

BILL

ORIGINAL

YEAR

1 A bill to be entitled
2 An act relating to economic programs; amending ss.
3 11.45, 14.32, 15.18, 15.182, and 20.60, F.S.;
4 conforming provisions to changes made by the act;
5 repealing s. 20.601, F.S., relating to review of the
6 Department of Economic Opportunity; transferring all
7 duties, records, pending issues, rules, and unexpended
8 balances of appropriations, allocations, and other
9 public funds relating to programs in Enterprise
10 Florida, Inc., and the Florida Tourism Marketing
11 Corporation to the Department of Economic Opportunity
12 by a type two transfer; authorizing the Florida Sports
13 Foundation to enter into an agreement with the
14 Department of Economic Opportunity for certain
15 purposes and use certain funds; providing legislative
16 intent; providing transitional provisions for
17 terminated programs established pursuant to certain
18 statutes; amending ss. 125.0104, 159.803, 166.231,
19 189.033, 196.012, 196.101, 196.121, and 196.1995,
20 F.S.; conforming provisions to changes made by the
21 act; conforming cross-references; amending s. 201.15,
22 F.S.; providing that certain funds shall be
23 transferred to the General Revenue Fund; conforming
24 provisions to changes made by the act; amending ss.
25 212.031 and 212.06, F.S.; conforming provisions to

BILL

ORIGINAL

YEAR

26 | changes made by the act; repealing s. 212.0602, F.S.,
 27 | relating to an exemption from sales and use taxes for
 28 | certain education-related purchases or leases;
 29 | amending ss. 212.0606 and 212.08, F.S.; conforming
 30 | provisions to changes made by the act; repealing s.
 31 | 212.097, F.S., relating to the Urban High-Crime Area
 32 | Job Tax Credit Program; amending ss. 212.098, 212.20,
 33 | 218.61, 218.64, 220.02, 220.13, and 220.1895, F.S.;
 34 | conforming provisions to changes made by the act;
 35 | repealing ss. 220.1899 and 220.191, F.S., relating to
 36 | an entertainment industry tax credit and a capital
 37 | investment tax credit, respectively; amending s.
 38 | 220.194, F.S.; conforming a cross-reference; amending
 39 | ss. 220.196, 265.004, 272.11, 287.0947, and 288.0001,
 40 | F.S.; conforming provisions to changes made by the
 41 | act; repealing ss. 288.001, 288.012, and 288.017,
 42 | F.S., relating to the Florida Small Business
 43 | Development Center Network, the State of Florida
 44 | international offices, and a cooperative advertising
 45 | matching grants program, respectively; amending s.
 46 | 288.018, F.S.; conforming provisions to changes made
 47 | by the act; repealing ss. 288.046 and 288.047, F.S.,
 48 | relating to quick-response training for economic
 49 | development; amending s. 288.061, F.S.; conforming
 50 | provisions to changes made by the act; amending s.

BILL

ORIGINAL

YEAR

51 288.0655, F.S.; conforming a cross-reference;
 52 conforming provisions to changes made by the act;
 53 amending ss. 288.0656, 288.0658, 288.075, 288.076, and
 54 288.095, F.S.; conforming provisions to changes made
 55 by the act; repealing ss. 288.1045, 288.106, 288.107,
 56 288.108, 288.1081, 288.1082, 288.1088, and 288.1089,
 57 F.S., relating to the qualified defense contractor and
 58 space flight business tax refund program, a tax refund
 59 program for qualified target industry businesses,
 60 brownfield redevelopment bonus refunds, high-impact
 61 business, the Economic Gardening Business Loan Pilot
 62 Program, the Economic Gardening Technical Assistance
 63 Pilot Program, the Quick Action Closing Fund, and the
 64 Innovation Incentive Program, respectively; amending
 65 s. 288.111, F.S.; conforming a provision to changes
 66 made by the act; repealing ss. 288.1162, 288.11621,
 67 288.11625, and 288.11631, F.S., relating to
 68 professional sports franchises, spring training
 69 baseball franchises, sports development, and retention
 70 of Major League Baseball spring training baseball
 71 franchises, respectively; repealing ss. 288.1169,
 72 288.1201, and 288.122, F.S., relating to the
 73 International Game Fish Association World Center
 74 facility, the State Economic Enhancement and
 75 Development Trust Fund, and the Tourism Promotional

BILL

ORIGINAL

YEAR

76 Trust Fund, respectively; terminating such trust
 77 funds; transferring the balances and revenues of such
 78 trust funds to the General Revenue Fund; requiring the
 79 department to pay outstanding debts and obligations of
 80 such trust funds; requiring the Chief Financial
 81 Officer to close out and remove such trust funds from
 82 state accounting systems; repealing s. 288.1226, F.S.,
 83 relating to the Florida Tourism Industry Marketing
 84 Corporation; amending s. 288.12265, F.S.; transferring
 85 responsibility for administering and operating welcome
 86 centers from Enterprise Florida, Inc., to the
 87 Department of Transportation; repealing ss. 288.124,
 88 288.125, 288.1251, 288.1252, 288.1253, and 288.1258,
 89 F.S., relating to a convention grants program, a
 90 definition of the term "entertainment industry," the
 91 promotion and development of the entertainment
 92 industry by the Office of Film and Entertainment, the
 93 Florida Film and Entertainment Advisory Council, and
 94 certain travel and entertainment expenses, and
 95 entertainment industry qualified production companies,
 96 respectively; amending ss. 288.7015 and 288.706, F.S.;
 97 conforming provisions to changes made by the act;
 98 amending ss. 288.773, 288.776, 288.7771, 288.8017, and
 99 288.816, F.S.; conforming provisions to changes made
 100 by the act; repealing s. 288.826, F.S., relating to

BILL

ORIGINAL

YEAR

101 the Florida International Trade and Promotion Trust
 102 Fund; terminating such trust fund; transferring the
 103 balances and revenues of such trust fund to the
 104 General Revenue Fund; requiring the department to pay
 105 outstanding debts and obligations of such trust fund;
 106 requiring the Chief Financial Officer to close out and
 107 remove such trust fund from state accounting systems;
 108 repealing ss. 288.901, 288.9015, 288.903, 288.904,
 109 288.905, and 288.906, F.S., relating to Enterprise
 110 Florida, Inc., powers of board of directors of
 111 Enterprise Florida, Inc., duties of Enterprise
 112 Florida, Inc., funding for Enterprise Florida, Inc.,
 113 the president and employees of Enterprise Florida,
 114 Inc., and the annual report and audits of Enterprise
 115 Florida, Inc., and its divisions, respectively;
 116 transferring, renumbering, and amending s. 288.907,
 117 F.S.; conforming provisions to changes made by the
 118 act; repealing s. 288.911, F.S., relating to the
 119 creation and implementation of a marketing and image
 120 campaign; transferring, renumbering, and amending s.
 121 288.912, F.S.; conforming provisions to changes made
 122 by the act; repealing ss. 288.92, 288.923, 288.95155,
 123 and 288.9519, F.S., relating to the divisions of
 124 Enterprise Florida, Inc., the Division of Tourism
 125 Marketing, the Florida Small Business Technology

BILL

ORIGINAL

YEAR

126 Growth Program, and a not-for-profit corporation
 127 intended to promote the competitiveness and
 128 profitability of high-technology business and
 129 industry, respectively; amending ss. 288.9520,
 130 288.9603, 288.9604, and 288.9605, F.S.; conforming
 131 provisions to changes made by the act; repealing ss.
 132 288.9614, 288.9621, 288.9622, 288.9623, 288.9624,
 133 288.9625, 288.96255, 288.9626, and 288.9627, F.S.,
 134 relating to the Florida Capital Formation Act and
 135 findings and intent and definitions relating thereto,
 136 the Florida Opportunity Fund, the Institute for the
 137 Commercialization of Public Research, the Florida
 138 Technology Seed Capital Fund, and exemptions from
 139 public records and public meetings requirements for
 140 such fund and institute, respectively; amending s.
 141 288.980, F.S.; conforming a provision to changes made
 142 by the act; repealing ss. 288.991, 288.9912, 288.9913,
 143 288.9914, 288.9915, 288.9916, 288.9917, 288.9918,
 144 288.9919, 288.9920, 288.9921, and 288.9922, F.S.,
 145 relating to the New Markets Development Program;
 146 amending ss. 288.9932 and 288.9934, F.S.; conforming
 147 provisions to changes made by the act; repealing s.
 148 288.9935, F.S., relating to the Microfinance Guarantee
 149 Program; amending ss. 288.9936, 288.9937, 290.0056,
 150 290.0065, 290.00677, 290.007, 290.053, 295.21, and

BILL

ORIGINAL

YEAR

151 295.22, F.S.; conforming provisions to changes made by
 152 the act; conforming cross-references; repealing s.
 153 295.23, F.S., relating to the veterans research and
 154 marketing campaign; amending ss. 320.08058, 331.3051,
 155 331.3081, and 339.08, F.S.; conforming provisions to
 156 changes made by the act; repealing s. 339.2821, F.S.,
 157 relating to economic development transportation
 158 projects; amending ss. 364.0135, 376.82, 377.703,
 159 377.804, 377.809, 380.06, 380.0657, 403.42, 403.7032,
 160 403.973, 413.801, 443.091, 445.004, 445.045, 446.44,
 161 570.81, 570.85, and 624.5105, F.S.; conforming
 162 provisions to changes made by the act; conforming a
 163 cross-reference; repealing s. 625.3255, F.S., relating
 164 to a capital participation instrument; amending ss.
 165 657.042, 658.67, 1004.015, 1004.65, 1004.78, 1011.76,
 166 1011.80, and 1011.94, F.S.; conforming provisions to
 167 changes made by the act; conforming a cross-reference;
 168 providing an effective date.

170 WHEREAS, economic development incentives foster unfair
 171 competition by benefitting select firms and industries, and

172 WHEREAS, economic development incentives often subsidize
 173 private companies and their shareholders for economic actions
 174 they would have taken regardless of such incentives, and

175 WHEREAS, economic development incentives cause market

BILL

ORIGINAL

YEAR

176 | distortions which result in inefficiencies and inequities in the
 177 | marketplace, and

178 | WHEREAS, business incentives divert the attention of
 179 | policymakers from other issues that could lead to additional job
 180 | creation and a more robust business climate, and

181 | WHEREAS, the true costs of economic development incentives
 182 | are an unnecessary shift of private business expenses to the
 183 | taxpaying public and a reduction in available funding for other
 184 | public services which could promote economic growth, and

185 | WHEREAS, economic development scholars and professionals
 186 | lack consensus on how influential economic development and
 187 | business incentives are on the economy, generally, or on a
 188 | business when choosing its location, NOW, THEREFORE,

189 |
 190 | Be It Enacted by the Legislature of the State of Florida:

191 |
 192 | Section 1. Paragraph (i) of subsection (3) of section
 193 | 11.45, Florida Statutes, is amended to read:

194 | 11.45 Definitions; duties; authorities; reports; rules.—

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

200 | ~~(i) Enterprise Florida, Inc., including any of its boards,~~

BILL

ORIGINAL

YEAR

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

211 Section 2. Paragraph (a) of subsection (3) of section
 212 14.32, Florida Statutes, is amended to read:

213 14.32 Office of Chief Inspector General.—

214 (3) Related to public-private partnerships, the Chief
 215 Inspector General:

216 (a) Shall advise public-private partnerships, ~~including~~
 217 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and
 218 improvement of internal control measures necessary to ensure
 219 fiscal accountability.

220 Section 3. Section 15.18, Florida Statutes, is amended to
 221 read:

222 15.18 International and cultural relations.—The Divisions
 223 of Cultural Affairs, Historical Resources, and Library and
 224 Information Services of the Department of State promote programs
 225 having substantial cultural, artistic, and indirect economic

BILL

ORIGINAL

YEAR

226 | significance that emphasize American creativity. The Secretary
 227 | of State, as the head administrator of these divisions, shall
 228 | hereafter be known as "Florida's Chief Cultural Officer." As
 229 | this officer, the Secretary of State is encouraged to initiate
 230 | and develop relationships between the state and foreign cultural
 231 | officers, their representatives, and other foreign governmental
 232 | officials in order to promote Florida as the center of American
 233 | creativity. The Secretary of State shall coordinate
 234 | international activities pursuant to this section with
 235 | ~~Enterprise Florida, Inc.,~~ and any other organization the
 236 | secretary deems appropriate. For the accomplishment of this
 237 | purpose, the Secretary of State shall have the power and
 238 | authority to:

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

241 | (2) Plan and carry out activities designed to cause
 242 | improved cultural and governmental programs and exchanges with
 243 | foreign countries.

244 | (3) Plan and implement cultural and social activities for
 245 | visiting foreign heads of state, diplomats, dignitaries, and
 246 | exchange groups.

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

250 | (5) Serve as the liaison with all foreign consular and

BILL

ORIGINAL

YEAR

251 | ambassadorial corps, as well as international organizations,
 252 | that are consistent with the purposes of this section.

253 | (6) Provide, arrange, and make expenditures for the
 254 | achievement of any or all of the purposes specified in this
 255 | section.

256 | Section 4. Subsection (2) of section 15.182, Florida
 257 | Statutes, is amended to read:

258 | 15.182 International travel by state-funded musical,
 259 | cultural, or artistic organizations; notification to the
 260 | Department of Economic Opportunity.—

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

270 | Section 5. Subsections (4) and (5), paragraph (b) of
 271 | subsection (9), and subsections (10) and (11) of section 20.60,
 272 | Florida Statutes, are amended to read:

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

275 | (4) The purpose of the department is to assist the

BILL

ORIGINAL

YEAR

276 Governor in working with the Legislature, state agencies,
 277 business leaders, and economic development professionals to
 278 formulate and implement coherent and consistent policies and
 279 strategies designed to promote economic opportunities for all
 280 Floridians. To accomplish such purposes, the department shall:

281 (a) Facilitate the direct involvement of the Governor and
 282 the Lieutenant Governor in economic development and workforce
 283 development projects designed to create, expand, and retain
 284 businesses in this state, to recruit business from around the
 285 world, and to facilitate other job-creating efforts.

286 (b) Recruit new businesses to this state and promote the
 287 expansion of existing businesses by expediting permitting and
 288 location decisions, worker placement and training, and incentive
 289 awards.

290 (c) Promote viable, sustainable communities by providing
 291 technical assistance and guidance on growth and development
 292 issues, grants, and other assistance to local communities.

293 (d) Ensure that the state's goals and policies relating to
 294 economic development, workforce development, community planning
 295 and development, and affordable housing are fully integrated
 296 with appropriate implementation strategies.

297 (e) Manage the activities of public-private partnerships
 298 and state agencies in order to avoid duplication and promote
 299 coordinated and consistent implementation of programs in areas
 300 including, but not limited to, tourism; international trade and

BILL

ORIGINAL

YEAR

301 investment; business recruitment, creation, retention, and
 302 expansion; minority and small business development; rural
 303 community development; commercialization of products, services,
 304 or ideas developed in public universities or other public
 305 institutions; and the development and promotion of professional
 306 and amateur sporting events.

307 (f) Coordinate with state agencies on the processing of
 308 state development approvals or permits to minimize the
 309 duplication of information provided by the applicant and the
 310 time before approval or disapproval.

311 ~~(5) The divisions within the department have specific~~
 312 ~~responsibilities to achieve the duties, responsibilities, and~~
 313 ~~goals of the department. Specifically:~~

314 ~~(a) The Division of Strategic Business Development shall:~~

315 (g)1. Analyze and evaluate business prospects identified
 316 by the Governor and, the executive director of the department,
 317 ~~and Enterprise Florida, Inc.~~

318 (h)2. Administer certain tax refund, tax credit, and grant
 319 programs created in law. Notwithstanding any other provision of
 320 law, the department may expend interest earned from the
 321 investment of program funds deposited in the Grants and
 322 Donations Trust Fund to contract for the administration of those
 323 programs, or portions of the programs, assigned to the
 324 department by law, by the appropriations process, or by the
 325 Governor. Such expenditures shall be subject to review under

BILL

ORIGINAL

YEAR

326 chapter 216.

327 (i)~~3.~~ Develop measurement protocols for the state
 328 incentive programs and for the contracted entities which will be
 329 used to determine their performance and competitive value to the
 330 state. Performance measures, benchmarks, and sanctions must be
 331 developed in consultation with the legislative appropriations
 332 committees and the appropriate substantive committees, and are
 333 subject to the review and approval process provided in s.
 334 216.177. The approved performance measures, standards, and
 335 sanctions shall be included and made a part of the strategic
 336 plan for contracts entered into for delivery of programs
 337 authorized by this section.

338 (j)~~4.~~ Develop a 5-year statewide strategic plan. The
 339 strategic plan must include, but need not be limited to:

340 1.a. Strategies for the promotion of business formation,
 341 expansion, recruitment, and retention through aggressive
 342 marketing, international development, and export assistance,
 343 which lead to more and better jobs and higher wages for all
 344 geographic regions, disadvantaged communities, and populations
 345 of the state, including rural areas, minority businesses, and
 346 urban core areas.

347 2.b. The development of realistic policies and programs to
 348 further the economic diversity of the state, its regions, and
 349 their associated industrial clusters.

350 3.e. Specific provisions for the stimulation of economic

BILL

ORIGINAL

YEAR

351 development and job creation in rural areas and midsize cities
 352 and counties of the state, including strategies for rural
 353 marketing and the development of infrastructure in rural areas.

354 ~~4.d.~~ Provisions for the promotion of the successful long-
 355 term economic development of the state with increased emphasis
 356 in market research and information.

357 ~~5.e.~~ Plans for the generation of foreign investment in the
 358 state which create jobs paying above-average wages and which
 359 result in reverse investment in the state, including programs
 360 that establish viable overseas markets, assist in meeting the
 361 financing requirements of export-ready firms, broaden
 362 opportunities for international joint venture relationships, use
 363 the resources of academic and other institutions, coordinate
 364 trade assistance and facilitation services, and facilitate
 365 availability of and access to education and training programs
 366 that assure requisite skills and competencies necessary to
 367 compete successfully in the global marketplace.

368 ~~6.f.~~ The identification of business sectors that are of
 369 current or future importance to the state's economy and to the
 370 state's global business image, and development of specific
 371 strategies to promote the development of such sectors.

372 ~~7.g.~~ Strategies for talent development necessary in the
 373 state to encourage economic development growth, taking into
 374 account factors such as the state's talent supply chain,
 375 education and training opportunities, and available workforce.

BILL

ORIGINAL

YEAR

376 | (k)5. Update the strategic plan every 5 years.

377 | (1)6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource
 378 | Florida, Inc.; local governments; the general public; local and
 379 | regional economic development organizations; other local, state,
 380 | and federal economic, international, and workforce development
 381 | entities; the business community; and educational institutions
 382 | to assist with the strategic plan.

