1. Serve the public purpose of constructing or renovating
2173 a facility for a spring training franchise.

2174 2. Pay or pledge for the payment of debt service on, or to
2175 fund debt service reserve funds, arbitrage rebate obligations,
2176 or other amounts payable with respect thereto, bonds issued for
2177 the construction or renovation of such facility, or for the
2178 reimbursement of such costs or the refinancing of bonds issued
2179 for such purposes.

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2180 (c) The Department of Revenue may not distribute funds
2181 under s. 212.20(6)(d)6.d. ~~212.20(6)(d)6.e.~~ until July 1, 2016.
2182 Further, the Department of Revenue may not distribute funds to
2183 an applicant certified on or after July 1, 2013, until it
2184 receives notice from the department that:

2185 1. The certified applicant has encumbered funds under
2186 either subparagraph (a)1. or subparagraph (a)2.; and

2187 2. If applicable, any existing agreement with a spring
2188 training franchise for the use of a facility has expired.

2189 (d)1. All certified applicants shall place unexpended
2190 state funds received pursuant to s. 212.20(6)(d)6.d.
2191 ~~212.20(6)(d)6.e.~~ in a trust fund or separate account for use
2192 only as authorized in this section.

2193 2. A certified applicant may request that the department
2194 notify the Department of Revenue to suspend further
2195 distributions of state funds made available under s.
2196 212.20(6)(d)6.d. ~~212.20(6)(d)6.e.~~ for 12 months after expiration
2197 of an existing agreement with a spring training franchise to
2198 provide the certified applicant with an opportunity to enter
2199 into a new agreement with a spring training franchise, at which
2200 time the distributions shall resume.

2201 3. The expenditure of state funds distributed to an
2202 applicant certified after July 1, 2013, must begin within 48
2203 months after the initial receipt of the state funds. In
2204 addition, the construction or renovation of a spring training

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2205 facility must be completed within 24 months after the project's
2206 commencement.

2207 Section 32. Effective July 1, 2016, paragraph (a) of
2208 subsection (6), paragraph (b) of subsection (9), paragraph (a)
2209 of subsection (35), subsection (60), and paragraph (b) of
2210 subsection (64) of section 320.08058, Florida Statutes, are
2211 amended to read:

2212 320.08058 Specialty license plates.—

2213 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
2214 PLATES.—

2215 (a) Because the United States Olympic Committee has
2216 selected this state to participate in a combined fundraising
2217 program that provides for one-half of all money raised through
2218 volunteer giving to stay in this state and be administered by
2219 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, to
2220 support amateur sports, and because the United States Olympic
2221 Committee and the Florida Sports Foundation ~~Enterprise Florida,~~
2222 ~~Inc.~~ are nonprofit organizations dedicated to providing
2223 athletes with support and training and preparing athletes of all
2224 ages and skill levels for sports competition, and because the
2225 Florida Sports Foundation ~~Enterprise Florida, Inc.~~ assists in
2226 the bidding for sports competitions that provide significant
2227 impact to the economy of this state, and the Legislature
2228 supports the efforts of the United States Olympic Committee and
2229 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, the
2230 Legislature establishes a Florida United States Olympic

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2231 Committee license plate for the purpose of providing a
2232 continuous funding source to support this worthwhile effort.
2233 Florida United States Olympic Committee license plates must
2234 contain the official United States Olympic Committee logo and
2235 must bear a design and colors that are approved by the
2236 department. The word "Florida" must be centered at the top of
2237 the plate.

2238 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

2239 (b) The license plate annual use fees are to be annually
2240 distributed as follows:

2241 1. Fifty-five percent of the proceeds from the Florida
2242 Professional Sports Team plate must be deposited into the
2243 Professional Sports Development Trust Fund within the Department
2244 of Economic Opportunity. These funds must be used solely to
2245 attract and support major sports events in this state. As used
2246 in this subparagraph, the term "major sports events" means, but
2247 is not limited to, championship or all-star contests of Major
2248 League Baseball, the National Basketball Association, the
2249 National Football League, the National Hockey League, Major
2250 League Soccer, the men's and women's National Collegiate
2251 Athletic Association championships ~~Final Four basketball~~
2252 ~~championship~~, or a horseracing or dogracing Breeders' Cup. All
2253 funds must be used to support and promote major sporting events,
2254 and the uses must be approved by the Department of Economic
2255 Opportunity.