383 | (5) The divisions within the department have specific
 384 | responsibilities to achieve the duties, responsibilities, and
 385 | goals of the department. Specifically:

386 | (a)~~(b)~~ The Division of Community Development shall:

387 | 1. Assist local governments and their communities in
 388 | finding creative planning solutions to help them foster vibrant,
 389 | healthy communities, while protecting the functions of important
 390 | state resources and facilities.

391 | 2. Administer state and federal grant programs as provided
 392 | by law to provide community development and project planning
 393 | activities to maintain viable communities, revitalize existing
 394 | communities, and expand economic development and employment
 395 | opportunities, including:

396 | a. The Community Services Block Grant Program.

397 | b. The Community Development Block Grant Program in
 398 | chapter 290.

399 | c. The Low-Income Home Energy Assistance Program in
 400 | chapter 409.

BILL

ORIGINAL

YEAR

401 d. The Weatherization Assistance Program in chapter 409.
 402 e. The Neighborhood Stabilization Program.
 403 f. The local comprehensive planning process and the
 404 development of regional impact process.
 405 g. The Front Porch Florida Initiative through the Office
 406 of Urban Opportunity, which is created within the division. The
 407 purpose of the office is to administer the Front Porch Florida
 408 initiative, a comprehensive, community-based urban core
 409 redevelopment program that enables urban core residents to craft
 410 solutions to the unique challenges of each designated community.
 411 3. Assist in developing the 5-year statewide strategic
 412 plan required by this section.
 413 (b)~~(e)~~ The Division of Workforce Services shall:
 414 1. Prepare and submit a unified budget request for
 415 workforce development in accordance with chapter 216 for, and in
 416 conjunction with, CareerSource Florida, Inc., and its board.
 417 2. Ensure that the state appropriately administers federal
 418 and state workforce funding by administering plans and policies
 419 of CareerSource Florida, Inc., under contract with CareerSource
 420 Florida, Inc. The operating budget and midyear amendments
 421 thereto must be part of such contract.
 422 a. All program and fiscal instructions to local workforce
 423 development boards shall emanate from the Department of Economic
 424 Opportunity pursuant to plans and policies of CareerSource
 425 Florida, Inc., which shall be responsible for all policy

BILL

ORIGINAL

YEAR

426 | directions to the local workforce development boards.

427 | b. Unless otherwise provided by agreement with
428 | CareerSource Florida, Inc., administrative and personnel
429 | policies of the Department of Economic Opportunity apply.

430 | 3. Implement the state's reemployment assistance program.
431 | The Department of Economic Opportunity shall ensure that the
432 | state appropriately administers the reemployment assistance
433 | program pursuant to state and federal law.

434 | 4. Assist in developing the 5-year statewide strategic
435 | plan required by this section.

436 | (9) The executive director shall:

437 | (b) Serve as the manager for the state with respect to
438 | contracts with ~~Enterprise Florida, Inc., the Institute for the~~
439 | ~~Commercialization of Public Research, and~~ all applicable direct-
440 | support organizations. To accomplish the provisions of this
441 | section and applicable provisions of chapter 288, and
442 | notwithstanding the provisions of part I of chapter 287, the
443 | director shall enter into specific contracts with ~~Enterprise~~
444 | ~~Florida, Inc., the Institute for the Commercialization of Public~~
445 | ~~Research, and other~~ appropriate direct-support organizations.
446 | Such contracts may be for multiyear terms and shall include
447 | specific performance measures for each year. ~~For purposes of~~
448 | ~~this section, the Florida Tourism Industry Marketing Corporation~~
449 | ~~is not an appropriate direct-support organization.~~

450 | (10) The department, ~~with assistance from Enterprise~~

BILL

ORIGINAL

YEAR

451 ~~Florida, Inc.,~~ shall, by November 1 of each year, submit an
 452 annual report to the Governor, the President of the Senate, and
 453 the Speaker of the House of Representatives on the condition of
 454 the business climate and economic development in the state.

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

457 (b) The report must incorporate annual reports of other
 458 programs, including:

459 1. The displaced homemaker program established under s.
 460 446.50.

461 2. Information provided by the Department of Revenue under
 462 s. 290.014.

463 3. Information provided by enterprise zone development
 464 agencies under s. 290.0056 and an analysis of the activities and
 465 accomplishments of each enterprise zone.

466 ~~4. The Economic Gardening Business Loan Pilot Program~~
 467 ~~established under s. 288.1081 and the Economic Gardening~~
 468 ~~Technical Assistance Pilot Program established under s.~~
 469 ~~288.1082.~~

470 4.5. A detailed report of the performance of the Black
 471 Business Loan Program and a cumulative summary of quarterly
 472 report data required under s. 288.714.

473 5.6. The Rural Economic Development Initiative established
 474 under s. 288.0656.

475 6.7. The Florida Unique Abilities Partner Program.

BILL

ORIGINAL

YEAR

476 (11) The department shall establish annual performance
 477 standards for ~~Enterprise Florida, Inc.,~~ CareerSource Florida,
 478 Inc., ~~the Florida Tourism Industry Marketing Corporation,~~ and
 479 Space Florida and report annually on how these performance
 480 measures are being met in the annual report required under
 481 subsection (10).

482 Section 6. Section 20.601, Florida Statutes, is repealed.

483 Section 7. (1) All duties, functions, records, pending
 484 issues, existing contracts, administrative authority,
 485 administrative rules, and unexpended balances of appropriations,
 486 allocations, and other public funds relating to the programs in
 487 Enterprise Florida, Inc., are transferred by a type two transfer
 488 to the Department of Economic Opportunity.

489 (2) (a) The Florida Sports Foundation, incorporated a
 490 corporation under chapter 617, Florida Statutes, which was
 491 previously merged into and transferred to Enterprise Florida,
 492 Inc., may enter into an agreement with the Department of
 493 Economic Opportunity to continue any existing program, activity,
 494 duty, or function necessary for the operation of that
 495 foundation.

496 (b) Any funds held in trust which were donated to or
 497 earned by the Florida Sports Foundation may be used by that
 498 foundation for the original purposes for which the funds were
 499 received.

500 (3) It is the intent of the Legislature that the changes

BILL

ORIGINAL

YEAR

501 made by this act be accomplished with minimal disruption of
 502 services provided to the public and with minimal disruption to
 503 employees of any organization.

504 Section 8. All duties, functions, records, pending issues,
 505 existing contracts, administrative authority, administrative
 506 rules, and unexpended balances of appropriations, allocations,
 507 and other public funds relating to the programs in the Florida
 508 Tourism Industry Marketing Corporation are transferred by a type
 509 two transfer to the Department of Economic Opportunity.

510 Section 9. For programs established pursuant to ss.
 511 212.097, 220.1899, 220.191, 288.047, 288.1045, 288.106, 288.107,
 512 288.108, 288.1081, 288.1082, 288.1088, 288.1089, 288.1162,
 513 288.11621, 288.11625, 288.11631, 288.9916, and 339.2821, Florida
 514 Statutes, no new or additional applications or certifications
 515 shall be approved, no new letters of certification may be
 516 issued, no new contracts or agreements may be executed, and no
 517 new awards may be made. All certifications are rescinded except
 518 for those certified applicants or projects that continue to meet
 519 the criteria in effect before July 1, 2017. Any existing
 520 contracts or agreements authorized under any of these programs
 521 shall continue in full force and effect in accordance with the
 522 statutory requirements in effect when the contract or agreement
 523 was executed or last modified. However, no further
 524 modifications, extensions, or waivers may be made or granted
 525 relating to such contracts or agreements except computations by

BILL

ORIGINAL

YEAR

526 | the Department of Revenue of the income generated by or arising
 527 | out of the qualifying project.

528 | Section 10. Paragraph (n) of subsection (3) of section
 529 | 125.0104, Florida Statutes, is amended to read:

530 | 125.0104 Tourist development tax; procedure for levying;
 531 | authorized uses; referendum; enforcement.—

532 | (3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

533 | (n) In addition to any other tax that is imposed under
 534 | this section, a county that has imposed the tax under paragraph
 535 | (1) may impose an additional tax that is no greater than 1
 536 | percent on the exercise of the privilege described in paragraph
 537 | (a) by a majority plus one vote of the membership of the board
 538 | of county commissioners in order to:

539 | 1. Pay the debt service on bonds issued to finance:

540 | a. The construction, reconstruction, or renovation of a
 541 | facility either publicly owned and operated, or publicly owned
 542 | and operated by the owner of a professional sports franchise or
 543 | other lessee with sufficient expertise or financial capability
 544 | to operate such facility, and to pay the planning and design
 545 | costs incurred prior to the issuance of such bonds for a new
 546 | professional sports franchise ~~as defined in s. 288.1162.~~ As used
 547 | in this sub-subparagraph, the term "new professional sports
 548 | franchise" means a professional sports franchise that was not
 549 | based in this state before April 1, 1987.

550 | b. The acquisition, construction, reconstruction, or

BILL

ORIGINAL

YEAR

551 renovation of a facility either publicly owned and operated, or
 552 publicly owned and operated by the owner of a professional
 553 sports franchise or other lessee with sufficient expertise or
 554 financial capability to operate such facility, and to pay the
 555 planning and design costs incurred prior to the issuance of such
 556 bonds for a retained spring training franchise.

557 2. Promote and advertise tourism in the State of Florida
 558 and nationally and internationally; however, if tax revenues are
 559 expended for an activity, service, venue, or event, the
 560 activity, service, venue, or event shall have as one of its main
 561 purposes the attraction of tourists as evidenced by the
 562 promotion of the activity, service, venue, or event to tourists.

563
 564 A county that imposes the tax authorized in this paragraph may
 565 not expend any ad valorem tax revenues for the acquisition,
 566 construction, reconstruction, or renovation of a facility for
 567 which tax revenues are used pursuant to subparagraph 1. The
 568 provision of paragraph (b) which prohibits any county authorized
 569 to levy a convention development tax pursuant to s. 212.0305
 570 from levying more than the 2-percent tax authorized by this
 571 section shall not apply to the additional tax authorized by this
 572 paragraph in counties which levy convention development taxes
 573 pursuant to s. 212.0305(4) (a). Subsection (4) does not apply to
 574 the adoption of the additional tax authorized in this paragraph.
 575 The effective date of the levy and imposition of the tax

BILL

ORIGINAL

YEAR

576 authorized under this paragraph is the first day of the second
 577 month following approval of the ordinance by the board of county
 578 commissioners or the first day of any subsequent month specified
 579 in the ordinance. A certified copy of such ordinance shall be
 580 furnished by the county to the Department of Revenue within 10
 581 days after approval of the ordinance.

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

584 159.803 Definitions.—As used in this part, the term:

585 (11) "Florida First Business project" means any project
 586 which is certified by the Department of Economic Opportunity as
 587 eligible to receive an allocation from the Florida First
 588 Business allocation pool established pursuant to s. 159.8083.
 589 The Department of Economic Opportunity may certify ~~these~~
 590 ~~projects meeting the criteria set forth in s. 288.106(4)(b) or~~
 591 any project providing a substantial economic benefit to this
 592 state.

593 Section 12. Paragraph (a) of subsection (8) of section
 594 166.231, Florida Statutes, is amended to read:

595 166.231 Municipalities; public service tax.—

596 (8) (a) Beginning July 1, 1995, a municipality may by
 597 ordinance exempt not less than 50 percent of the tax imposed
 598 under this section on purchasers of electrical energy who are
 599 determined to be eligible for the exemption provided by s.
 600 212.08(14) ~~212.08(15)~~ by the Department of Revenue. The

BILL

ORIGINAL

YEAR

601 exemption shall be administered as provided in that section. A
 602 copy of any ordinance adopted pursuant to this subsection shall
 603 be provided to the Department of Revenue not less than 14 days
 604 prior to its effective date.

605 Section 13. Section 189.033, Florida Statutes, is amended
 606 to read:

607 189.033 Independent special district services in
 608 disproportionally affected county; rate reduction for providers
 609 providing economic benefits.—If the governing body of an
 610 independent special district that provides water, wastewater,
 611 and sanitation services in a disproportionally affected county~~—~~
 612 ~~as defined in s. 288.106(8),~~ determines that a new user or the
 613 expansion of an existing user of one or more of its utility
 614 systems will provide a significant benefit to the community in
 615 terms of increased job opportunities, economies of scale, or
 616 economic development in the area, the governing body may
 617 authorize a reduction of its rates, fees, or charges for that
 618 user for a specified period of time. A governing body that
 619 exercises this power must do so by resolution that states the
 620 anticipated economic benefit justifying the reduction as well as
 621 the period of time that the reduction will remain in place. As
 622 used in this section, the term "disproportionally affected
 623 county" means Bay County, Escambia County, Franklin County, Gulf
 624 County, Okaloosa County, Santa Rosa County, Walton County, or
 625 Wakulla County.

BILL

ORIGINAL

YEAR

626 Section 14. Subsections (11) through (19) of section
 627 196.012, Florida Statutes, are renumbered as subsections (12)
 628 through (20), respectively, a new subsection (11) is added to
 629 that section, and paragraph (a) of present subsection (14),
 630 paragraph (a) of present subsection (15), and present subsection
 631 (16) of that section are amended to read:

632 196.012 Definitions.—For the purpose of this chapter, the
 633 following terms are defined as follows, except where the context
 634 clearly indicates otherwise:

635 (11) "Target industry business" means a corporate
 636 headquarters business or any business that is engaged in one of
 637 the target industries identified pursuant to the following
 638 criteria developed by the Department of Economic Opportunity:

639 (a) Future growth.—The industry forecast indicates strong
 640 expectation for future growth in employment and output,
 641 according to the most recent available data. Special
 642 consideration should be given to businesses that export goods
 643 to, or provide services in, international markets and businesses
 644 that replace domestic and international imports of goods or
 645 services.

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

BILL

ORIGINAL

YEAR

651 during an economic downturn.

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

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

658 (e) Industrial base diversification and strengthening.—The
 659 industry contributes toward expanding or diversifying the
 660 state's or area's economic base, as indicated by analysis of
 661 employment and output shares compared to national and regional
 662 trends. Special consideration should be given to industries that
 663 strengthen regional economies by adding value to basic products
 664 or building regional industrial clusters as indicated by
 665 industry analysis. Special consideration should also be given to
 666 the development of strong industrial clusters that include
 667 defense and homeland security businesses.

668 (f) Positive economic impact.—The industry has strong
 669 positive economic impacts on or benefits to the state or
 670 regional economies. Special consideration should be given to
 671 industries that facilitate the development of the state as a hub
 672 for domestic and global trade and logistics.

673
 674 The term does not include any business engaged in retail
 675 industry activities; any electrical utility company as defined

BILL

ORIGINAL

YEAR

676 | in s. 366.02(2); any phosphate or other solid minerals
 677 | severance, mining, or processing operation; any oil or gas
 678 | exploration or production operation; or any business subject to
 679 | regulation by the Division of Hotels and Restaurants of the
 680 | Department of Business and Professional Regulation. Any business
 681 | within NAICS code 5611 or 5614, office administrative services
 682 | and business support services, respectively, may be considered a
 683 | target industry business only after the local governing body and
 684 | the Department of Economic Opportunity determine that the
 685 | community in which the business may locate has conditions
 686 | affecting the fiscal and economic viability of the local
 687 | community or area, including, but not limited to, low per capita
 688 | income, high unemployment, high underemployment, and a lack of
 689 | year-round stable employment opportunities, and such conditions
 690 | may be improved by the business locating in such community. By
 691 | January 1 of every 3rd year, beginning January 1, 2011, the
 692 | Department of Economic Opportunity, in consultation with
 693 | economic development organizations, the State University System,
 694 | local governments, employee and employer organizations, market
 695 | analysts, and economists, shall review and, as appropriate,
 696 | revise the list of target industries and submit the list to the
 697 | Governor, the President of the Senate, and the Speaker of the
 698 | House of Representatives.

699 | ~~(15)-(14)~~ "New business" means:

700 | (a)1. A business or organization establishing 10 or more

BILL

ORIGINAL

YEAR

701 new jobs to employ 10 or more full-time employees in this state,
 702 paying an average wage for such new jobs that is above the
 703 average wage in the area, which principally engages in any one
 704 or more of the following operations:

705 a. manufactures, processes, compounds, fabricates, or
 706 produces for sale items of tangible personal property at a fixed
 707 location and which comprises an industrial or manufacturing
 708 plant; or

709 b. Is a target industry business as defined in subsection
 710 (11) ~~s. 288.106(2)(g)~~;

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

717 3. An office space in this state owned and used by a
 718 business or organization newly domiciled in this state; provided
 719 such office space houses 50 or more full-time employees of such
 720 business or organization; provided that such business or
 721 organization office first begins operation on a site clearly
 722 separate from any other commercial or industrial operation owned
 723 by the same business or organization.

724 (16) ~~(15)~~ "Expansion of an existing business" means:

725 (a)1. A business or organization establishing 10 or more

BILL

ORIGINAL

YEAR

726 new jobs to employ 10 or more full-time employees in this state,
 727 paying an average wage for such new jobs that is above the
 728 average wage in the area, which principally engages in any of
 729 the operations referred to in subparagraph (15) (a)1. ~~(14) (a)1.~~;
 730 or

731 2. A business or organization establishing 25 or more new
 732 jobs to employ 25 or more full-time employees in this state, the
 733 sales factor of which, as defined by s. 220.15(5), for the
 734 facility with respect to which it requests an economic
 735 development ad valorem tax exemption is less than 0.50 for each
 736 year the exemption is claimed; provided that such business
 737 increases operations on a site located within the same county,
 738 municipality, or both colocated with a commercial or industrial
 739 operation owned by the same business or organization under
 740 common control with the same business or organization, resulting
 741 in a net increase in employment of not less than 10 percent or
 742 an increase in productive output or sales of not less than 10
 743 percent.

744 ~~(17)~~ ~~(16)~~ "Permanent resident" means a person who has
 745 established a permanent residence as defined in subsection (18)
 746 ~~(17)~~.

747 Section 15. Subsection (2) of section 196.101, Florida
 748 Statutes, is amended to read:

749 196.101 Exemption for totally and permanently disabled
 750 persons.—

BILL

ORIGINAL

YEAR

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

756 Section 16. Subsection (2) of section 196.121, Florida
 757 Statutes, is amended to read:

758 196.121 Homestead exemptions; forms.—

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

764 Section 17. Subsections (6) and (11) of section 196.1995,
 765 Florida Statutes, are amended to read:

766 196.1995 Economic development ad valorem tax exemption.—

767 (6) With respect to a new business as defined in ~~by~~ s.
 768 196.012(15)(c) ~~196.012(14)(e)~~, the municipality annexing the
 769 property on which the business is situated may grant an economic
 770 development ad valorem tax exemption under this section to that
 771 business for a period that will expire upon the expiration of
 772 the exemption granted by the county. If the county renews the
 773 exemption under subsection (7), the municipality may also extend
 774 its exemption. A municipal economic development ad valorem tax
 775 exemption granted under this subsection may not extend beyond

BILL

ORIGINAL

YEAR

776 | the duration of the county exemption.