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2256 2. The remaining proceeds of the Florida Professional
2257 Sports Team license plate must be allocated to the Florida
2258 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
2259 deposited into the Professional Sports Development Trust Fund
2260 within the Department of Economic Opportunity. These funds must
2261 be used by the Florida Sports Foundation ~~Enterprise Florida,~~
2262 ~~Inc.,~~ to promote the economic development of the sports
2263 industry; to distribute licensing and royalty fees to
2264 participating professional sports teams; ~~to promote education~~
2265 ~~programs in Florida schools that provide an awareness of the~~
2266 ~~benefits of physical activity and nutrition standards; to~~
2267 ~~partner with the Department of Education and the Department of~~
2268 ~~Health to develop a program that recognizes schools whose~~
2269 ~~students demonstrate excellent physical fitness or fitness~~
2270 ~~improvement;~~ to institute a grant program for communities
2271 bidding on minor sporting events that create an economic impact
2272 for the state; to distribute funds to Florida-based charities
2273 designated by the Florida Sports Foundation ~~Enterprise Florida,~~
2274 ~~Inc.,~~ and the participating professional sports teams; and to
2275 fulfill the sports promotion responsibilities of the Department
2276 of Economic Opportunity.

2277 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~
2278 shall provide an annual financial audit in accordance with s.
2279 215.981 of its financial accounts and records by an independent
2280 certified public accountant pursuant to the contract established
2281 by the Department of Economic Opportunity as specified in s.

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2282 | 288.1229(5). The auditor shall submit the audit report to the
2283 | Department of Economic Opportunity for review and approval. If
2284 | the audit report is approved, the Department of Economic
2285 | Opportunity shall certify the audit report to the Auditor
2286 | General for review.

2287 | 4. Notwithstanding the provisions of subparagraphs 1. and
2288 | 2., proceeds from the Professional Sports Development Trust Fund
2289 | may also be used for operational expenses of the Florida Sports
2290 | Foundation ~~Enterprise Florida, Inc.~~, and financial support of
2291 | the Sunshine State Games and Florida Senior Games.

2292 | (35) FLORIDA GOLF LICENSE PLATES.—

2293 | (a) The Department of Highway Safety and Motor Vehicles
2294 | shall develop a Florida Golf license plate as provided in this
2295 | section. The word "Florida" must appear at the bottom of the
2296 | plate. The Dade Amateur Golf Association, following consultation
2297 | with the PGA TOUR, the Florida Sports Foundation ~~Enterprise~~
2298 | ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a
2299 | revised sample plate for consideration by the department.

2300 | (60) FLORIDA NASCAR LICENSE PLATES.—

2301 | (a) The department shall develop a Florida NASCAR license
2302 | plate as provided in this section. Florida NASCAR license plates
2303 | must bear the colors and design approved by the department. The
2304 | word "Florida" must appear at the top of the plate, and the term
2305 | "NASCAR" must appear at the bottom of the plate. The National
2306 | Association for Stock Car Auto Racing, following consultation

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2307 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
2308 submit a sample plate for consideration by the department.

2309 (b) The license plate annual use fees shall be distributed
2310 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The
2311 license plate annual use fees shall be annually allocated as
2312 follows:

2313 1. Up to 5 percent of the proceeds from the annual use
2314 fees may be used by the Florida Sports Foundation ~~Enterprise~~
2315 ~~Florida, Inc.~~, for the administration of the NASCAR license
2316 plate program.

2317 2. The National Association for Stock Car Auto Racing
2318 shall receive up to \$60,000 in proceeds from the annual use fees
2319 to be used to pay startup costs, including costs incurred in
2320 developing and issuing the plates. Thereafter, 10 percent of the
2321 proceeds from the annual use fees shall be provided to the
2322 association for the royalty rights for the use of its marks.

2323 3. The remaining proceeds from the annual use fees shall
2324 be distributed to the Florida Sports Foundation ~~Enterprise~~
2325 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~
2326 ~~Inc.~~, will retain 15 percent to support its regional grant
2327 program, attracting sporting events to Florida; 20 percent to
2328 support the marketing of motorsports-related tourism in the
2329 state; and 50 percent to be paid to the NASCAR Foundation, a s.
2330 501(c)(3) charitable organization, to support Florida-based
2331 charitable organizations.

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2332 (c) The Florida Sports Foundation ~~Enterprise Florida,~~
2333 ~~Inc.~~, shall provide an annual financial audit in accordance with
2334 s. 215.981 of its financial accounts and records by an
2335 independent certified public accountant pursuant to the contract
2336 established by the Department of Economic Opportunity as
2337 specified in s. 288.1229(5). The auditor shall submit the audit
2338 report to the Department of Economic Opportunity for review and
2339 approval. If the audit report is approved, the Department of
2340 Economic Opportunity shall certify the audit report to the
2341 Auditor General for review.