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

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

782 | (b) The total amount of revenue available to the county or
783 | municipality from ad valorem tax sources for the current fiscal
784 | year, the total amount of revenue lost to the county or
785 | municipality for the current fiscal year by virtue of economic
786 | development ad valorem tax exemptions currently in effect, and
787 | the estimated revenue loss to the county or municipality for the
788 | current fiscal year attributable to the exemption of the
789 | business named in the ordinance;

790 | (c) The period of time for which the exemption will remain
791 | in effect and the expiration date of the exemption, which may be
792 | any period of time up to 10 years, or up to 20 years for a data
793 | center; and

794 | (d) A finding that the business named in the ordinance
795 | meets the requirements of s. 196.012(15) or (16) ~~196.012(14) or~~
796 | ~~(15)~~.

797 | Section 18. Paragraphs (a), (c), and (d) of subsection (4)
798 | of section 201.15, Florida Statutes, are amended to read:

799 | 201.15 Distribution of taxes collected.—All taxes
800 | collected under this chapter are hereby pledged and shall be

BILL

ORIGINAL

YEAR

801 first made available to make payments when due on bonds issued
 802 pursuant to s. 215.618 or s. 215.619, or any other bonds
 803 authorized to be issued on a parity basis with such bonds. Such
 804 pledge and availability for the payment of these bonds shall
 805 have priority over any requirement for the payment of service
 806 charges or costs of collection and enforcement under this
 807 section. All taxes collected under this chapter, except taxes
 808 distributed to the Land Acquisition Trust Fund pursuant to
 809 subsections (1) and (2), are subject to the service charge
 810 imposed in s. 215.20(1). Before distribution pursuant to this
 811 section, the Department of Revenue shall deduct amounts
 812 necessary to pay the costs of the collection and enforcement of
 813 the tax levied by this chapter. The costs and service charge may
 814 not be levied against any portion of taxes pledged to debt
 815 service on bonds to the extent that the costs and service charge
 816 are required to pay any amounts relating to the bonds. All of
 817 the costs of the collection and enforcement of the tax levied by
 818 this chapter and the service charge shall be available and
 819 transferred to the extent necessary to pay debt service and any
 820 other amounts payable with respect to bonds authorized before
 821 January 1, 2017, secured by revenues distributed pursuant to
 822 this section. All taxes remaining after deduction of costs shall
 823 be distributed as follows:

824 (4) After the required distributions to the Land
 825 Acquisition Trust Fund pursuant to subsections (1) and (2) and

BILL

ORIGINAL

YEAR

826 deduction of the service charge imposed pursuant to s.
 827 215.20(1), the remainder shall be distributed as follows:
 828 (a) The lesser of 24.18442 percent of the remainder or
 829 \$541.75 million in each fiscal year shall be paid into the State
 830 Treasury to the credit of the State Transportation Trust Fund.
 831 Of such funds, \$75 million for each fiscal year shall be
 832 transferred to the General Revenue Fund ~~State Economic~~
 833 ~~Enhancement and Development Trust Fund within the Department of~~
 834 ~~Economic Opportunity~~. Notwithstanding any other law, the
 835 remaining amount credited to the State Transportation Trust Fund
 836 shall be used for:
 837 1. Capital funding for the New Starts Transit Program,
 838 authorized by Title 49, U.S.C. s. 5309 and specified in s.
 839 341.051, in the amount of 10 percent of the funds;
 840 2. The Small County Outreach Program specified in s.
 841 339.2818, in the amount of 10 percent of the funds;
 842 3. The Strategic Intermodal System specified in ss.
 843 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent
 844 of the funds after deduction of the payments required pursuant
 845 to subparagraphs 1. and 2.; and
 846 4. The Transportation Regional Incentive Program specified
 847 in s. 339.2819, in the amount of 25 percent of the funds after
 848 deduction of the payments required pursuant to subparagraphs 1.
 849 and 2. The first \$60 million of the funds allocated pursuant to
 850 this subparagraph shall be allocated annually to the Florida

BILL

ORIGINAL

YEAR

851 Rail Enterprise for the purposes established in s. 341.303(5).

852 (c) Eleven and twenty-four hundredths percent of the
 853 remainder in each fiscal year shall be paid into the State
 854 Treasury to the credit of the State Housing Trust Fund. Of such
 855 funds, the first \$35 million shall be transferred annually,
 856 subject to any distribution required under subsection (5), to
 857 the General Revenue Fund ~~State Economic Enhancement and~~
 858 ~~Development Trust Fund within the Department of Economic~~
 859 ~~Opportunity~~. The remainder shall be used as follows:

860 1. Half of that amount shall be used for the purposes for
 861 which the State Housing Trust Fund was created and exists by
 862 law.

863 2. Half of that amount shall be paid into the State
 864 Treasury to the credit of the Local Government Housing Trust
 865 Fund and used for the purposes for which the Local Government
 866 Housing Trust Fund was created and exists by law.

867 (d) Twelve and ninety-three hundredths percent of the
 868 remainder in each fiscal year shall be paid into the State
 869 Treasury to the credit of the State Housing Trust Fund. Of such
 870 funds, the first \$40 million shall be transferred annually,
 871 subject to any distribution required under subsection (5), to
 872 the General Revenue Fund ~~State Economic Enhancement and~~
 873 ~~Development Trust Fund within the Department of Economic~~
 874 ~~Opportunity~~. The remainder shall be used as follows:

875 1. Twelve and one-half percent of that amount shall be

BILL

ORIGINAL

YEAR

876 deposited into the State Housing Trust Fund and expended by the
 877 Department of Economic Opportunity and the Florida Housing
 878 Finance Corporation for the purposes for which the State Housing
 879 Trust Fund was created and exists by law.

880 2. Eighty-seven and one-half percent of that amount shall
 881 be distributed to the Local Government Housing Trust Fund and
 882 used for the purposes for which the Local Government Housing
 883 Trust Fund was created and exists by law. Funds from this
 884 category may also be used to provide for state and local
 885 services to assist the homeless.

886 Section 19. Paragraph (a) of subsection (1) of section
 887 212.031, Florida Statutes, is amended to read:

888 212.031 Tax on rental or license fee for use of real
 889 property.—

890 (1)(a) It is declared to be the legislative intent that
 891 every person is exercising a taxable privilege who engages in
 892 the business of renting, leasing, letting, or granting a license
 893 for the use of any real property unless such property is:

- 894 1. Assessed as agricultural property under s. 193.461.
- 895 2. Used exclusively as dwelling units.
- 896 3. Property subject to tax on parking, docking, or storage
 897 spaces under s. 212.03(6).
- 898 4. Recreational property or the common elements of a
 899 condominium when subject to a lease between the developer or
 900 owner thereof and the condominium association in its own right

BILL

ORIGINAL

YEAR

901 or as agent for the owners of individual condominium units or
 902 the owners of individual condominium units. However, only the
 903 lease payments on such property shall be exempt from the tax
 904 imposed by this chapter, and any other use made by the owner or
 905 the condominium association shall be fully taxable under this
 906 chapter.

907 5. A public or private street or right-of-way and poles,
 908 conduits, fixtures, and similar improvements located on such
 909 streets or rights-of-way, occupied or used by a utility or
 910 provider of communications services, as defined by s. 202.11,
 911 for utility or communications or television purposes. For
 912 purposes of this subparagraph, the term "utility" means any
 913 person providing utility services as defined in s. 203.012. This
 914 exception also applies to property, wherever located, on which
 915 the following are placed: towers, antennas, cables, accessory
 916 structures, or equipment, not including switching equipment,
 917 used in the provision of mobile communications services as
 918 defined in s. 202.11. For purposes of this chapter, towers used
 919 in the provision of mobile communications services, as defined
 920 in s. 202.11, are considered to be fixtures.

921 6. A public street or road which is used for
 922 transportation purposes.

923 7. Property used at an airport exclusively for the purpose
 924 of aircraft landing or aircraft taxiing or property used by an
 925 airline for the purpose of loading or unloading passengers or

BILL

ORIGINAL

YEAR

926 | property onto or from aircraft or for fueling aircraft.

927 | 8.a. Property used at a port authority, as defined in s.
 928 | 315.02(2), exclusively for the purpose of oceangoing vessels or
 929 | tugs docking, or such vessels mooring on property used by a port
 930 | authority for the purpose of loading or unloading passengers or
 931 | cargo onto or from such a vessel, or property used at a port
 932 | authority for fueling such vessels, or to the extent that the
 933 | amount paid for the use of any property at the port is based on
 934 | the charge for the amount of tonnage actually imported or
 935 | exported through the port by a tenant.

936 | b. The amount charged for the use of any property at the
 937 | port in excess of the amount charged for tonnage actually
 938 | imported or exported shall remain subject to tax except as
 939 | provided in sub-subparagraph a.

940 | ~~9. Property used as an integral part of the performance of~~
 941 | ~~qualified production services. As used in this subparagraph, the~~
 942 | ~~term "qualified production services" means any activity or~~
 943 | ~~service performed directly in connection with the production of~~
 944 | ~~a qualified motion picture, as defined in s. 212.06(1)(b), and~~
 945 | ~~includes:~~

946 | ~~a. Photography, sound and recording, casting, location~~
 947 | ~~managing and scouting, shooting, creation of special and optical~~
 948 | ~~effects, animation, adaptation (language, media, electronic, or~~
 949 | ~~otherwise), technological modifications, computer graphics, set~~
 950 | ~~and stage support (such as electricians, lighting designers and~~

BILL

ORIGINAL

YEAR

951 ~~operators, greensmen, prop managers and assistants, and grips),~~
 952 ~~wardrobe (design, preparation, and management), hair and makeup~~
 953 ~~(design, production, and application), performing (such as~~
 954 ~~acting, dancing, and playing), designing and executing stunts,~~
 955 ~~coaching, consulting, writing, scoring, composing,~~
 956 ~~choreographing, script supervising, directing, producing,~~
 957 ~~transmitting dailies, dubbing, mixing, editing, cutting,~~
 958 ~~looping, printing, processing, duplicating, storing, and~~
 959 ~~distributing;~~

960 ~~b. The design, planning, engineering, construction,~~
 961 ~~alteration, repair, and maintenance of real or personal property~~
 962 ~~including stages, sets, props, models, paintings, and facilities~~
 963 ~~principally required for the performance of those services~~
 964 ~~listed in sub-subparagraph a.; and~~

965 ~~e. Property management services directly related to~~
 966 ~~property used in connection with the services described in sub-~~
 967 ~~subparagraphs a. and b.~~

968
 969 ~~This exemption will inure to the taxpayer upon presentation of~~
 970 ~~the certificate of exemption issued to the taxpayer under the~~
 971 ~~provisions of s. 288.1258.~~

972 9.10. ~~Leased, subleased, licensed, or rented to a person~~
 973 ~~providing food and drink concessionaire services within the~~
 974 ~~premises of a convention hall, exhibition hall, auditorium,~~
 975 ~~stadium, theater, arena, civic center, performing arts center,~~

BILL

ORIGINAL

YEAR

976 publicly owned recreational facility, or any business operated
 977 under a permit issued pursuant to chapter 550. A person
 978 providing retail concessionaire services involving the sale of
 979 food and drink or other tangible personal property within the
 980 premises of an airport shall be subject to tax on the rental of
 981 real property used for that purpose, but shall not be subject to
 982 the tax on any license to use the property. For purposes of this
 983 subparagraph, the term "sale" shall not include the leasing of
 984 tangible personal property.

985 ~~10.11.~~ Property occupied pursuant to an instrument calling
 986 for payments which the department has declared, in a Technical
 987 Assistance Advisement issued on or before March 15, 1993, to be
 988 nontaxable pursuant to rule 12A-1.070(19)(c), Florida
 989 Administrative Code; provided that this subparagraph shall only
 990 apply to property occupied by the same person before and after
 991 the execution of the subject instrument and only to those
 992 payments made pursuant to such instrument, exclusive of renewals
 993 and extensions thereof occurring after March 15, 1993.

994 ~~11.12.~~ Property used or occupied predominantly for space
 995 flight business purposes. As used in this subparagraph, "space
 996 flight business" means the manufacturing, processing, or
 997 assembly of a space facility, space propulsion system, space
 998 vehicle, satellite, or station of any kind possessing the
 999 capacity for space flight, as defined by s. 212.02(23), or
 1000 components thereof, and also means the following activities

BILL

ORIGINAL

YEAR

1001 supporting space flight: vehicle launch activities, flight
 1002 operations, ground control or ground support, and all
 1003 administrative activities directly related thereto. Property
 1004 shall be deemed to be used or occupied predominantly for space
 1005 flight business purposes if more than 50 percent of the
 1006 property, or improvements thereon, is used for one or more space
 1007 flight business purposes. Possession by a landlord, lessor, or
 1008 licensor of a signed written statement from the tenant, lessee,
 1009 or licensee claiming the exemption shall relieve the landlord,
 1010 lessor, or licensor from the responsibility of collecting the
 1011 tax, and the department shall look solely to the tenant, lessee,
 1012 or licensee for recovery of such tax if it determines that the
 1013 exemption was not applicable.

1014 12.13. Rented, leased, subleased, or licensed to a person
 1015 providing telecommunications, data systems management, or
 1016 Internet services at a publicly or privately owned convention
 1017 hall, civic center, or meeting space at a public lodging
 1018 establishment as defined in s. 509.013. This subparagraph
 1019 applies only to that portion of the rental, lease, or license
 1020 payment that is based upon a percentage of sales, revenue
 1021 sharing, or royalty payments and not based upon a fixed price.
 1022 This subparagraph is intended to be clarifying and remedial in
 1023 nature and shall apply retroactively. This subparagraph does not
 1024 provide a basis for an assessment of any tax not paid, or create
 1025 a right to a refund of any tax paid, pursuant to this section

BILL

ORIGINAL

YEAR

1026 | before July 1, 2010.

1027 | Section 20. Paragraph (b) of subsection (1) of section
1028 | 212.06, Florida Statutes, is amended to read:

1029 | 212.06 Sales, storage, use tax; collectible from dealers;
1030 | "dealer" defined; dealers to collect from purchasers;
1031 | legislative intent as to scope of tax.—

1032 | (1)

1033 | (b) Except as otherwise provided, any person who
1034 | manufactures, produces, compounds, processes, or fabricates in
1035 | any manner tangible personal property for his or her own use
1036 | shall pay a tax upon the cost of the product manufactured,
1037 | produced, compounded, processed, or fabricated without any
1038 | deduction therefrom on account of the cost of material used,
1039 | labor or service costs, or transportation charges,
1040 | notwithstanding the provisions of s. 212.02 defining "cost
1041 | price." However, the tax levied under this paragraph shall not
1042 | be imposed upon any person who manufactures or produces
1043 | electrical power or energy, steam energy, or other energy at a
1044 | single location, when such power or energy is used directly and
1045 | exclusively at such location, or at other locations if the
1046 | energy is transferred through facilities of the owner in the
1047 | operation of machinery or equipment that is used to manufacture,
1048 | process, compound, produce, fabricate, or prepare for shipment
1049 | tangible personal property for sale or to operate pollution
1050 | control equipment, maintenance equipment, or monitoring or

BILL

ORIGINAL

YEAR

1051 control equipment used in such operations. The manufacture or
 1052 production of electrical power or energy that is used for space
 1053 heating, lighting, office equipment, or air-conditioning or any
 1054 other, nonprocessing, noncompounding, nonproducing,
 1055 nonfabricating, or nonshipping activity is taxable. Electrical
 1056 power or energy consumed or dissipated in the transmission or
 1057 distribution of electrical power or energy for resale is also
 1058 not taxable. ~~Fabrication labor shall not be taxable when a~~
 1059 ~~person is using his or her own equipment and personnel, for his~~
 1060 ~~or her own account, as a producer, subproducer, or coproducer of~~
 1061 ~~a qualified motion picture. For purposes of this chapter, the~~
 1062 ~~term "qualified motion picture" means all or any part of a~~
 1063 ~~series of related images, either on film, tape, or other~~
 1064 ~~embodiment, including, but not limited to, all items comprising~~
 1065 ~~part of the original work and film-related products derived~~
 1066 ~~therefrom as well as duplicates and prints thereof and all sound~~
 1067 ~~recordings created to accompany a motion picture, which is~~
 1068 ~~produced, adapted, or altered for exploitation in, on, or~~
 1069 ~~through any medium or device and at any location, primarily for~~
 1070 ~~entertainment, commercial, industrial, or educational purposes.~~
 1071 ~~This exemption for fabrication labor associated with production~~
 1072 ~~of a qualified motion picture will inure to the taxpayer upon~~
 1073 ~~presentation of the certificate of exemption issued to the~~
 1074 ~~taxpayer under the provisions of s. 288.1258. A person who~~
 1075 manufactures factory-built buildings for his or her own use in

BILL

ORIGINAL

YEAR

1076 the performance of contracts for the construction or improvement
 1077 of real property shall pay a tax only upon the person's cost
 1078 price of items used in the manufacture of such buildings.

1079 Section 21. Section 212.0602, Florida Statutes, is
 1080 repealed.

1081 Section 22. Paragraph (a) of subsection (3) of section
 1082 212.0606, Florida Statutes, is amended to read:

1083 212.0606 Rental car surcharge.—

1084 (3) (a) Notwithstanding s. 212.20, and less the costs of
 1085 administration, 80 percent of the proceeds of this surcharge
 1086 shall be deposited in the State Transportation Trust Fund, ~~15.75~~
 1087 ~~percent of the proceeds of this surcharge shall be deposited in~~
 1088 ~~the Tourism Promotional Trust Fund created in s. 288.122,~~ and 20
 1089 4.25 percent of the proceeds of this surcharge shall be
 1090 deposited in the General Revenue Fund ~~Florida International~~
 1091 ~~Trade and Promotion Trust Fund~~. For the purposes of this
 1092 subsection, "proceeds" of the surcharge means all funds
 1093 collected and received by the department under this section,
 1094 including interest and penalties on delinquent surcharges. The
 1095 department shall provide the Department of Transportation rental
 1096 car surcharge revenue information for the previous state fiscal
 1097 year by September 1 of each year.

1098 Section 23. Paragraphs (g) through (q) of subsection (5)
 1099 of section 212.08, Florida Statutes, are redesignated as
 1100 paragraphs (f) through (p), respectively, subsections (12)

BILL

ORIGINAL

YEAR

1101 through (18) are renumbered as subsections (11) through (17),
 1102 respectively, and paragraph (f) and present paragraphs (h) and
 1103 (j) of subsection (5), subsection (12), and paragraph (f) of
 1104 present subsection (15) of that section are amended to read:

1105 212.08 Sales, rental, use, consumption, distribution, and
 1106 storage tax; specified exemptions.—The sale at retail, the
 1107 rental, the use, the consumption, the distribution, and the
 1108 storage to be used or consumed in this state of the following
 1109 are hereby specifically exempt from the tax imposed by this
 1110 chapter.