2342 (64) FLORIDA TENNIS LICENSE PLATES.—

2343 (b) The department shall distribute the annual use fees to
2344 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
2345 license plate annual use fees shall be annually allocated as
2346 follows:

2347 1. Up to 5 percent of the proceeds from the annual use
2348 fees may be used by the Florida Sports Foundation ~~Enterprise~~
2349 ~~Florida, Inc.~~, to administer the license plate program.

2350 2. The United States Tennis Association Florida Section
2351 Foundation shall receive the first \$60,000 in proceeds from the
2352 annual use fees to reimburse it for startup costs,
2353 administrative costs, and other costs it incurs in the
2354 development and approval process.

2355 3. Up to 5 percent of the proceeds from the annual use
2356 fees may be used for promoting and marketing the license plates.
2357 The remaining proceeds shall be available for grants by the

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2358 United States Tennis Association Florida Section Foundation to
2359 nonprofit organizations to operate youth tennis programs and
2360 adaptive tennis programs for special populations of all ages,
2361 and for building, renovating, and maintaining public tennis
2362 courts.

2363 Section 33. For the purpose of incorporating the amendment
2364 made by this act to section 288.106, Florida Statutes, in a
2365 reference thereto, subsection (11) of section 159.803, Florida
2366 Statutes, is reenacted to read:

2367 159.803 Definitions.—As used in this part, the term:

2368 (11) "Florida First Business project" means any project
2369 which is certified by the Department of Economic Opportunity as
2370 eligible to receive an allocation from the Florida First
2371 Business allocation pool established pursuant to s. 159.8083.
2372 The Department of Economic Opportunity may certify those
2373 projects meeting the criteria set forth in s. 288.106(4)(b) or
2374 any project providing a substantial economic benefit to this
2375 state.

2376 Section 34. This act shall take effect July 1, 2016.

2377

2378

T I T L E A M E N D M E N T

2379
2380 Remove everything before the enacting clause and insert:
2381 An act relating to economic development; amending s. 163.3175,
2382 F.S.; providing that certain representatives of military
2383 installations are not required to file a statement of financial

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2384 interest; amending s. 163.3180, F.S.; prohibiting a local
2385 government from applying transportation concurrency within its
2386 jurisdiction under certain conditions; providing applicability;
2387 providing for expiration of the prohibition; amending s.
2388 163.31801, F.S.; prohibiting a county, municipality, or special
2389 district from applying certain impact fees or other fees within
2390 its jurisdiction under certain conditions; providing
2391 applicability; amending s. 189.033, F.S.; conforming cross-
2392 references; amending s. 196.012, F.S.; conforming provisions to
2393 changes made by the act; amending s. 212.20, F.S.; conforming
2394 provisions to the repeal by the act of s. 288.1169, F.S.;
2395 amending s. 220.191, F.S.; revising the definition of the term
2396 "cumulative capital investment" for purposes of the capital
2397 investment tax credit; amending s. 220.196, F.S.; conforming a
2398 cross-reference; amending s. 288.0001, F.S.; revising required
2399 elements of specified analyses prepared by the Office of
2400 Economic and Demographic Research and the Office of Program
2401 Policy Analysis and Government Accountability; conforming
2402 provisions; amending s. 288.005, F.S.; revising the definition
2403 of the term "average private sector wage in the area"; revising
2404 the definition of the term "economic benefits"; providing for
2405 expiration of the prohibition; amending s. 288.061, F.S.;
2406 requiring the Department of Economic Opportunity to prescribe
2407 the format for certain economic incentive applications;
2408 providing required elements of the applications; revising
2409 evaluation and contract requirements of the economic development