1111 (5) EXEMPTIONS; ACCOUNT OF USE.—

1112 ~~(f) Motion picture or video equipment used in motion
 1113 picture or television production activities and sound recording
 1114 equipment used in the production of master tapes and master
 1115 records.—~~

1116 ~~1. Motion picture or video equipment and sound recording
 1117 equipment purchased or leased for use in this state in
 1118 production activities is exempt from the tax imposed by this
 1119 chapter. The exemption provided by this paragraph shall inure to
 1120 the taxpayer upon presentation of the certificate of exemption
 1121 issued to the taxpayer under the provisions of s. 288.1258.~~

1122 ~~2. For the purpose of the exemption provided in
 1123 subparagraph 1.:~~

1124 ~~a. "Motion picture or video equipment" and "sound
 1125 recording equipment" includes only tangible personal property or~~

BILL

ORIGINAL

YEAR

1126 ~~other property that has a depreciable life of 3 years or more~~
 1127 ~~and that is used by the lessee or purchaser exclusively as an~~
 1128 ~~integral part of production activities; however, motion picture~~
 1129 ~~or video equipment and sound recording equipment does not~~
 1130 ~~include supplies, tape, records, film, or video tape used in~~
 1131 ~~productions or other similar items; vehicles or vessels; or~~
 1132 ~~general office equipment not specifically suited to production~~
 1133 ~~activities. In addition, the term does not include equipment~~
 1134 ~~purchased or leased by television or radio broadcasting or cable~~
 1135 ~~companies licensed by the Federal Communications Commission.~~
 1136 ~~Furthermore, a building and its structural components are not~~
 1137 ~~motion picture or video equipment and sound recording equipment~~
 1138 ~~unless the building or structural component is so closely~~
 1139 ~~related to the motion picture or video equipment and sound~~
 1140 ~~recording equipment that it houses or supports that the building~~
 1141 ~~or structural component can be expected to be replaced when the~~
 1142 ~~motion picture or video equipment and sound recording equipment~~
 1143 ~~are replaced. Heating and air conditioning systems are not~~
 1144 ~~motion picture or video equipment and sound recording equipment~~
 1145 ~~unless the sole justification for their installation is to meet~~
 1146 ~~the requirements of the production activities, even though the~~
 1147 ~~system may provide incidental comfort to employees or serve, to~~
 1148 ~~an insubstantial degree, nonproduction activities.~~

1149 ~~b. "Production activities" means activities directed~~
 1150 ~~toward the preparation of a:~~

BILL

ORIGINAL

YEAR

1151 ~~(I) Master tape or master record embodying sound; or~~
 1152 ~~(II) Motion picture or television production which is~~
 1153 ~~produced for theatrical, commercial, advertising, or educational~~
 1154 ~~purposes and utilizes live or animated actions or a combination~~
 1155 ~~of live and animated actions. The motion picture or television~~
 1156 ~~production shall be commercially produced for sale or for~~
 1157 ~~showing on screens or broadcasting on television and may be on~~
 1158 ~~film or video tape.~~

1159 (g) ~~(h)~~ Business property used in an enterprise zone.—

1160 1. Business property purchased for use by businesses
 1161 located in an enterprise zone which is subsequently used in an
 1162 enterprise zone shall be exempt from the tax imposed by this
 1163 chapter. This exemption inures to the business only through a
 1164 refund of previously paid taxes. A refund shall be authorized
 1165 upon an affirmative showing by the taxpayer to the satisfaction
 1166 of the department that the requirements of this paragraph have
 1167 been met.

1168 2. To receive a refund, the business must file under oath
 1169 with the governing body or enterprise zone development agency
 1170 having jurisdiction over the enterprise zone where the business
 1171 is located, as applicable, an application which includes:

1172 a. The name and address of the business claiming the
 1173 refund.

1174 b. The identifying number assigned pursuant to s. 290.0065
 1175 to the enterprise zone in which the business is located.

BILL

ORIGINAL

YEAR

1176 c. A specific description of the property for which a
 1177 refund is sought, including its serial number or other permanent
 1178 identification number.

1179 d. The location of the property.

1180 e. The sales invoice or other proof of purchase of the
 1181 property, showing the amount of sales tax paid, the date of
 1182 purchase, and the name and address of the sales tax dealer from
 1183 whom the property was purchased.

1184 f. Whether the business is a small business as defined by
 1185 s. 288.703.

1186 g. If applicable, the name and address of each permanent
 1187 employee of the business, including, for each employee who is a
 1188 resident of an enterprise zone, the identifying number assigned
 1189 pursuant to s. 290.0065 to the enterprise zone in which the
 1190 employee resides.

1191 3. Within 10 working days after receipt of an application,
 1192 the governing body or enterprise zone development agency shall
 1193 review the application to determine if it contains all the
 1194 information required pursuant to subparagraph 2. and meets the
 1195 criteria set out in this paragraph. The governing body or agency
 1196 shall certify all applications that contain the information
 1197 required pursuant to subparagraph 2. and meet the criteria set
 1198 out in this paragraph as eligible to receive a refund. If
 1199 applicable, the governing body or agency shall also certify if
 1200 20 percent of the employees of the business are residents of an

BILL

ORIGINAL

YEAR

1201 enterprise zone, excluding temporary and part-time employees.
 1202 The certification shall be in writing, and a copy of the
 1203 certification shall be transmitted to the executive director of
 1204 the Department of Revenue. The business shall be responsible for
 1205 forwarding a certified application to the department within the
 1206 time specified in subparagraph 4.

1207 4. An application for a refund pursuant to this paragraph
 1208 must be submitted to the department within 6 months after the
 1209 tax is due on the business property that is purchased.

1210 5. The amount refunded on purchases of business property
 1211 under this paragraph shall be the lesser of 97 percent of the
 1212 sales tax paid on such business property or \$5,000, or, if no
 1213 less than 20 percent of the employees of the business are
 1214 residents of an enterprise zone, excluding temporary and part-
 1215 time employees, the amount refunded on purchases of business
 1216 property under this paragraph shall be the lesser of 97 percent
 1217 of the sales tax paid on such business property or \$10,000. A
 1218 refund approved pursuant to this paragraph shall be made within
 1219 30 days after formal approval by the department of the
 1220 application for the refund. A refund may not be granted under
 1221 this paragraph unless the amount to be refunded exceeds \$100 in
 1222 sales tax paid on purchases made within a 60-day time period.

1223 6. The department shall adopt rules governing the manner
 1224 and form of refund applications and may establish guidelines as
 1225 to the requisites for an affirmative showing of qualification

BILL

ORIGINAL

YEAR

1226 | for exemption under this paragraph.

1227 | 7. If the department determines that the business property
 1228 | is used outside an enterprise zone within 3 years from the date
 1229 | of purchase, the amount of taxes refunded to the business
 1230 | purchasing such business property shall immediately be due and
 1231 | payable to the department by the business, together with the
 1232 | appropriate interest and penalty, computed from the date of
 1233 | purchase, in the manner provided by this chapter.

1234 | Notwithstanding this subparagraph, business property used
 1235 | exclusively in:

- 1236 | a. Licensed commercial fishing vessels,
- 1237 | b. Fishing guide boats, or
- 1238 | c. Ecotourism guide boats

1239 |
 1240 | that leave and return to a fixed location within an area
 1241 | designated under s. 379.2353, Florida Statutes 2010, are
 1242 | eligible for the exemption provided under this paragraph if all
 1243 | requirements of this paragraph are met. Such vessels and boats
 1244 | must be owned by a business that is eligible to receive the
 1245 | exemption provided under this paragraph. This exemption does not
 1246 | apply to the purchase of a vessel or boat.

1247 | 8. The department shall deduct an amount equal to 10
 1248 | percent of each refund granted under this paragraph from the
 1249 | amount transferred into the Local Government Half-cent Sales Tax
 1250 | Clearing Trust Fund pursuant to s. 212.20 for the county area in

BILL

ORIGINAL

YEAR

1251 | which the business property is located and shall transfer that
 1252 | amount to the General Revenue Fund.

1253 | 9. For the purposes of this exemption, "business property"
 1254 | means new or used property defined as "recovery property" in s.
 1255 | 168(c) of the Internal Revenue Code of 1954, as amended, except:

1256 | a. Property classified as 3-year property under s.

1257 | 168(c) (2) (A) of the Internal Revenue Code of 1954, as amended;

1258 | b. Industrial machinery and equipment as defined in sub-
 1259 | subparagraph (b)6.a. and eligible for exemption under paragraph
 1260 | (b);

1261 | c. Building materials as defined in sub-subparagraph
 1262 | (f)8.a. ~~(g)8.a.~~; and

1263 | d. Business property having a sales price of under \$5,000
 1264 | per unit.

1265 | 10. This paragraph expires on the date specified in s.
 1266 | 290.016 for the expiration of the Florida Enterprise Zone Act.

1267 | (i)~~(j)~~ Machinery and equipment used in semiconductor,
 1268 | defense, or space technology production.—

1269 | 1.a. Industrial machinery and equipment used in
 1270 | semiconductor technology facilities certified under subparagraph
 1271 | 5. to manufacture, process, compound, or produce semiconductor
 1272 | technology products for sale or for use by these facilities are
 1273 | exempt from the tax imposed by this chapter. For purposes of
 1274 | this paragraph, industrial machinery and equipment includes
 1275 | molds, dies, machine tooling, other appurtenances or accessories

BILL

ORIGINAL

YEAR

1276 | to machinery and equipment, testing equipment, test beds,
 1277 | computers, and software, whether purchased or self-fabricated,
 1278 | and, if self-fabricated, includes materials and labor for
 1279 | design, fabrication, and assembly.

1280 | b. Industrial machinery and equipment used in defense or
 1281 | space technology facilities certified under subparagraph 5. to
 1282 | design, manufacture, assemble, process, compound, or produce
 1283 | defense technology products or space technology products for
 1284 | sale or for use by these facilities are exempt from the tax
 1285 | imposed by this chapter.

1286 | 2. Building materials purchased for use in manufacturing
 1287 | or expanding clean rooms in semiconductor-manufacturing
 1288 | facilities are exempt from the tax imposed by this chapter.

1289 | 3. In addition to meeting the criteria mandated by
 1290 | subparagraph 1. or subparagraph 2., a business must be certified
 1291 | by the Department of Economic Opportunity in order to qualify
 1292 | for exemption under this paragraph.

1293 | 4. For items purchased tax-exempt pursuant to this
 1294 | paragraph, possession of a written certification from the
 1295 | purchaser, certifying the purchaser's entitlement to the
 1296 | exemption, relieves the seller of the responsibility of
 1297 | collecting the tax on the sale of such items, and the department
 1298 | shall look solely to the purchaser for recovery of the tax if it
 1299 | determines that the purchaser was not entitled to the exemption.

1300 | 5.a. To be eligible to receive the exemption provided by

BILL

ORIGINAL

YEAR

1301 subparagraph 1. or subparagraph 2., a qualifying business entity
 1302 shall initially apply to the Department of Economic Opportunity
 1303 ~~Enterprise Florida, Inc.~~ The original certification is valid for
 1304 a period of 2 years. In lieu of submitting a new application,
 1305 the original certification may be renewed biennially by
 1306 submitting to the Department of Economic Opportunity a
 1307 statement, certified under oath, that there has not been a
 1308 material change in the conditions or circumstances entitling the
 1309 business entity to the original certification. The initial
 1310 application and the certification renewal statement shall be
 1311 developed by the Department of Economic Opportunity.

1312 b. ~~The Division of Strategic Business Development of the~~
 1313 Department of Economic Opportunity shall review each submitted
 1314 initial application and determine whether or not the application
 1315 is complete within 5 working days. Once complete, the division
 1316 shall, within 10 working days, evaluate the application and
 1317 recommend approval or disapproval to the Department of Economic
 1318 Opportunity.

1319 c. Upon receipt of the initial application and
 1320 recommendation from the division or upon receipt of a
 1321 certification renewal statement, the Department of Economic
 1322 Opportunity shall certify within 5 working days those applicants
 1323 who are found to meet the requirements of this section and
 1324 notify the applicant of the original certification or
 1325 certification renewal. If the Department of Economic Opportunity

BILL

ORIGINAL

YEAR

1326 finds that the applicant does not meet the requirements, it
 1327 shall notify the applicant ~~and Enterprise Florida, Inc.~~, within
 1328 10 working days that the application for certification has been
 1329 denied and the reasons for denial. The Department of Economic
 1330 Opportunity has final approval authority for certification under
 1331 this section.

1332 d. The initial application and certification renewal
 1333 statement must indicate, for program evaluation purposes only,
 1334 the average number of full-time equivalent employees at the
 1335 facility over the preceding calendar year, the average wage and
 1336 benefits paid to those employees over the preceding calendar
 1337 year, the total investment made in real and tangible personal
 1338 property over the preceding calendar year, and the total value
 1339 of tax-exempt purchases and taxes exempted during the previous
 1340 year. The department shall assist the Department of Economic
 1341 Opportunity in evaluating and verifying information provided in
 1342 the application for exemption.

1343 e. The Department of Economic Opportunity may use the
 1344 information reported on the initial application and
 1345 certification renewal statement for evaluation purposes only.

1346 6. A business certified to receive this exemption may
 1347 elect to designate one or more state universities or community
 1348 colleges as recipients of up to 100 percent of the amount of the
 1349 exemption. To receive these funds, the institution must agree to
 1350 match the funds with equivalent cash, programs, services, or

BILL

ORIGINAL

YEAR

1351 other in-kind support on a one-to-one basis for research and
 1352 development projects requested by the certified business. The
 1353 rights to any patents, royalties, or real or intellectual
 1354 property must be vested in the business unless otherwise agreed
 1355 to by the business and the university or community college.

1356 7. As used in this paragraph, the term:

1357 a. "Semiconductor technology products" means raw
 1358 semiconductor wafers or semiconductor thin films that are
 1359 transformed into semiconductor memory or logic wafers, including
 1360 wafers containing mixed memory and logic circuits; related
 1361 assembly and test operations; active-matrix flat panel displays;
 1362 semiconductor chips; semiconductor lasers; optoelectronic
 1363 elements; and related semiconductor technology products as
 1364 determined by the Department of Economic Opportunity.

1365 b. "Clean rooms" means manufacturing facilities enclosed
 1366 in a manner that meets the clean manufacturing requirements
 1367 necessary for high-technology semiconductor-manufacturing
 1368 environments.

1369 c. "Defense technology products" means products that have
 1370 a military application, including, but not limited to, weapons,
 1371 weapons systems, guidance systems, surveillance systems,
 1372 communications or information systems, munitions, aircraft,
 1373 vessels, or boats, or components thereof, which are intended for
 1374 military use and manufactured in performance of a contract with
 1375 the United States Department of Defense or the military branch

BILL

ORIGINAL

YEAR

1376 of a recognized foreign government or a subcontract thereunder
 1377 which relates to matters of national defense.

1378 d. "Space technology products" means products that are
 1379 specifically designed or manufactured for application in space
 1380 activities, including, but not limited to, space launch
 1381 vehicles, space flight vehicles, missiles, satellites or
 1382 research payloads, avionics, and associated control systems and
 1383 processing systems and components of any of the foregoing. The
 1384 term does not include products that are designed or manufactured
 1385 for general commercial aviation or other uses even though those
 1386 products may also serve an incidental use in space applications.

1387 ~~(12) PARTIAL EXEMPTION; MASTER TAPES, RECORDS, FILMS, OR~~
 1388 ~~VIDEO TAPES.~~

1389 ~~(a) There are exempt from the taxes imposed by this~~
 1390 ~~chapter the gross receipts from the sale or lease of, and the~~
 1391 ~~storage, use, or other consumption in this state of, master~~
 1392 ~~tapes or master records embodying sound, or master films or~~
 1393 ~~master video tapes; except that amounts paid to recording~~
 1394 ~~studios or motion picture or television studios for the tangible~~
 1395 ~~elements of such master tapes, records, films, or video tapes~~
 1396 ~~are taxable as otherwise provided in this chapter. This~~
 1397 ~~exemption will inure to the taxpayer upon presentation of the~~
 1398 ~~certificate of exemption issued to the taxpayer under the~~
 1399 ~~provisions of s. 288.1258.~~

1400 ~~(b) For the purposes of this subsection, the term:~~

BILL

ORIGINAL

YEAR

1401 1. ~~"Amounts paid for the tangible elements" does not~~
 1402 ~~include any amounts paid for the copyrightable, artistic, or~~
 1403 ~~other intangible elements of such master tapes, records, films,~~
 1404 ~~or video tapes, whether designated as royalties or otherwise,~~
 1405 ~~including, but not limited to, services rendered in producing,~~
 1406 ~~fabricating, processing, or imprinting tangible personal~~
 1407 ~~property or any other services or production expenses in~~
 1408 ~~connection therewith which may otherwise be construed as~~
 1409 ~~constituting a "sale" under s. 212.02.~~

1410 2. ~~"Master films or master video tapes" means films or~~
 1411 ~~video tapes utilized by the motion picture and television~~
 1412 ~~production industries in making visual images for reproduction.~~

1413 3. ~~"Master tapes or master records embodying sound" means~~
 1414 ~~tapes, records, and other devices utilized by the recording~~
 1415 ~~industry in making recordings embodying sound.~~

1416 4. ~~"Motion picture or television studio" means a facility~~
 1417 ~~in which film or video tape productions or parts of productions~~
 1418 ~~are made and which contains the necessary equipment and~~
 1419 ~~personnel for this purpose and includes a mobile unit or vehicle~~
 1420 ~~that is equipped in much the same manner as a stationary studio~~
 1421 ~~and used in the making of film or video tape productions.~~

1422 5. ~~"Recording studio" means a place where, by means of~~
 1423 ~~mechanical or electronic devices, voices, music, or other sounds~~
 1424 ~~are transmitted to tapes, records, or other devices capable of~~
 1425 ~~reproducing sound.~~

BILL

ORIGINAL

YEAR

1426 6. ~~"Recording industry" means any person engaged in an~~
 1427 ~~occupation or business of making recordings embodying sound for~~
 1428 ~~a livelihood or for a profit.~~

1429 7. ~~"Motion picture or television production industry"~~
 1430 ~~means any person engaged in an occupation or business for a~~
 1431 ~~livelihood or for profit of making visual motion picture or~~
 1432 ~~television visual images for showing on screen or television for~~
 1433 ~~theatrical, commercial, advertising, or educational purposes.~~

1434 (14) ~~(15)~~ ELECTRICAL ENERGY USED IN AN ENTERPRISE ZONE.—

1435 (f) For the purpose of the exemption provided in this
 1436 subsection, the term "qualified business" means a business which
 1437 is:

1438 1. First occupying a new structure to which electrical
 1439 service, other than that used for construction purposes, has not
 1440 been previously provided or furnished;

1441 2. Newly occupying an existing, remodeled, renovated, or
 1442 rehabilitated structure to which electrical service, other than
 1443 that used for remodeling, renovation, or rehabilitation of the
 1444 structure, has not been provided or furnished in the three
 1445 preceding billing periods; or

1446 3. Occupying a new, remodeled, rebuilt, renovated, or
 1447 rehabilitated structure for which a refund has been granted
 1448 pursuant to paragraph (5) (f) ~~(5) (g)~~.