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2410 incentive application process; revising a definition; providing
2411 and revising responsibilities of the department; amending s.
2412 288.076, F.S.; revising definitions; creating s. 288.103, F.S.;
2413 providing for the repayment of economic development program
2414 awards by certain businesses; providing applicability; amending
2415 s. 288.1045, F.S.; revising definitions; revising the
2416 application process for the qualified defense contractor and
2417 space flight business tax refund program; revising tax refund
2418 requirements; revising the expiration date of the program;
2419 amending s. 288.106, F.S.; revising definitions; revising the
2420 application process for the tax refund program for qualified
2421 target industry businesses; revising tax refund requirements;
2422 removing provisions regarding economic recovery extensions of
2423 certain tax refund agreements; amending s. 288.108, F.S.;
2424 revising and providing definitions; revising application
2425 requirements and requiring the Department of Economic
2426 Opportunity to certify high-impact business grant applications;
2427 providing duties of the Governor and the department; amending s.
2428 288.1088, F.S.; revising provisions relating to the Quick Action
2429 Closing Fund; revising project eligibility requirements;
2430 providing limitations on, and authorizing waivers from, local
2431 financial support requirements; revising contract requirements
2432 for certain projects; revising approval requirements for
2433 amendments or modifications of contract requirements for such
2434 projects; revising duties of the Governor; amending s. 288.1089,
2435 F.S.; revising definitions; revising application requirements

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2436 for the Innovation Incentive Program; authorizing the department
2437 to waive certain wage requirements for projects in a rural area
2438 of opportunity or certified enterprise zone; revising duties of
2439 the Governor and the department; revising approval requirements
2440 for amendments or modifications of contract requirements for
2441 such projects; amending s. 288.11621, F.S.; conforming a
2442 provision to changes made by the act; repealing s. 288.1169,
2443 F.S., relating to state agency funding of the International Game
2444 Fish Association World Center facility; reviving, reenacting,
2445 and amending s. 288.1229, F.S., relating to the promotion and
2446 development of sports-related industries and amateur athletics;
2447 amending s. 288.901, F.S.; revising the purpose and duties of
2448 Enterprise Florida, Inc., with respect to fostering and
2449 encouraging high-technology startup and second-state business
2450 development; revising membership requirements for the board of
2451 directors of Enterprise Florida, Inc.; amending s. 288.9015,
2452 F.S.; conforming provisions to changes made by the act; creating
2453 s. 288.913, F.S.; creating the Innovation Florida Initiative;
2454 providing legislative findings; providing definitions; requiring
2455 the department to develop a statewide strategic plan for high-
2456 technology startup and second-stage business growth and
2457 development; providing requirements for the plan; providing
2458 marketing requirements; providing reporting requirements;
2459 amending s. 288.92, F.S.; revising the required divisions within
2460 Enterprise Florida, Inc.; amending s. 288.9604, F.S.; providing
2461 for ratification of certain actions taken by the board of

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2462 directors of the Florida Development Finance Corporation;
2463 amending s. 288.980, F.S.; authorizing grant awards for
2464 activities that grow the economy of a defense-dependent
2465 community; making technical changes; amending s. 288.9937, F.S.;
2466 requiring the Office of Program Policy Analysis and Government
2467 Accountability to evaluate the Microfinance Loan Program;
2468 providing requirements for the evaluation; revising reporting
2469 requirements; amending ss. 288.11625 and 288.11631, F.S.;
2470 conforming cross-references; amending s. 320.08058, F.S.;
2471 conforming provisions to changes made by the act; amending uses
2472 of the proceeds of the Florida Professional Sports Team license
2473 plate; reenacting s. 159.803(11), F.S., relating to definitions
2474 applicable to the Florida Private Activity Bond Allocation Act,
2475 to incorporate the amendment made by the act to s. 288.106,
2476 F.S., in a reference thereto; providing an effective date.

COMMITTEE MEETING REPORT

Transportation & Economic Development Appropriations Subcommittee

2/16/2016 12:30:00PM

Location: Sumner Hall (404 HOB)

HB 1379 : Airport Zoning Law of 1945

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone	X				
Frank Artiles			X		
Bryan Avila	X				
Colleen Burton	X				
Brad Drake	X				
George Moraitis, Jr.	X				
W. Keith Perry	X				
Kathleen Peters	X				
Lake Ray	X				
Hazelle Rogers	X				
Richard Stark	X				
Victor Torres, Jr.	X				
Clay Ingram (Chair)	X				
	Total Yeas: 12	Total Nays: 0			

Appearances:

Stewart, Michael - Waive In Support
Florida Airports Council
Director Ext. Affairs JAA
Jacksonville FL
Phone: 904-741-2721

Johnston, John (Lobbyist) - Waive In Support
Florida Airport Council
403 E Park Ave
Tallahassee FL 32301
Phone: 850-591-4904

Evans, Gina (Lobbyist) - Waive In Support
Tampa International Airport
Director Government Relations
PO Box 22287
Tampa FL 33622
Phone: 815-870-7892

Committee meeting was reported out: Tuesday, February 16, 2016 2:09:29PM



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: 427 Meeting Date: 2/16/16

Fill in appropriate information:

PCB/PCS/Amendment # or

Presentation/Workshop Topic: RECREATIONAL VESSEL REGISTRATION

Committee/Subcommittee: TRANSPORTATION AND ECONOMIC DEVELOPMENT

Name: TODD BEN LARSON

Title: LEGISLATIVE AFFAIRS DIRECTOR

Address: 301 N. OLIVE AVE

City: WEST PALM BEACH State/Zip: FL / 33401

Phone Number: (561) 355-3451

Representing: PALM BEACH COUNTY

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO *WAVE TO SUPPORT*

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input checked="" type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input type="checkbox"/>		Info Only <input type="checkbox"/>	



PLEASE FILL OUT THE ENTIRE FORM AND SUBMIT TWO COPIES TO THE COMMITTEE/SUBCOMMITTEE ADMINISTRATIVE ASSISTANT AT THE MEETING

TYPE OR PRINT CLEARLY

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill Number 427 Date 2/16/2016

Name BRIAN PITTS

Title TRUSTEE

Address 1119 NEWTON AVENUE SOUTH

City SAINT PETERSBURG State/Zip FLORIDA/33705

Phone Number 727/897-9291

Representing JUSTICE-2-JESUS

Lobbyist (registered) YES [] NO [x]

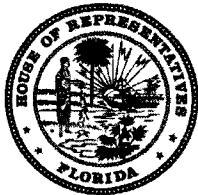
State Employee YES [] NO [x]

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

			<u>Amendment</u>	<u>Bill</u>
I wish to speak	<input checked="" type="checkbox"/>	Proponent	<input type="checkbox"/>	<input type="checkbox"/>
I have been requested to speak	<input type="checkbox"/>	Opponent	<input type="checkbox"/>	<input type="checkbox"/>
		Information	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Subject matter:

Committee/Subcommittee: TEDAS



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Bill Number: 427 Meeting Date: _____

Fill in appropriate information:

PCB/PCS/Amendment # or
Presentation/Workshop Topic: Vessels

Committee/Subcommittee: _____

Name: Missy Timmins

Title: _____

Address: 2910 Kerry Forest Rd, D4 365

City: Titus State/Zip: FL

Phone Number: 668-8000

Representing: Marine Industries Assoc of FL

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input type="checkbox"/>		Info Only <input type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

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Bill Number: HB 1325 Meeting Date: 2-16-16

Fill in appropriate information:

PCB/PCS/Amendment # or
Presentation/Workshop Topic: Amendment # 858285

Committee/Subcommittee: TED Appropriations

Name: Skylar Zander

Title: Deputy State Director

Address: 200 W College Ave Suite 109

City: Tallahassee State/Zip: FL 32301

Phone Number: 850-728-4522

Representing: Americans for Prosperity

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input checked="" type="checkbox"/>
Info Only <input type="checkbox"/>		Info Only <input type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: 1325 Meeting Date: 2/16/14

Fill in appropriate information:

PCB/PCS/Amendment # or

Presentation/Workshop Topic: Bill + Amend No.1

Committee/Subcommittee: Transp + Econ Dev. Approp Sub

Name: VIRUNDIA DOSS

Title: Executive Director, FEA Commission on Ethics

Address: 324 John Knox Rd.

City: Tallah State/Zip: FL 32303

Phone Number: 850) 488-7864

Representing: FEA Comm'n on Ethics

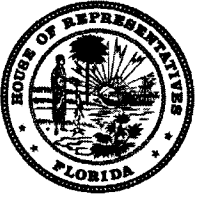
Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input checked="" type="checkbox"/>		Info Only <input checked="" type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: 325 Meeting Date: 2/16/14

Fill in appropriate information:

PCB/PCS/Amendment # or Presentation/Workshop Topic: Tran & Eco. Deve.

Committee/Subcommittee: _____

Name: Greg Pound

Title: _____

Address: 9166 Sunrise Dr.

City: Largo State/Zip: Fla.