1449 Section 24. Section 212.097, Florida Statutes, is
 1450 repealed.

BILL

ORIGINAL

YEAR

1451 Section 25. Paragraph (a) of subsection (1) of section
 1452 212.098, Florida Statutes, is amended to read:
 1453 212.098 Rural Job Tax Credit Program.—
 1454 (1) As used in this section, the term:
 1455 (a) "Eligible business" means any sole proprietorship,
 1456 firm, partnership, or corporation that is located in a qualified
 1457 county and is predominantly engaged in, or is headquarters for a
 1458 business predominantly engaged in, activities usually provided
 1459 for consideration by firms classified within the following
 1460 standard industrial classifications: SIC 01-SIC 09 (agriculture,
 1461 forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422
 1462 (public warehousing and storage); SIC 70 (hotels and other
 1463 lodging places); SIC 7391 (research and development); SIC 781
 1464 (motion picture production and allied services); SIC 7992
 1465 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~
 1466 ~~targeted industry eligible for the qualified target industry~~
 1467 ~~business tax refund under s. 288.106.~~ A call center or similar
 1468 customer service operation that services a multistate market or
 1469 an international market is also an eligible business. In
 1470 addition, the Department of Economic Opportunity may, as part of
 1471 its final budget request submitted pursuant to s. 216.023,
 1472 recommend additions to or deletions from the list of standard
 1473 industrial classifications used to determine an eligible
 1474 business, and the Legislature may implement such
 1475 recommendations. Excluded from eligible receipts are receipts

BILL

ORIGINAL

YEAR

1476 from retail sales, except such receipts for hotels and other
 1477 lodging places classified in SIC 70, public golf courses in SIC
 1478 7992, and amusement parks in SIC 7996. For purposes of this
 1479 paragraph, the term "predominantly" means that more than 50
 1480 percent of the business's gross receipts from all sources is
 1481 generated by those activities usually provided for consideration
 1482 by firms in the specified standard industrial classification.
 1483 The determination of whether the business is located in a
 1484 qualified county and the tier ranking of that county must be
 1485 based on the date of application for the credit under this
 1486 section. Commonly owned and controlled entities are to be
 1487 considered a single business entity.

1488 Section 26. Paragraph (d) of subsection (6) of section
 1489 212.20, Florida Statutes, is amended to read:

1490 212.20 Funds collected, disposition; additional powers of
 1491 department; operational expense; refund of taxes adjudicated
 1492 unconstitutionally collected.—

1493 (6) Distribution of all proceeds under this chapter and
 1494 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1495 (d) The proceeds of all other taxes and fees imposed
 1496 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
 1497 and (2)(b) shall be distributed as follows:

1498 1. In any fiscal year, the greater of \$500 million, minus
 1499 an amount equal to 4.6 percent of the proceeds of the taxes
 1500 collected pursuant to chapter 201, or 5.2 percent of all other

BILL

ORIGINAL

YEAR

1501 taxes and fees imposed pursuant to this chapter or remitted
 1502 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
 1503 monthly installments into the General Revenue Fund.

1504 2. After the distribution under subparagraph 1., 8.9744
 1505 percent of the amount remitted by a sales tax dealer located
 1506 within a participating county pursuant to s. 218.61 shall be
 1507 transferred into the Local Government Half-cent Sales Tax
 1508 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
 1509 transferred shall be reduced by 0.1 percent, and the department
 1510 shall distribute this amount to the Public Employees Relations
 1511 Commission Trust Fund less \$5,000 each month, which shall be
 1512 added to the amount calculated in subparagraph 3. and
 1513 distributed accordingly.

1514 3. After the distribution under subparagraphs 1. and 2.,
 1515 0.0966 percent shall be transferred to the Local Government
 1516 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
 1517 to s. 218.65.

1518 4. After the distributions under subparagraphs 1., 2., and
 1519 3., 2.0810 percent of the available proceeds shall be
 1520 transferred monthly to the Revenue Sharing Trust Fund for
 1521 Counties pursuant to s. 218.215.

1522 5. After the distributions under subparagraphs 1., 2., and
 1523 3., 1.3653 percent of the available proceeds shall be
 1524 transferred monthly to the Revenue Sharing Trust Fund for
 1525 Municipalities pursuant to s. 218.215. If the total revenue to

BILL

ORIGINAL

YEAR

1526 | be distributed pursuant to this subparagraph is at least as
 1527 | great as the amount due from the Revenue Sharing Trust Fund for
 1528 | Municipalities and the former Municipal Financial Assistance
 1529 | Trust Fund in state fiscal year 1999-2000, no municipality shall
 1530 | receive less than the amount due from the Revenue Sharing Trust
 1531 | Fund for Municipalities and the former Municipal Financial
 1532 | Assistance Trust Fund in state fiscal year 1999-2000. If the
 1533 | total proceeds to be distributed are less than the amount
 1534 | received in combination from the Revenue Sharing Trust Fund for
 1535 | Municipalities and the former Municipal Financial Assistance
 1536 | Trust Fund in state fiscal year 1999-2000, each municipality
 1537 | shall receive an amount proportionate to the amount it was due
 1538 | in state fiscal year 1999-2000.

1539 | 6. Of the remaining proceeds:

1540 | a. In each fiscal year, the sum of \$29,915,500 shall be
 1541 | divided into as many equal parts as there are counties in the
 1542 | state, and one part shall be distributed to each county. The
 1543 | distribution among the several counties must begin each fiscal
 1544 | year on or before January 5th and continue monthly for a total
 1545 | of 4 months. If a local or special law required that any moneys
 1546 | accruing to a county in fiscal year 1999-2000 under the then-
 1547 | existing provisions of s. 550.135 be paid directly to the
 1548 | district school board, special district, or a municipal
 1549 | government, such payment must continue until the local or
 1550 | special law is amended or repealed. The state covenants with

BILL

ORIGINAL

YEAR

1551 holders of bonds or other instruments of indebtedness issued by
 1552 local governments, special districts, or district school boards
 1553 before July 1, 2000, that it is not the intent of this
 1554 subparagraph to adversely affect the rights of those holders or
 1555 relieve local governments, special districts, or district school
 1556 boards of the duty to meet their obligations as a result of
 1557 previous pledges or assignments or trusts entered into which
 1558 obligated funds received from the distribution to county
 1559 governments under then-existing s. 550.135. This distribution
 1560 specifically is in lieu of funds distributed under s. 550.135
 1561 before July 1, 2000.

1562 b. The department shall distribute \$166,667 monthly to
 1563 each applicant certified as a facility for a new or retained
 1564 professional sports franchise pursuant to former s. 288.1162. Up
 1565 to \$41,667 shall be distributed monthly by the department to
 1566 each certified applicant as defined in former s. 288.11621 for a
 1567 facility for a spring training franchise. However, not more than
 1568 \$416,670 may be distributed monthly in the aggregate to all
 1569 certified applicants for facilities for spring training
 1570 franchises. Distributions begin 60 days after such certification
 1571 and continue for not more than 30 years, except as otherwise
 1572 provided in former s. 288.11621. A certified applicant
 1573 identified in this sub-subparagraph may not receive more in
 1574 distributions than expended by the applicant for the public
 1575 purposes provided in former s. 288.1162(5) or former s.

BILL

ORIGINAL

YEAR

1576 | 288.11621(3) .

1577 | c. Beginning 30 days after notice by the Department of
 1578 | Economic Opportunity to the Department of Revenue that an
 1579 | applicant has been certified as the professional golf hall of
 1580 | fame pursuant to s. 288.1168 and is open to the public, \$166,667
 1581 | shall be distributed monthly, for up to 300 months, to the
 1582 | applicant.

1583 | ~~d. Beginning 30 days after notice by the Department of~~
 1584 | ~~Economic Opportunity to the Department of Revenue that the~~
 1585 | ~~applicant has been certified as the International Game Fish~~
 1586 | ~~Association World Center facility pursuant to s. 288.1169, and~~
 1587 | ~~the facility is open to the public, \$83,333 shall be distributed~~
 1588 | ~~monthly, for up to 168 months, to the applicant. This~~
 1589 | ~~distribution is subject to reduction pursuant to s. 288.1169. A~~
 1590 | ~~lump sum payment of \$999,996 shall be made after certification~~
 1591 | ~~and before July 1, 2000.~~

1592 | d.e. The department shall distribute up to \$83,333 monthly
 1593 | to each certified applicant as defined in former s. 288.11631
 1594 | for a facility used by a single spring training franchise, or up
 1595 | to \$166,667 monthly to each certified applicant as defined in
 1596 | former s. 288.11631 for a facility used by more than one spring
 1597 | training franchise. Monthly distributions begin 60 days after
 1598 | such certification or July 1, 2016, whichever is later, and
 1599 | continue for not more than 20 years to each certified applicant
 1600 | as defined in former s. 288.11631 for a facility used by a

BILL

ORIGINAL

YEAR

1601 single spring training franchise or not more than 25 years to
 1602 each certified applicant as defined in former s. 288.11631 for a
 1603 facility used by more than one spring training franchise. A
 1604 certified applicant identified in this sub-subparagraph may not
 1605 receive more in distributions than expended by the applicant for
 1606 the public purposes provided in former s. 288.11631(3).

1607 ~~f. Beginning 45 days after notice by the Department of~~
 1608 ~~Economic Opportunity to the Department of Revenue that an~~
 1609 ~~applicant has been approved by the Legislature and certified by~~
 1610 ~~the Department of Economic Opportunity under s. 288.11625 or~~
 1611 ~~upon a date specified by the Department of Economic Opportunity~~
 1612 ~~as provided under s. 288.11625(6)(d), the department shall~~
 1613 ~~distribute each month an amount equal to one twelfth of the~~
 1614 ~~annual distribution amount certified by the Department of~~
 1615 ~~Economic Opportunity for the applicant. The department may not~~
 1616 ~~distribute more than \$7 million in the 2014-2015 fiscal year or~~
 1617 ~~more than \$13 million annually thereafter under this sub-~~
 1618 ~~subparagraph.~~

1619 ~~e.g.~~ Beginning December 1, 2015, and ending June 30, 2016,
 1620 the department shall distribute \$26,286 monthly to the State
 1621 Transportation Trust Fund. Beginning July 1, 2016, the
 1622 department shall distribute \$15,333 monthly to the State
 1623 Transportation Trust Fund.

1624 7. All other proceeds must remain in the General Revenue
 1625 Fund.

BILL

ORIGINAL

YEAR

1626 Section 27. Subsection (2) of section 218.61, Florida
 1627 Statutes, is amended to read:

1628 218.61 Local government half-cent sales tax; designated
 1629 proceeds; trust fund.—

1630 (2) Money remitted by a sales tax dealer located within
 1631 the county and transferred into the Local Government Half-cent
 1632 Sales Tax Clearing Trust Fund shall be earmarked for
 1633 distribution to the governing body of that county and of each
 1634 municipality within that county. ~~Such distributions shall be~~
 1635 ~~made after funding is provided pursuant to s. 218.64(3), if~~
 1636 ~~applicable.~~ Such moneys shall be known as the "local government
 1637 half-cent sales tax."

1638 Section 28. Subsection (4) of section 218.64, Florida
 1639 Statutes, is renumbered as subsection (3), and present
 1640 subsections (2) and (3) of that section are amended to read:

1641 218.64 Local government half-cent sales tax; uses;
 1642 limitations.—

1643 (2) Municipalities shall expend their portions of the
 1644 local government half-cent sales tax only for municipality-wide
 1645 programs, ~~for reimbursing the state as required pursuant to s.~~
 1646 ~~288.11625,~~ or for municipality-wide property tax or municipal
 1647 utility tax relief. All utility tax rate reductions afforded by
 1648 participation in the local government half-cent sales tax shall
 1649 be applied uniformly across all types of taxed utility services.

1650 (3) Subject to ordinances enacted by the majority of the

BILL

ORIGINAL

YEAR

1651 members of the county governing authority and by the majority of
 1652 the members of the governing authorities of municipalities
 1653 representing at least 50 percent of the municipal population of
 1654 such county, counties may use up to \$3 million annually of the
 1655 local government half-cent sales tax allocated to that county
 1656 for ~~any of the following purposes:~~

1657 ~~(a) Funding a certified applicant as a facility for a new~~
 1658 ~~or retained professional sports franchise under s. 288.1162 or a~~
 1659 ~~certified applicant as defined in s. 288.11621 for a facility~~
 1660 ~~for a spring training franchise. It is the Legislature's intent~~
 1661 ~~that the provisions of s. 288.1162, including, but not limited~~
 1662 ~~to, the evaluation process by the Department of Economic~~
 1663 ~~Opportunity except for the limitation on the number of certified~~
 1664 ~~applicants or facilities as provided in that section and the~~
 1665 ~~restrictions set forth in s. 288.1162(8), shall apply to an~~
 1666 ~~applicant's facility to be funded by local government as~~
 1667 ~~provided in this subsection.~~

1668 ~~(b)~~ funding a certified applicant as a "motorsport
 1669 entertainment complex," as provided for in s. 288.1171. Funding
 1670 for each franchise or motorsport complex shall begin 60 days
 1671 after certification and shall continue for not more than 30
 1672 years.

1673 ~~(c) Reimbursing the state as required under s. 288.11625.~~

1674 Section 29. Subsection (8) of section 220.02, Florida
 1675 Statutes, is amended to read:

BILL

ORIGINAL

YEAR

1676 | 220.02 Legislative intent.—
 1677 | (8) It is the intent of the Legislature that credits
 1678 | against either the corporate income tax or the franchise tax be
 1679 | applied in the following order: those enumerated in s. 631.828,
 1680 | those enumerated in former s. 220.191, those enumerated in s.
 1681 | 220.181, those enumerated in s. 220.183, those enumerated in s.
 1682 | 220.182, those enumerated in s. 220.1895, those enumerated in s.
 1683 | 220.195, those enumerated in s. 220.184, those enumerated in s.
 1684 | 220.186, those enumerated in s. 220.1845, those enumerated in s.
 1685 | 220.19, those enumerated in s. 220.185, those enumerated in s.
 1686 | 220.1875, those enumerated in s. 220.192, those enumerated in s.
 1687 | 220.193, those enumerated in former s. 288.9916, those
 1688 | enumerated in former s. 220.1899, those enumerated in s.
 1689 | 220.194, and those enumerated in s. 220.196.
 1690 | Section 30. Paragraph (a) of subsection (1) of section
 1691 | 220.13, Florida Statutes, is amended to read:
 1692 | 220.13 "Adjusted federal income" defined.—
 1693 | (1) The term "adjusted federal income" means an amount
 1694 | equal to the taxpayer's taxable income as defined in subsection
 1695 | (2), or such taxable income of more than one taxpayer as
 1696 | provided in s. 220.131, for the taxable year, adjusted as
 1697 | follows:
 1698 | (a) Additions.—There shall be added to such taxable
 1699 | income:
 1700 | 1. The amount of any tax upon or measured by income,

BILL

ORIGINAL

YEAR

1701 | excluding taxes based on gross receipts or revenues, paid or
 1702 | accrued as a liability to the District of Columbia or any state
 1703 | of the United States which is deductible from gross income in
 1704 | the computation of taxable income for the taxable year.

1705 | 2. The amount of interest which is excluded from taxable
 1706 | income under s. 103(a) of the Internal Revenue Code or any other
 1707 | federal law, less the associated expenses disallowed in the
 1708 | computation of taxable income under s. 265 of the Internal
 1709 | Revenue Code or any other law, excluding 60 percent of any
 1710 | amounts included in alternative minimum taxable income, as
 1711 | defined in s. 55(b)(2) of the Internal Revenue Code, if the
 1712 | taxpayer pays tax under s. 220.11(3).

1713 | 3. In the case of a regulated investment company or real
 1714 | estate investment trust, an amount equal to the excess of the
 1715 | net long-term capital gain for the taxable year over the amount
 1716 | of the capital gain dividends attributable to the taxable year.

1717 | 4. That portion of the wages or salaries paid or incurred
 1718 | for the taxable year which is equal to the amount of the credit
 1719 | allowable for the taxable year under s. 220.181. This
 1720 | subparagraph shall expire on the date specified in s. 290.016
 1721 | for the expiration of the Florida Enterprise Zone Act.

1722 | 5. That portion of the ad valorem school taxes paid or
 1723 | incurred for the taxable year which is equal to the amount of
 1724 | the credit allowable for the taxable year under s. 220.182. This
 1725 | subparagraph shall expire on the date specified in s. 290.016

BILL

ORIGINAL

YEAR

1726 | for the expiration of the Florida Enterprise Zone Act.

1727 | 6. The amount taken as a credit under s. 220.195 which is

1728 | deductible from gross income in the computation of taxable

1729 | income for the taxable year.

1730 | 7. That portion of assessments to fund a guaranty

1731 | association incurred for the taxable year which is equal to the

1732 | amount of the credit allowable for the taxable year.

1733 | 8. In the case of a nonprofit corporation which holds a

1734 | pari-mutuel permit and which is exempt from federal income tax

1735 | as a farmers' cooperative, an amount equal to the excess of the

1736 | gross income attributable to the pari-mutuel operations over the

1737 | attributable expenses for the taxable year.

1738 | 9. The amount taken as a credit for the taxable year under

1739 | s. 220.1895.

1740 | 10. Up to nine percent of the eligible basis of any

1741 | designated project which is equal to the credit allowable for

1742 | the taxable year under s. 220.185.

1743 | 11. The amount taken as a credit for the taxable year

1744 | under s. 220.1875. The addition in this subparagraph is intended

1745 | to ensure that the same amount is not allowed for the tax

1746 | purposes of this state as both a deduction from income and a

1747 | credit against the tax. This addition is not intended to result

1748 | in adding the same expense back to income more than once.

1749 | 12. The amount taken as a credit for the taxable year

1750 | under s. 220.192.

BILL

ORIGINAL

YEAR

1751 13. The amount taken as a credit for the taxable year
 1752 under s. 220.193.

1753 ~~14. Any portion of a qualified investment, as defined in~~
 1754 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~
 1755 ~~taken as a credit against income tax pursuant to s. 288.9916.~~

1756 14.15. The costs to acquire a tax credit pursuant to s.
 1757 288.1254(5) that are deducted from or otherwise reduce federal
 1758 taxable income for the taxable year.

1759 15.16. The amount taken as a credit for the taxable year
 1760 pursuant to s. 220.194.

1761 16.17. The amount taken as a credit for the taxable year
 1762 under s. 220.196. The addition in this subparagraph is intended
 1763 to ensure that the same amount is not allowed for the tax
 1764 purposes of this state as both a deduction from income and a
 1765 credit against the tax. The addition is not intended to result
 1766 in adding the same expense back to income more than once.

1767 Section 31. Section 220.1895, Florida Statutes, is amended
 1768 to read:

1769 220.1895 Rural Job Tax Credit ~~and Urban High-Crime Area~~
 1770 ~~Job Tax Credit.~~—There shall be allowed a credit against the tax
 1771 imposed by this chapter amounts approved by the Department of
 1772 Economic Opportunity pursuant to the Rural Job Tax Credit
 1773 Program in s. 212.098 ~~and the Urban High-Crime Area Job Tax~~
 1774 ~~Credit Program in s. 212.097.~~ A corporation that uses its credit
 1775 against the tax imposed by this chapter may not take the credit

BILL

ORIGINAL

YEAR

1776 | against the tax imposed by chapter 212. If any credit granted
 1777 | under this section is not fully used in the first year for which
 1778 | it becomes available, the unused amount may be carried forward
 1779 | for a period not to exceed 5 years. The carryover may be used in
 1780 | a subsequent year when the tax imposed by this chapter for such
 1781 | year exceeds the credit for such year under this section after
 1782 | applying the other credits and unused credit carryovers in the
 1783 | order provided in s. 220.02(8).

1784 | Section 32. Section 220.1899, Florida Statutes, is
 1785 | repealed.

1786 | Section 33. Section 220.191, Florida Statutes, is
 1787 | repealed.

1788 | Section 34. Subsection (9) of section 220.194, Florida
 1789 | Statutes, is amended to read:

1790 | 220.194 Corporate income tax credits for spaceflight
 1791 | projects.—

1792 | (9) ANNUAL REPORT.—Beginning in 2014, the Department of
 1793 | Economic Opportunity, in cooperation with Space Florida and the
 1794 | department, shall include in the annual incentives report
 1795 | required under s. 288.0065 ~~288.907~~ a summary of activities
 1796 | relating to the Florida Space Business Incentives Act
 1797 | established under this section.

1798 | Section 35. Subsection (1) and paragraph (a) of subsection
 1799 | (2) of section 220.196, Florida Statutes, are amended to read:

1800 | 220.196 Research and development tax credit.—

BILL

ORIGINAL

YEAR

1801 (1) DEFINITIONS.—As used in this section, the term:
 1802 (a) "Base amount" means the average of the business
 1803 enterprise's qualified research expenses in this state allowed
 1804 under 26 U.S.C. s. 41 for the 4 taxable years preceding the
 1805 taxable year for which the credit is determined. The qualified
 1806 research expenses taken into account in computing the base
 1807 amount shall be determined on a basis consistent with the
 1808 determination of qualified research expenses for the taxable
 1809 year.

1810 (b) "Business enterprise" means any corporation as defined
 1811 in s. 220.03 which meets the definition of a target industry
 1812 business as defined in paragraph (c) s. 288.106.

1813 (c) "Target industry business" means a corporate
 1814 headquarters business or any business that is engaged in one of
 1815 the target industries identified pursuant to the following
 1816 criteria developed by the Department of Economic Opportunity:

1817 1. Future growth.—The industry forecast indicates strong
 1818 expectation for future growth in employment and output,
 1819 according to the most recent available data. Special
 1820 consideration shall be given to businesses that export goods to,
 1821 or provide services in, international markets and businesses
 1822 that replace domestic and international imports of goods or
 1823 services.

1824 2. Stability.—The industry is not subject to periodic
 1825 layoffs, whether due to seasonality or sensitivity to volatile

BILL

ORIGINAL

YEAR

1826 economic variables such as weather. The industry is also
 1827 relatively resistant to recession, so that the demand for
 1828 products of this industry is not typically subject to decline
 1829 during an economic downturn.

1830 3. High wage.—The industry pays relatively high wages
 1831 compared to statewide or area averages.

1832 4. Market and resource independent.—The industry business
 1833 location is not dependent on markets or resources in the state
 1834 as indicated by industry analysis, except for businesses in the
 1835 renewable energy industry.

1836 5. Industrial base diversification and strengthening.—The
 1837 industry contributes toward expanding or diversifying the
 1838 state's or area's economic base, as indicated by analysis of
 1839 employment and output shares compared to national and regional
 1840 trends. Special consideration shall be given to industries that
 1841 strengthen regional economies by adding value to basic products
 1842 or building regional industrial clusters as indicated by
 1843 industry analysis. Special consideration shall also be given to
 1844 the development of strong industrial clusters that include
 1845 defense and homeland security businesses.

1846 6. Positive economic impact.—The industry has strong
 1847 positive economic impacts on or benefits to the state or
 1848 regional economies. Special consideration shall be given to
 1849 industries that facilitate the development of the state as a hub
 1850 for domestic and global trade and logistics.

BILL

ORIGINAL

YEAR

1851
 1852 The term does not include any business engaged in retail
 1853 industry activities; any electrical utility company as defined
 1854 in s. 366.02(2); any phosphate or other solid minerals
 1855 severance, mining, or processing operation; any oil or gas
 1856 exploration or production operation; or any business subject to
 1857 regulation by the Division of Hotels and Restaurants of the
 1858 Department of Business and Professional Regulation. Any business
 1859 within NAICS code 5611 or 5614, office administrative services
 1860 and business support services, respectively, may be considered a
 1861 target industry business only after the local governing body and
 1862 the Department of Economic Opportunity determine that the
 1863 community in which the business may locate has conditions
 1864 affecting the fiscal and economic viability of the local
 1865 community or area, including, but not limited to, low per capita
 1866 income, high unemployment, high underemployment, and a lack of
 1867 year-round stable employment opportunities, and such conditions
 1868 may be improved by the business locating in such community. By
 1869 January 1 of every 3rd year, beginning January 1, 2011, the
 1870 Department of Economic Opportunity, in consultation with
 1871 economic development organizations, the State University System,
 1872 local governments, employee and employer organizations, market
 1873 analysts, and economists, shall review and, as appropriate,
 1874 revise the list of target industries and submit the list to the
 1875 Governor, the President of the Senate, and the Speaker of the

BILL

ORIGINAL

YEAR

1876 | House of Representatives.

1877 | (d)~~(e)~~ "Qualified research expenses" means research
 1878 | expenses qualifying for the credit under 26 U.S.C. s. 41 for in-
 1879 | house research expenses incurred in this state or contract
 1880 | research expenses incurred in this state. The term does not
 1881 | include research conducted outside this state or research
 1882 | expenses that do not qualify for a credit under 26 U.S.C. s. 41.

1883 | (2) TAX CREDIT.—

1884 | (a) As provided in this section, a business enterprise is
 1885 | eligible for a credit against the tax imposed by this chapter if
 1886 | it:

1887 | 1. Has qualified research expenses in this state in the
 1888 | taxable year exceeding the base amount;

1889 | 2. Claims and is allowed a research credit for such
 1890 | qualified research expenses under 26 U.S.C. s. 41 for the same
 1891 | taxable year as subparagraph 1.; and

1892 | 3. Is a ~~qualified~~ target industry business as defined in
 1893 | paragraph (c) s. 288.106(2)(n). Only ~~qualified~~ target industry
 1894 | businesses in the manufacturing, life sciences, information
 1895 | technology, aviation and aerospace, homeland security and
 1896 | defense, cloud information technology, marine sciences,
 1897 | materials science, and nanotechnology industries may qualify for
 1898 | a tax credit under this section. A business applying for a
 1899 | credit pursuant to this section shall include a letter from the
 1900 | Department of Economic Opportunity certifying whether the

BILL

ORIGINAL

YEAR

1901 business meets the requirements of this subparagraph with its
 1902 application for credit. The Department of Economic Opportunity
 1903 shall provide such a letter upon receiving a request.

1904 Section 36. Subsections (2) and (3) of section 265.004,
 1905 Florida Statutes, are amended to read:

1906 265.004 Florida Tourism Hall of Fame.—

1907 (2) There is established the Florida Tourism Hall of Fame.

1908 (a) The Florida Tourism Hall of Fame is administered by
 1909 the Department of Economic Opportunity ~~Florida Tourism Industry~~
 1910 ~~Marketing Corporation~~ without appropriation of state funds.

1911 (b) The Department of Management Services shall set aside
 1912 an area on the Plaza Level of the Capitol Building and shall
 1913 consult with the Department of Economic Opportunity ~~Florida~~
 1914 ~~Tourism Industry Marketing Corporation~~ regarding the design and
 1915 theme of the area.

1916 (c) Each person who is inducted into the Florida Tourism
 1917 Hall of Fame shall have his or her name and image placed on a
 1918 plaque displayed in the designated area of the Capitol Building,
 1919 which plaque shall designate the member's discipline or
 1920 contribution and any vital information relating to the member.

1921 (3) The Department of Economic Opportunity ~~Florida Tourism~~
 1922 ~~Industry Marketing Corporation~~ shall establish selection
 1923 criteria for induction into the Florida Tourism Hall of Fame and
 1924 shall annually accept nominations.

1925 (a) In selecting its nominees for submission to the

BILL

ORIGINAL

YEAR

1926 | executive director of the department ~~board of directors of the~~
 1927 | ~~corporation,~~ the department ~~corporation~~ shall give preference to
 1928 | tourism industry leaders who were born in Florida or adopted
 1929 | Florida as their home state and who have made a significant
 1930 | contribution to the state's travel and tourism industry.

1931 | (b) The department ~~corporation~~ may establish criteria and
 1932 | set specific timeframes for the acceptance and consideration of
 1933 | nominations and may establish a formal induction ceremony to
 1934 | coincide with the annual Governor's Conference on Tourism.

1935 | (c) A person inducted into the Florida Tourism Hall of
 1936 | Fame ~~administered by the corporation~~ before July 1, 2014, shall
 1937 | remain in the Florida Tourism Hall of Fame.

1938 | Section 37. Section 272.11, Florida Statutes, is amended
 1939 | to read:

1940 | 272.11 Capitol information center.—The Department of
 1941 | Economic Opportunity ~~Enterprise Florida, Inc.,~~ shall establish,
 1942 | maintain, and operate a Capitol information center somewhere
 1943 | within the area of the Capitol Center and employ personnel or
 1944 | enter into contracts to maintain same.

1945 | Section 38. Paragraph (f) of subsection (1) of section
 1946 | 287.0947, Florida Statutes, is amended to read:

1947 | 287.0947 Florida Advisory Council on Small and Minority
 1948 | Business Development; creation; membership; duties.—

1949 | (1) The Secretary of Management Services may create the
 1950 | Florida Advisory Council on Small and Minority Business

BILL

ORIGINAL

YEAR

1951 Development with the purpose of advising and assisting the
 1952 secretary in carrying out the secretary's duties with respect to
 1953 minority businesses and economic and business development. It is
 1954 the intent of the Legislature that the membership of such
 1955 council include practitioners, laypersons, financiers, and
 1956 others with business development experience who can provide
 1957 invaluable insight and expertise for this state in the
 1958 diversification of its markets and networking of business
 1959 opportunities. The council shall initially consist of 19
 1960 persons, each of whom is or has been actively engaged in small
 1961 and minority business development, either in private industry,
 1962 in governmental service, or as a scholar of recognized
 1963 achievement in the study of such matters. Initially, the council
 1964 shall consist of members representing all regions of the state
 1965 and shall include at least one member from each group identified
 1966 within the definition of "minority person" in s. 288.703(4),
 1967 considering also gender and nationality subgroups, and shall
 1968 consist of the following:

1969 (f) A member from the Department of Economic Opportunity
 1970 ~~board of directors of Enterprise Florida, Inc.~~

1971
 1972 A candidate for appointment may be considered if eligible to be
 1973 certified as an owner of a minority business enterprise, or if
 1974 otherwise qualified under the criteria above. Vacancies may be
 1975 filled by appointment of the secretary, in the manner of the

BILL

ORIGINAL

YEAR

1976 original appointment.

1977 Section 39. Subsections (2) and (4) of section 288.0001,
 1978 Florida Statutes, are amended to read:

1979 288.0001 Economic Development Programs Evaluation.—The
 1980 Office of Economic and Demographic Research and the Office of
 1981 Program Policy Analysis and Government Accountability (OPPAGA)
 1982 shall develop and present to the Governor, the President of the
 1983 Senate, the Speaker of the House of Representatives, and the
 1984 chairs of the legislative appropriations committees the Economic
 1985 Development Programs Evaluation.

1986 (2) The Office of Economic and Demographic Research and
 1987 OPPAGA shall provide a detailed analysis of economic development
 1988 programs as provided in the following schedule:

1989 (a) By January 1, 2014, and every 3 years thereafter, an
 1990 analysis of the following:

1991 ~~1. The capital investment tax credit established under s.~~
 1992 ~~220.191.~~

1993 ~~2. The qualified target industry tax refund established~~
 1994 ~~under s. 288.106.~~

1995 ~~3. The brownfield redevelopment bonus refund established~~
 1996 ~~under s. 288.107.~~

1997 ~~4. High-impact business performance grants established~~
 1998 ~~under s. 288.108.~~

1999 ~~5. The Quick Action Closing Fund established under s.~~
 2000 ~~288.1088.~~

BILL

ORIGINAL

YEAR

2001 ~~6. The Innovation Incentive Program established under s.~~
 2002 ~~288.1089.~~

2003 1.7. Enterprise Zone Program incentives established under
 2004 ss. 212.08(5) and (14)~~(15)~~, 212.096, 220.181, and 220.182.

2005 2.8. The New Markets Development Program established under
 2006 ss. 288.991-288.9922.

2007 (b) By January 1, 2015, and every 3 years thereafter, an
 2008 analysis of ~~the following~~:

2009 1. The entertainment industry financial incentive program
 2010 established under s. 288.1254.

2011 ~~2. The entertainment industry sales tax exemption program~~
 2012 ~~established under s. 288.1258.~~

2013 ~~3. VISIT Florida and its programs established or funded~~
 2014 ~~under ss. 288.122, 288.1226, 288.12265, and 288.124.~~

2015 2.4. The Florida Sports Foundation and related programs
 2016 established under ss. ~~288.1162, 288.11621,~~ 288.1166, 288.1167,
 2017 288.1168, ~~288.1169,~~ and 288.1171.

2018 ~~(b)(e)~~ By January 1, 2016, and every 3 years thereafter,
 2019 an analysis of the following:

2020 ~~1. The qualified defense contractor and space flight~~
 2021 ~~business tax refund program established under s. 288.1045.~~

2022 1.2. The tax exemption for semiconductor, defense, or
 2023 space technology sales established under s. 212.08(5)(i)
 2024 ~~212.08(5)(j).~~

2025 2.3. The Military Base Protection Program established

BILL

ORIGINAL

YEAR

2026 | under s. 288.980.

2027 | 3.4. The Manufacturing and Spaceport Investment Incentive

2028 | Program formerly established under s. 288.1083.

2029 | ~~5. The Quick Response Training Program established under~~

2030 | ~~s. 288.047.~~

2031 | 4.6. The Incumbent Worker Training Program established

2032 | under s. 445.003.

2033 | ~~7. International trade and business development programs~~

2034 | ~~established or funded under s. 288.826.~~

2035 | (c)(d) By January 1, 2019, and every 3 years thereafter,

2036 | an analysis of the grant and entrepreneur initiative programs

2037 | established under s. 295.22(3)(d) and (e).

2038 | ~~(e) Beginning January 1, 2018, and every 3 years~~

2039 | ~~thereafter, an analysis of the Sports Development Program~~

2040 | ~~established under s. 288.11625.~~

2041 | (4) Pursuant to the schedule established in subsection

2042 | (2), OPPAGA shall evaluate each program over the previous 3

2043 | years for its effectiveness and value to the taxpayers of this

2044 | state and include recommendations on each program for

2045 | consideration by the Legislature. The analysis may include

2046 | relevant economic development reports or analyses prepared by

2047 | the department of ~~Economic Opportunity, Enterprise Florida,~~

2048 | ~~Inc.~~, or local or regional economic development organizations, +

2049 | interviews with the parties involved, + or any other relevant

2050 | data.

BILL

ORIGINAL

YEAR

2051 Section 40. Section 288.001, Florida Statutes, is
 2052 repealed.

2053 Section 41. Section 288.012, Florida Statutes, is
 2054 repealed.

2055 Section 42. Section 288.017, Florida Statutes, is
 2056 repealed.

2057 Section 43. Subsection (4) of section 288.018, Florida
 2058 Statutes, is amended to read:

2059 288.018 Regional Rural Development Grants Program.—

2060 (4) The department may expend up to \$750,000 each fiscal
 2061 year from funds appropriated to the Rural Community Development
 2062 Revolving Loan Fund for the purposes outlined in this section.
 2063 ~~The department may contract with Enterprise Florida, Inc., for~~
 2064 ~~the administration of the purposes specified in this section.~~
 2065 ~~Funds released to Enterprise Florida, Inc., for this purpose~~
 2066 ~~shall be released quarterly and shall be calculated based on the~~
 2067 ~~applications in process.~~

2068 Section 44. Section 288.046, Florida Statutes, is
 2069 repealed.

2070 Section 45. Section 288.047, Florida Statutes, is
 2071 repealed.

2072 Section 46. Subsections (1) and (4) of section 288.061,
 2073 Florida Statutes, are amended to read:

2074 288.061 Economic development incentive application
 2075 process.—

BILL

ORIGINAL

YEAR

2076 (1) Upon receiving a submitted economic development
 2077 incentive application, ~~the Division of Strategic Business~~
 2078 ~~Development of the department of Economic Opportunity and~~
 2079 ~~designated staff of Enterprise Florida, Inc.,~~ shall review the
 2080 application to ensure that the application is complete, whether
 2081 and what type of state and local permits may be necessary for
 2082 the applicant's project, whether it is possible to waive such
 2083 permits, and what state incentives and amounts of such
 2084 incentives may be available to the applicant. The department
 2085 shall recommend to the executive director to approve or
 2086 disapprove an applicant business. If review of the application
 2087 demonstrates that the application is incomplete, the executive
 2088 director shall notify the applicant business within the first 5
 2089 business days after receiving the application.

2090 (4) The department shall validate contractor performance
 2091 and report such validation in the annual incentives report
 2092 required under s. 288.0065 ~~288.907~~.