Phone Number: _____

Representing: _____

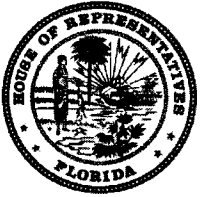
Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input checked="" type="checkbox"/>		Info Only <input type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: 1325 Meeting Date: 2/16/16

Fill in appropriate information:

PCB/PCS/Amendment # or Presentation/Workshop Topic: Economic Development

Committee/Subcommittee: _____

Name: Eric Peck

Title: Asst. Legislative Director

Address: 100 Monroe St

City: Tallah State/Zip: FL

Phone Number: 9074300

Representing: Florida Association of Counties

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input checked="" type="checkbox"/>		Info Only <input type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

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Type or Print Clearly

Bill Number: HB 1325 Meeting Date: 2/16/16

Fill in appropriate information:

PCB/PCS/Amendment # or
Presentation/Workshop Topic: Economic Development

Committee/Subcommittee: Transpo & Econ Dev

Name: Brewster Bevis

Title: Senior Vice President

Address: 516 W Adams St

City: Tallahassee State/Zip: FL 32301

Phone Number: 224-7173

Representing: Associated Industries of Florida

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input checked="" type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input type="checkbox"/>		Info Only <input type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: 1325 Meeting Date: 2/16/16

Fill in appropriate information:

PCB/PCS/Amendment # or

Presentation/Workshop Topic: Economic Dev.

Committee/Subcommittee: _____

Name: David Cruz

Title: Assistant General Counsel

Address: P.O. Box 1787

City: Tallahassee State/Zip: FL 32302

Phone Number: 701-3076

Representing: FL League of Cities

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input checked="" type="checkbox"/>		Info Only <input type="checkbox"/>	



PLEASE FILL OUT THE ENTIRE FORM AND SUBMIT TWO COPIES TO THE COMMITTEE/SUBCOMMITTEE ADMINISTRATIVE ASSISTANT AT THE MEETING

TYPE OR PRINT CLEARLY

COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Bill Number 1325 Date 2/16/2016

Name BRIAN PITTS

Title TRUSTEE

Address 1119 NEWTON AVENUE SOUTH

City SAINT PETERSBURG State/Zip FLORIDA/33705

Phone Number 727/897-9291

Representing JUSTICE-2-JESUS

Lobbyist (registered) YES [] NO [x]

State Employee YES [] NO [x]

If you are testifying regarding an amendment, please indicate if your position as a proponent or an opponent is the same as on the bill as a whole.

			<u>Amendment</u>	<u>Bill</u>
I wish to speak	<input checked="" type="checkbox"/>	Proponent	<input type="checkbox"/>	<input type="checkbox"/>
I have been requested to speak	<input type="checkbox"/>	Opponent	<input type="checkbox"/>	<input type="checkbox"/>
		Information	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Subject matter:

Committee/Subcommittee: TEQAS



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: 1379 Meeting Date: 2/16/16

Fill in appropriate information:

PCB/PCS/Amendment # or
Presentation/Workshop Topic: _____

Committee/Subcommittee: TED Approps

Name: MICHAEL D. STEWART

Title: DIR. - EXT. AFFAIRS JAA

Address: _____

City: JAX State/Zip: FL

Phone Number: 904-741-2721

Representing: FLORIDA AIRPORTS COUNCIL

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input checked="" type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input type="checkbox"/>		Info Only <input type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: B79 Meeting Date: 2/16/16

Fill in appropriate information:

PCB/PCS/Amendment # or

Presentation/Workshop Topic: _____

Committee/Subcommittee: TED APPROPS

Name: John R. Johnston

Title: Lobbyist

Address: 403 E. Paric Ave

City: Tallahassee State/Zip: FL

Phone Number: 850.591.4904

Representing: FL Airport Council

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input checked="" type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input type="checkbox"/>		Info Only <input type="checkbox"/>	



COMMITTEE/SUBCOMMITTEE APPEARANCE RECORD

Please fill out the entire form and submit two copies to the committee/subcommittee Administrative Assistant at the meeting.

Type or Print Clearly

Bill Number: 1379 Meeting Date: 2.16.16

Fill in appropriate information:

PCB/PCS/Amendment # or Presentation/Workshop Topic: Airport Zoning

Committee/Subcommittee: TEA (ADD)

Name: Gina Evans

Title: Director Gov Relations

Address: PO Box 2287

City: Tampa State/Zip: FL 33622

Phone Number: 813 870 7892

Representing: Tampa International Airport

Registered Lobbyist: YES NO

State Employee: YES NO

I Wish To Speak: YES NO

I Have Been Requested to Speak: YES NO

Bill		Amendment	
Proponent <input checked="" type="checkbox"/>	Opponent <input type="checkbox"/>	Proponent <input type="checkbox"/>	Opponent <input type="checkbox"/>
Info Only <input type="checkbox"/>		Info Only <input type="checkbox"/>	