2093 Section 47. Subsection (5) of section 288.0655, Florida
 2094 Statutes, is renumbered as subsection (4), and paragraph (e) of
 2095 subsection (2) and subsections (3) and (4) of that section are
 2096 amended to read:

2097 288.0655 Rural Infrastructure Fund.—

2098 (2)

2099 (e) To enable local governments to access the resources
 2100 available pursuant to s. 403.973(17) ~~403.973(18)~~, the department

BILL

ORIGINAL

YEAR

2101 may award grants for surveys, feasibility studies, and other
 2102 activities related to the identification and preclearance review
 2103 of land which is suitable for preclearance review. Authorized
 2104 grants under this paragraph may not exceed \$75,000 each, except
 2105 in the case of a project in a rural area of opportunity, in
 2106 which case the grant may not exceed \$300,000. Any funds awarded
 2107 under this paragraph must be matched at a level of 50 percent
 2108 with local funds, except that any funds awarded for a project in
 2109 a rural area of opportunity must be matched at a level of 33
 2110 percent with local funds. If an application for funding is for a
 2111 catalyst site, as defined in s. 288.0656, the requirement for
 2112 local match may be waived pursuant to the process in s.
 2113 288.06561. In evaluating applications under this paragraph, the
 2114 department shall consider the extent to which the application
 2115 seeks to minimize administrative and consultant expenses.

2116 (3) The department, in consultation with ~~Enterprise~~
 2117 ~~Florida, Inc., the Florida Tourism Industry Marketing~~
 2118 ~~Corporation,~~ the Department of Environmental Protection, and the
 2119 Florida Fish and Wildlife Conservation Commission, as
 2120 appropriate, shall review and certify applications pursuant to
 2121 s. 288.061. The review shall include an evaluation of the
 2122 economic benefit of the projects and their long-term viability.
 2123 The department shall have final approval for any grant under
 2124 this section.

2125 ~~(4) By September 1, 2012, the department shall, in~~

BILL

ORIGINAL

YEAR

2126 ~~consultation with the organizations listed in subsection (3),~~
 2127 ~~and other organizations, reevaluate existing guidelines and~~
 2128 ~~criteria governing submission of applications for funding,~~
 2129 ~~review and evaluation of such applications, and approval of~~
 2130 ~~funding under this section. The department shall consider~~
 2131 ~~factors including, but not limited to, the project's potential~~
 2132 ~~for enhanced job creation or increased capital investment, the~~
 2133 ~~demonstration and level of local public and private commitment,~~
 2134 ~~whether the project is located in an enterprise zone, in a~~
 2135 ~~community development corporation service area, or in an urban~~
 2136 ~~high-crime area as designated under s. 212.097, the unemployment~~
 2137 ~~rate of the county in which the project would be located, and~~
 2138 ~~the poverty rate of the community.~~

2139 Section 48. Paragraph (a) of subsection (6) and paragraphs
 2140 (a) and (c) of subsection (7) of section 288.0656, Florida
 2141 Statutes, are amended to read:

2142 288.0656 Rural Economic Development Initiative.—

2143 (6) (a) By August 1 of each year, the head of each of the
 2144 following agencies and organizations shall designate a deputy
 2145 secretary or higher-level staff person from within the agency or
 2146 organization to serve as the REDI representative for the agency
 2147 or organization:

- 2148 1. The Department of Transportation.
- 2149 2. The Department of Environmental Protection.
- 2150 3. The Department of Agriculture and Consumer Services.

BILL

ORIGINAL

YEAR

- 2151 4. The Department of State.
- 2152 5. The Department of Health.
- 2153 6. The Department of Children and Families.
- 2154 7. The Department of Corrections.
- 2155 8. The Department of Education.
- 2156 9. The Department of Juvenile Justice.
- 2157 10. The Fish and Wildlife Conservation Commission.
- 2158 11. Each water management district.
- 2159 ~~12. Enterprise Florida, Inc.~~
- 2160 12.13. CareerSource Florida, Inc.
- 2161 ~~14. VISIT Florida.~~
- 2162 13.15. The Florida Regional Planning Council Association.
- 2163 14.16. The Agency for Health Care Administration.
- 2164 15.17. The Institute of Food and Agricultural Sciences
- 2165 (IFAS).

2166

2167 An alternate for each designee shall also be chosen, and the

2168 names of the designees and alternates shall be sent to the

2169 executive director of the department.

2170 (7)

2171 (a) REDI may recommend to the Governor up to three rural

2172 areas of opportunity. The Governor may by executive order

2173 designate up to three rural areas of opportunity which will

2174 establish these areas as priority assignments for REDI as well

2175 as to allow the Governor, acting through REDI, to waive

BILL

ORIGINAL

YEAR

2176 criteria, requirements, or similar provisions of any economic
 2177 development incentive. Such incentives shall include, but are
 2178 not limited to, ~~the Qualified Target Industry Tax Refund Program~~
 2179 ~~under s. 288.106, the Quick Response Training Program under s.~~
 2180 ~~288.047, the Quick Response Training Program for participants in~~
 2181 ~~the welfare transition program under s. 288.047(8),~~
 2182 ~~transportation projects under s. 339.2821, the brownfield~~
 2183 ~~redevelopment bonus refund under s. 288.107, and the rural job~~
 2184 tax credit program under ss. 212.098 and 220.1895.

2185 (c) Each rural area of opportunity may designate catalyst
 2186 projects, provided that each catalyst project is specifically
 2187 recommended by REDI, ~~identified as a catalyst project by~~
 2188 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by
 2189 the department. All state agencies and departments shall use all
 2190 available tools and resources to the extent permissible by law
 2191 to promote the creation and development of each catalyst project
 2192 and the development of catalyst sites.

2193 Section 49. Section 288.0658, Florida Statutes, is amended
 2194 to read:

2195 288.0658 Nature-based recreation; promotion and other
 2196 assistance by Fish and Wildlife Conservation Commission.—The
 2197 Florida Fish and Wildlife Conservation Commission is directed to
 2198 assist ~~Enterprise Florida, Inc.; the Florida Tourism Industry~~
 2199 ~~Marketing Corporation, doing business as VISIT Florida;~~
 2200 convention and visitor bureaus, and tourist development councils, and

BILL

ORIGINAL

YEAR

2201 economic development organizations, and local governments
 2202 through the provision of marketing advice, technical expertise,
 2203 promotional support, and product development related to nature-
 2204 based recreation and sustainable use of natural resources. In
 2205 carrying out this responsibility, the Florida Fish and Wildlife
 2206 Conservation Commission shall focus its efforts on fostering
 2207 nature-based recreation in rural communities and regions
 2208 encompassing rural communities. As used in this section, the
 2209 term "nature-based recreation" means leisure activities related
 2210 to the state's lands, waters, and fish and wildlife resources,
 2211 including, but not limited to, wildlife viewing, fishing,
 2212 hiking, canoeing, kayaking, camping, hunting, backpacking, and
 2213 nature photography.

2214 Section 50. Subsection (6) of section 288.075, Florida
 2215 Statutes, is amended to read:

2216 288.075 Confidentiality of records.—

2217 (6) ECONOMIC INCENTIVE PROGRAMS.—

2218 (a) The following information held by an economic
 2219 development agency pursuant to the administration of an economic
 2220 incentive program for qualified businesses is confidential and
 2221 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
 2222 Constitution for a period not to exceed the duration of the
 2223 incentive agreement, including an agreement authorizing a tax
 2224 refund or tax credit, or upon termination of the incentive
 2225 agreement:

BILL

ORIGINAL

YEAR

2226 1. The percentage of the business's sales occurring
 2227 outside this state and, ~~for businesses applying under s.~~
 2228 ~~288.1045, the percentage of the business's gross receipts~~
 2229 ~~derived from Department of Defense contracts during the 5 years~~
 2230 ~~immediately preceding the date the business's application is~~
 2231 ~~submitted.~~

2232 2. An individual employee's personal identifying
 2233 information that is held as evidence of the achievement or
 2234 nonachievement of the wage requirements of the tax refund, tax
 2235 credit, or incentive agreement programs or of the job creation
 2236 requirements of such programs.

2237 3. The amount of:

- 2238 a. Taxes on sales, use, and other transactions paid
- 2239 pursuant to chapter 212;
- 2240 b. Corporate income taxes paid pursuant to chapter 220;
- 2241 c. Intangible personal property taxes paid pursuant to
- 2242 chapter 199;
- 2243 d. Insurance premium taxes paid pursuant to chapter 624;
- 2244 e. Excise taxes paid on documents pursuant to chapter 201;
- 2245 f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2246 g. State communications services taxes paid pursuant to
- 2247 chapter 202.

2248
 2249 However, an economic development agency may disclose in the
 2250 annual incentives report required under s. 288.0065 ~~288.907~~ the

BILL

ORIGINAL

YEAR

2251 aggregate amount of each tax identified in this subparagraph and
 2252 paid by all businesses participating in each economic incentive
 2253 program.

2254 (b)~~1.~~ The following information held by an economic
 2255 development agency relating to a specific business participating
 2256 in an economic incentive program is no longer confidential or
 2257 exempt 180 days after a final project order for an economic
 2258 incentive agreement is issued, until a date specified in the
 2259 final project order, or if the information is otherwise
 2260 disclosed, whichever occurs first:

2261 1.a. The name of the qualified business.

2262 2.b. The total number of jobs the business committed to
 2263 create or retain.

2264 3.c. The total number of jobs created or retained by the
 2265 business.

2266 4.d. Notwithstanding s. 213.053(2), the amount of tax
 2267 refunds, tax credits, or incentives awarded to, claimed by, or,
 2268 if applicable, refunded to the state by the business.

2269 5.e. The anticipated total annual wages of employees the
 2270 business committed to hire or retain.

2271 ~~2. For a business applying for certification under s.~~
 2272 ~~288.1045 which is based on obtaining a new Department of Defense~~
 2273 ~~contract, the total number of jobs expected and the amount of~~
 2274 ~~tax refunds claimed may not be released until the new Department~~
 2275 ~~of Defense contract is awarded.~~

BILL

ORIGINAL

YEAR

2276 Section 51. Subsections (7) through (10) of section
 2277 288.076, Florida Statutes, are renumbered as subsections (6)
 2278 through (9), respectively, and paragraphs (a), (c), and (e) of
 2279 subsection (1) and present subsections (6) and (7) of that
 2280 section are amended to read:

2281 288.076 Return on investment reporting for economic
 2282 development programs.—

2283 (1) As used in this section, the term:

2284 (a) "Jobs" means full-time equivalent positions,
 2285 including, but not limited to, positions obtained from a
 2286 temporary employment agency or employee leasing company or
 2287 through a union agreement or coemployment under a professional
 2288 employer organization agreement that result directly from a
 2289 project in this state. The term does not include temporary
 2290 construction jobs involved with the construction of facilities
 2291 for the project or any jobs previously included in any
 2292 application for tax refunds ~~has the same meaning as provided in~~
 2293 ~~s. 288.106(2)(i).~~

2294 (c) "Project" means the creation of a new business or
 2295 expansion of an existing business ~~has the same meaning as~~
 2296 ~~provided in s. 288.106(2)(m).~~

2297 (e) "State investment" means any state grants, tax
 2298 exemptions, tax refunds, tax credits, or other state incentives
 2299 provided to a business under a program administered by the
 2300 department, ~~including the capital investment tax credit under s.~~

BILL

ORIGINAL

YEAR

2301 ~~220.191.~~

2302 ~~(6) Annually, the department shall publish information~~
 2303 ~~relating to the progress of Quick Action Closing Fund projects,~~
 2304 ~~including the average number of days between the date the~~
 2305 ~~department receives a completed application and the date on~~
 2306 ~~which the application is approved.~~

2307 (6) ~~(7)~~ (a) Within 48 hours after expiration of the period
 2308 of confidentiality provided under s. 288.075, the department
 2309 shall publish the contract or agreement described in s. 288.061,
 2310 redacted to protect the participant business from disclosure of
 2311 information that remains confidential or exempt by law.

2312 ~~(b) Within 48 hours after submitting any report of~~
 2313 ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~
 2314 ~~concerning a business's failure to complete a tax refund~~
 2315 ~~agreement pursuant to the tax refund program for qualified~~
 2316 ~~target industry businesses, the department shall publish such~~
 2317 ~~report.~~

2318 Section 52. Section 288.095, Florida Statutes, is amended
 2319 to read:

2320 288.095 Economic Development Trust Fund.—

2321 (1) The Economic Development Trust Fund is created within
 2322 the department ~~of Economic Opportunity~~. Moneys deposited into
 2323 the fund must be used only to support the authorized activities
 2324 and operations of the department.

2325 (2) There is created, within the Economic Development

BILL

ORIGINAL

YEAR

2326 Trust Fund, the Economic Development Incentives Account. The
 2327 Economic Development Incentives Account consists of moneys
 2328 appropriated to the account for purposes of the tax incentives
 2329 programs formerly authorized under ss. 288.1045 and 288.106, and
 2330 local financial support provided under former ss. 288.1045 and
 2331 288.106. Moneys in the Economic Development Incentives Account
 2332 shall be subject to the provisions of s. 216.301(1)(a).

2333 (3) (a) ~~The department may approve applications for~~
 2334 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~
 2335 The total state share of tax refund payments may not exceed \$35
 2336 million.

2337 (b) The total amount of tax refund claims approved for
 2338 payment by the department based on actual project performance
 2339 may not exceed the amount appropriated to the Economic
 2340 Development Incentives Account for such purposes for the fiscal
 2341 year. Claims for tax refunds under former ss. 288.1045 and
 2342 288.106 shall be paid in the order the claims are approved by
 2343 the department. In the event the Legislature does not
 2344 appropriate an amount sufficient to satisfy the tax refunds
 2345 under former ss. 288.1045 and 288.106 in a fiscal year, the
 2346 department shall pay the tax refunds from the appropriation for
 2347 the following fiscal year. By March 1 of each year, the
 2348 department shall notify the legislative appropriations
 2349 committees of the Senate and House of Representatives of any
 2350 anticipated shortfall in the amount of funds needed to satisfy

BILL

ORIGINAL

YEAR

2351 | claims for tax refunds from the appropriation for the current
 2352 | fiscal year.

2353 | (c) Moneys in the Economic Development Incentives Account
 2354 | may be used only to pay tax refunds and make other payments on
 2355 | agreements executed prior to July 1, 2017, authorized under
 2356 | former s. 288.1045, s. 288.106, or s. 288.107.

2357 | (d) The department may adopt rules necessary to carry out
 2358 | ~~the provisions of~~ this subsection, including rules providing for
 2359 | the use of moneys in the Economic Development Incentives Account
 2360 | and for the administration of the Economic Development
 2361 | Incentives Account.

2362 | Section 53. Section 288.1045, Florida Statutes, is
 2363 | repealed.

2364 | Section 54. Section 288.106, Florida Statutes, is
 2365 | repealed.

2366 | Section 55. Section 288.107, Florida Statutes, is
 2367 | repealed.

2368 | Section 56. Section 288.108, Florida Statutes, is
 2369 | repealed.

2370 | Section 57. Section 288.1081, Florida Statutes, is
 2371 | repealed.

2372 | Section 58. Section 288.1082, Florida Statutes, is
 2373 | repealed.

2374 | Section 59. Section 288.1088, Florida Statutes, is
 2375 | repealed.

BILL

ORIGINAL

YEAR

2376 Section 60. Section 288.1089, Florida Statutes, is
 2377 repealed.

2378 Section 61. Section 288.111, Florida Statutes, is amended
 2379 to read:

2380 288.111 Information concerning local manufacturing
 2381 development programs.—The department shall develop materials
 2382 that identify each local government that establishes a local
 2383 manufacturing development program under s. 163.3252. The
 2384 materials, which the department may elect to develop and
 2385 maintain in electronic format or in any other format deemed by
 2386 the department to provide public access, must be updated at
 2387 least annually. ~~Enterprise Florida, Inc., shall, and other State~~
 2388 ~~agencies may,~~ distribute the materials to prospective, new,
 2389 expanding, and relocating businesses seeking to conduct business
 2390 in this state.

2391 Section 62. Section 288.1162, Florida Statutes, is
 2392 repealed.

2393 Section 63. Section 288.11621, Florida Statutes, is
 2394 repealed.

2395 Section 64. Section 288.11625, Florida Statutes, is
 2396 repealed.

2397 Section 65. Section 288.11631, Florida Statutes, is
 2398 repealed.

2399 Section 66. Section 288.1169, Florida Statutes, is
 2400 repealed.

BILL

ORIGINAL

YEAR

2401 Section 67. Section 288.1201, Florida Statutes, is
 2402 repealed.

2403 Section 68. (1) The State Economic Enhancement and
 2404 Development Trust Fund, FLAIR number 40-2-041, within the
 2405 Department of Economic Opportunity is terminated.

2406 (2) All current balances remaining in, and all revenues
 2407 of, the trust fund shall be transferred to the General Revenue
 2408 Fund.

2409 (3) The Department of Economic Opportunity shall pay any
 2410 outstanding debts and obligations of the terminated fund as soon
 2411 as practicable, and the Chief Financial Officer shall close out
 2412 and remove the terminated fund from various state accounting
 2413 systems using generally accepted accounting principles
 2414 concerning warrants outstanding, assets, and liabilities.

2415 Section 69. Section 288.122, Florida Statutes, is
 2416 repealed.

2417 Section 70. (1) The Tourism Promotional Trust Fund, FLAIR
 2418 number 40-2-722, within the Department of Economic Opportunity
 2419 is terminated.

2420 (2) All current balances remaining in, and all revenues
 2421 of, the trust fund shall be transferred to the General Revenue
 2422 Fund.

2423 (3) The Department of Economic Opportunity shall pay any
 2424 outstanding debts and obligations of the terminated fund as soon
 2425 as practicable, and the Chief Financial Officer shall close out

BILL

ORIGINAL

YEAR

2426 and remove the terminated fund from various state accounting
 2427 systems using generally accepted accounting principles
 2428 concerning warrants outstanding, assets, and liabilities.

2429 Section 71. Section 288.1226, Florida Statutes, is
 2430 repealed.

2431 Section 72. Section 288.12265, Florida Statutes, is
 2432 amended to read:

2433 288.12265 Welcome centers.—

2434 (1) Responsibility for the welcome centers is assigned to
 2435 the Department of Transportation ~~Enterprise Florida, Inc., which~~
 2436 ~~shall contract with the Florida Tourism Industry Marketing~~
 2437 ~~Corporation to employ all welcome center staff.~~

2438 (2) The Department of Transportation ~~Enterprise Florida,~~
 2439 ~~Inc.,~~ shall administer and operate the welcome centers and
 2440 ~~.Pursuant to a contract with the Department of Transportation,~~
 2441 ~~Enterprise Florida, Inc.,~~ shall be responsible for routine
 2442 repair, replacement, or improvement and the day-to-day
 2443 management of ~~interior areas occupied by~~ the welcome centers.
 2444 ~~All other repairs, replacements, or improvements to the welcome~~
 2445 ~~centers shall be the responsibility of the Department of~~
 2446 ~~Transportation. Enterprise Florida, Inc., may contract with the~~
 2447 ~~Florida Tourism Industry Marketing Corporation for the~~
 2448 ~~management and operation of the welcome centers.~~

2449 Section 73. Section 288.124, Florida Statutes, is
 2450 repealed.

BILL

ORIGINAL

YEAR

2451 Section 74. Section 288.125, Florida Statutes, is
 2452 repealed.

2453 Section 75. Section 288.1251, Florida Statutes, is
 2454 repealed.

2455 Section 76. Section 288.1252, Florida Statutes, is
 2456 repealed.

2457 Section 77. Section 288.1253, Florida Statutes, is
 2458 repealed.

2459 Section 78. Section 288.1258, Florida Statutes, is
 2460 repealed.

2461 Section 79. Section 288.7015, Florida Statutes, is amended
 2462 to read:

2463 288.7015 Appointment of rules ombudsman; duties.—The
 2464 Governor shall appoint a rules ombudsman, as defined in s.
 2465 288.703, in the Executive Office of the Governor, for
 2466 considering the impact of agency rules on the state's citizens
 2467 and businesses. ~~In carrying out duties as provided by law, the~~
 2468 ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~
 2469 ~~point the department may recommend to improve the regulatory~~
 2470 ~~environment of this state.~~ The duties of the rules ombudsman are
 2471 to:

2472 (1) Carry out the responsibility provided in s.
 2473 120.54(3)(b), with respect to small businesses.

2474 (2) Review state agency rules that adversely or
 2475 disproportionately impact businesses, particularly those

BILL

ORIGINAL

YEAR

2476 relating to small and minority businesses.

2477 (3) Make recommendations on any existing or proposed rules
 2478 to alleviate unnecessary or disproportionate adverse effects to
 2479 businesses.

2480 (4) Each state agency shall cooperate fully with the rules
 2481 ombudsman in identifying such rules. Further, each agency shall
 2482 take the necessary steps to waive, modify, or otherwise minimize
 2483 such adverse effects of any such rules. However, nothing in this
 2484 section authorizes any state agency to waive, modify, provide
 2485 exceptions to, or otherwise alter any rule that is:

2486 (a) Expressly required to implement or enforce any
 2487 statutory provision or the express legislative intent thereof;

2488 (b) Designed to protect persons against discrimination on
 2489 the basis of race, color, national origin, religion, sex, age,
 2490 handicap, or marital status; or

2491 (c) Likely to prevent a significant risk or danger to the
 2492 public health, the public safety, or the environment of the
 2493 state.

2494 (5) The modification or waiver of any such rule pursuant
 2495 to this section must be accomplished in accordance with the
 2496 provisions of chapter 120.

2497 Section 80. Subsection (11) of section 288.706, Florida
 2498 Statutes, is amended to read:

2499 288.706 Florida Minority Business Loan Mobilization
 2500 Program.—

BILL

ORIGINAL

YEAR

2501 (11) The Department of Management Services shall
 2502 collaborate with ~~Enterprise Florida, Inc.~~, and the department to
 2503 assist in the development and enhancement of black business
 2504 enterprises.

2505 Section 81. Subsection (1) of section 288.773, Florida
 2506 Statutes, is amended to read:

2507 288.773 Florida Export Finance Corporation.—The Florida
 2508 Export Finance Corporation is hereby created as a corporation
 2509 not for profit, to be incorporated under the provisions of
 2510 chapter 617 and approved by the Department of State. The
 2511 corporation is organized on a nonstock basis. The purpose of the
 2512 corporation is to expand employment and income opportunities for
 2513 residents of this state through increased exports of goods and
 2514 services, by providing businesses domiciled in this state
 2515 information and technical assistance on export opportunities,
 2516 exporting techniques, and financial assistance through
 2517 guarantees and direct loan originations for sale in support of
 2518 export transactions. The corporation shall have the power and
 2519 authority to carry out the following functions:

2520 (1) To coordinate the efforts of the corporation with
 2521 programs and goals of the United States Export-Import Bank, the
 2522 International Trade Administration of the United States
 2523 Department of Commerce, the Foreign Credit Insurance
 2524 Association, the department ~~Enterprise Florida, Inc.~~, and other
 2525 private and public programs and organizations, domestic and

BILL

ORIGINAL

YEAR

2526 foreign, designed to provide export assistance and export-
 2527 related financing.

2528 Section 82. Paragraph (a) of subsection (1) and paragraphs
 2529 (a), (c), and (g) of subsection (3) of section 288.776, Florida
 2530 Statutes, are amended to read:

2531 288.776 Board of directors; powers and duties.—

2532 (1)(a) The corporation shall have a board of directors
 2533 consisting of 15 members representing all geographic areas of
 2534 the state. Minority and gender representation must be considered
 2535 when making appointments to the board. The board membership must
 2536 include:

2537 1. A representative of the following businesses, all of
 2538 which must be registered to do business in this state: a foreign
 2539 bank, a state bank, a federal bank, an insurance company
 2540 involved in covering trade financing risks, and a small or
 2541 medium-sized exporter.

2542 2. The following persons or their designee: the executive
 2543 director of the department ~~President of Enterprise Florida,~~
 2544 ~~Inc.~~, the Chief Financial Officer, the Secretary of State, and a
 2545 senior official of the United States Department of Commerce.

2546 (3) The board shall:

2547 (a) Prior to the expenditure of funds from the export
 2548 finance account, adopt bylaws, rules, and policies which are
 2549 necessary to carry out the responsibilities under this part,
 2550 particularly with respect to the implementation of the

BILL

ORIGINAL

YEAR

2551 corporation's programs to insure, coinsure, lend, provide loan
 2552 guarantees, and make direct, guaranteed, or collateralized loans
 2553 by the corporation to support export transactions. The
 2554 corporation's bylaws, rules, and policies shall be reviewed and
 2555 approved by the department ~~Enterprise Florida, Inc.~~, prior to
 2556 final adoption by the board.

2557 (c) Issue an annual report to the department ~~Enterprise~~
 2558 ~~Florida, Inc.~~, on the activities of the corporation, including
 2559 an evaluation of activities and recommendations for change. The
 2560 evaluation shall include the corporation's impact on the
 2561 following:

2562 1. Participation of private banks and other private
 2563 organizations and individuals in the corporation's export
 2564 financing programs.

2565 2. Access of small and medium-sized businesses in this
 2566 state to federal export financing programs.

2567 3. Export volume of the small and medium-sized businesses
 2568 in this state accessing the corporation's programs.

2569 4. Other economic and social benefits to international
 2570 programs in this state.

2571 (g) Consult with the department ~~Enterprise Florida, Inc.~~,
 2572 or any state or federal agency, to ensure that the respective
 2573 loan guarantee or working capital loan origination programs are
 2574 not duplicative and that each program makes full use of, to the
 2575 extent practicable, the resources of the other.

BILL

ORIGINAL

YEAR

2576 Section 83. Section 288.7771, Florida Statutes, is amended
 2577 to read:

2578 288.7771 Annual report of Florida Export Finance
 2579 Corporation.—The corporation shall annually prepare and submit
 2580 to the department ~~Enterprise Florida, Inc., for inclusion in its~~
 2581 ~~annual report required under s. 288.906,~~ a complete and detailed
 2582 report setting forth:

2583 (1) The report required in s. 288.776(3).

2584 (2) Its assets and liabilities at the end of its most
 2585 recent fiscal year.

2586 Section 84. Paragraph (d) and (i) of subsection (1) of
 2587 section 288.8017, Florida Statutes, are amended to read:

2588 288.8017 Awards.—

2589 (1) Triumph Gulf Coast, Inc., shall make awards from
 2590 available earnings and principal derived under s. 288.8013(2) to
 2591 projects or programs that meet the priorities for economic
 2592 recovery, diversification, and enhancement of the
 2593 disproportionately affected counties, notwithstanding s. 377.43.
 2594 Awards may be provided for:

2595 (d) Local match requirements of ss. 288.0655 and,
 2596 ~~288.0659, 288.1045, and 288.106~~ for projects in the
 2597 disproportionately affected counties;

2598 ~~(i) Grants to the tourism entity created under s. 288.1226~~
 2599 ~~for the purpose of advertising and promoting tourism, Fresh From~~
 2600 ~~Florida, or related content on behalf of one or all of the~~

BILL

ORIGINAL

YEAR

2601 ~~disproportionately affected counties.~~

2602 Section 85. Subsections (4) and (6) of section 288.816,
2603 Florida Statutes, are amended to read:

2604 288.816 Intergovernmental relations.—

2605 (4) The state protocol officer shall serve as a contact
2606 for the state with the Florida Washington Office, the Florida
2607 Congressional Delegation, and United States Government agencies
2608 with respect to laws or policies which may affect the interests
2609 of the state in the area of international relations. All
2610 inquiries received regarding international economic trade
2611 development or reverse investment opportunities shall be
2612 referred to the department ~~Enterprise Florida, Inc.~~ In addition,
2613 the state protocol officer shall serve as liaison with other
2614 states with respect to international programs of interest to
2615 Florida. The state protocol officer shall also investigate and
2616 make suggestions regarding possible areas of joint action or
2617 regional cooperation with these states.

2618 (6) The department ~~and Enterprise Florida, Inc.,~~ shall
2619 help to contribute an international perspective to the state's
2620 development efforts.

2621 Section 86. Section 288.826, Florida Statutes, is
2622 repealed.

2623 Section 87. (1) The Florida International Trade and
2624 Promotion Trust Fund, FLAIR number 40-2-338, within the
2625 Department of Economic Opportunity is terminated.

BILL

ORIGINAL

YEAR

2626 (2) All current balances remaining in, and all revenues
 2627 of, the trust fund shall be transferred to the General Revenue
 2628 Fund.

2629 (3) The Department of Economic Opportunity shall pay any
 2630 outstanding debts and obligations of the terminated trust fund
 2631 as soon as practicable, and the Chief Financial Officer shall
 2632 close out and remove the terminated trust fund from various
 2633 state accounting systems using generally accepted accounting
 2634 principles concerning warrants outstanding, assets, and
 2635 liabilities.

2636 Section 88. Section 288.901, Florida Statutes, is
 2637 repealed.

2638 Section 89. Section 288.9015, Florida Statutes, is
 2639 repealed.

2640 Section 90. Section 288.903, Florida Statutes, is
 2641 repealed.

2642 Section 91. Section 288.904, Florida Statutes, is
 2643 repealed.

2644 Section 92. Section 288.905, Florida Statutes, is
 2645 repealed.

2646 Section 93. Section 288.906, Florida Statutes, is
 2647 repealed.

2648 Section 94. Section 288.907, Florida Statutes, is
 2649 transferred, renumbered as section 288.0065, Florida Statutes,
 2650 and amended to read:

BILL

ORIGINAL

YEAR

2651 288.0065 ~~288.907~~ Annual incentives report.—By December 30
 2652 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~
 2653 department, shall provide the Governor, the President of the
 2654 Senate, and the Speaker of the House of Representatives a
 2655 detailed incentives report quantifying the economic benefits for
 2656 all of the economic development incentive programs offered by
 2657 the state ~~marketed by Enterprise Florida, Inc.~~ The annual
 2658 incentives report must include:

2659 (1) For each incentive program:

2660 (a) A brief description of the incentive program.

2661 (b) The amount of awards granted, by year, since inception
 2662 and the annual amount actually transferred from the state
 2663 treasury to businesses or for the benefit of businesses for each
 2664 of the previous 3 years.

2665 ~~(c) The actual amount of private capital invested, actual
 2666 number of jobs created, and actual wages paid for incentive
 2667 agreements completed during the previous 3 years for each target
 2668 industry sector.~~

2669 (2) For projects completed during the previous state
 2670 fiscal year:

2671 (a) The number of economic development incentive
 2672 applications received.

2673 ~~(b) The number of recommendations made to the department
 2674 by Enterprise Florida, Inc., including the number recommended
 2675 for approval and the number recommended for denial.~~

BILL

ORIGINAL

YEAR

2676 (b)~~(e)~~ The number of final decisions issued by the
 2677 department for approval and for denial.
 2678 (c)~~(d)~~ The projects for which a tax refund, tax credit, or
 2679 cash grant agreement was executed, identifying for each project:
 2680 1. The number of jobs committed to be created.
 2681 2. The amount of capital investments committed to be made.
 2682 3. The annual average wage committed to be paid.
 2683 4. The amount of state economic development incentives
 2684 committed to the project from each incentive program under the
 2685 project's terms of agreement with the Department of Economic
 2686 Opportunity.
 2687 5. The amount and type of local matching funds committed
 2688 to the project.
 2689 ~~(e) Tax refunds paid or other payments made funded out of~~
 2690 ~~the Economic Development Incentives Account for each project.~~
 2691 (d)~~(f)~~ The types of projects supported.
 2692 (3) For economic development projects that received tax
 2693 refunds, tax credits, or cash grants under the terms of an
 2694 agreement for incentives:
 2695 (a) The number of jobs actually created.
 2696 (b) The amount of capital investments actually made.
 2697 (c) The annual average wage paid.
 2698 (4) For a project receiving economic development
 2699 incentives approved by the department and receiving federal or
 2700 local incentives, a description of the federal or local

BILL

ORIGINAL

YEAR

2701 incentives, if available.

2702 (5) The number of withdrawn or terminated projects that
 2703 did not fulfill the terms of their agreements with the
 2704 department and, consequently, are not receiving incentives.

2705 ~~(6) For any agreements signed after July 1, 2010, findings~~
 2706 ~~and recommendations on the efforts of the department to~~
 2707 ~~ascertain the causes of any business's inability to complete its~~
 2708 ~~agreement made under s. 288.106.~~

2709 (6)~~(7)~~ The amount of tax refunds, tax credits, or other
 2710 payments made to projects locating or expanding in state
 2711 enterprise zones, rural communities, brownfield areas, or
 2712 distressed urban communities. The report must include a separate
 2713 analysis of the impact of such tax refunds on state enterprise
 2714 zones designated under s. 290.0065, rural communities,
 2715 brownfield areas, and distressed urban communities.

2716 ~~(8) The name of and tax refund amount for each business~~
 2717 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~
 2718 ~~during the preceding fiscal year.~~

2719 (7)~~(9)~~ An identification of the ~~target industry businesses~~
 2720 ~~and~~ high-impact businesses.

2721 (8)~~(10)~~ A description of the trends relating to business
 2722 interest in, and usage of, the various incentives, and the
 2723 number of minority-owned or woman-owned businesses receiving
 2724 incentives.

2725 (9)~~(11)~~ An identification of incentive programs not used

BILL

ORIGINAL

YEAR

2726 and recommendations for program changes or program elimination.
 2727 ~~(10)-(12)~~ Information related to the validation of
 2728 contractor performance required under s. 288.061.

2729 ~~(11)-(13) Beginning in 2014,~~ A summation of the activities
 2730 related to the Florida Space Business Incentives Act.

2731 Section 95. Section 288.911, Florida Statutes, is
 2732 repealed.

2733 Section 96. Section 288.912, Florida Statutes, is
 2734 transferred, renumbered as section 288.007, Florida Statutes,
 2735 and amended to read:

2736 288.007 ~~288.912~~ Inventory of communities seeking to
 2737 recruit businesses.—By September 30 of each year, a county or
 2738 municipality that has a population of at least 25,000 or its
 2739 local economic development organization must submit to the
 2740 department ~~Enterprise Florida, Inc.~~, a brief overview of the
 2741 strengths, services, and economic development incentives that
 2742 its community offers. The local government or its local economic
 2743 development organization also must identify any industries that
 2744 it is encouraging to locate or relocate to its area. A county or
 2745 municipality having a population of 25,000 or fewer or its local
 2746 economic development organization seeking to recruit businesses
 2747 may submit information as required in this section and may
 2748 participate in any activity or initiative resulting from the
 2749 collection, analysis, and reporting of the information to the
 2750 department ~~Enterprise Florida, Inc.~~, pursuant to this section.

BILL

ORIGINAL

YEAR

2751 Section 97. Section 288.92, Florida Statutes, is repealed.

2752 Section 98. Section 288.923, Florida Statutes, is
 2753 repealed.

2754 Section 99. Section 288.95155, Florida Statutes, is
 2755 repealed.

2756 Section 100. Section 288.9519, Florida Statutes, is
 2757 repealed.

2758 Section 101. Section 288.9520, Florida Statutes, is
 2759 amended to read:

2760 288.9520 Public records exemption.—Materials that relate
 2761 to methods of manufacture or production, potential trade
 2762 secrets, potentially patentable material, actual trade secrets,
 2763 business transactions, financial and proprietary information,
 2764 and agreements or proposals to receive funding that are
 2765 received, generated, ascertained, or discovered by the
 2766 department ~~Enterprise Florida, Inc.~~, including its affiliates or
 2767 subsidiaries and partnership participants, such as private
 2768 enterprises, educational institutions, and other organizations,
 2769 are confidential and exempt from the provisions of s. 119.07(1)
 2770 and s. 24(a), Art. I of the State Constitution, except that a
 2771 recipient of department ~~Enterprise Florida, Inc.~~, research funds
 2772 shall make available, upon request, the title and description of
 2773 the research project, the name of the researcher, and the amount
 2774 and source of funding provided for the project.

2775 Section 102. Subsection (10) of section 288.9603, Florida

BILL

ORIGINAL

YEAR

2776 Statutes, is amended to read:
 2777 288.9603 Definitions.—
 2778 ~~(10) "Partnership" means Enterprise Florida, Inc.~~
 2779 Section 103. Subsection (2) of section 288.9604, Florida
 2780 Statutes, is amended to read:
 2781 288.9604 Creation of the authority.—
 2782 (2) The Governor, subject to confirmation by the Senate,
 2783 shall appoint the board of directors of the corporation, who
 2784 shall be five in number. The terms of office for the directors
 2785 shall be for 4 years from the date of their appointment. A
 2786 vacancy occurring during a term shall be filled for the
 2787 unexpired term. A director shall be eligible for reappointment.
 2788 At least three of the directors of the corporation shall be
 2789 bankers who have been selected by the Governor ~~from a list of~~
 2790 ~~bankers who were nominated by Enterprise Florida, Inc.,~~ and one
 2791 of the directors shall be an economic development specialist.
 2792 Section 104. Paragraph (v) of subsection (2) of section
 2793 288.9605, Florida Statutes, is amended to read:
 2794 288.9605 Corporation powers.—
 2795 (2) The corporation is authorized and empowered to:
 2796 ~~(v) Enter into investment agreements with Enterprise~~
 2797 ~~Florida, Inc., concerning the issuance of bonds and other forms~~
 2798 ~~of indebtedness and capital.~~
 2799 Section 105. Section 288.9614, Florida Statutes, is
 2800 repealed.

BILL

ORIGINAL

YEAR

2801 Section 106. Section 288.9621, Florida Statutes, is
 2802 repealed.

2803 Section 107. Section 288.9622, Florida Statutes, is
 2804 repealed.

2805 Section 108. Section 288.9623, Florida Statutes, is
 2806 repealed.

2807 Section 109. Section 288.9624, Florida Statutes, is
 2808 repealed.

2809 Section 110. Section 288.9625, Florida Statutes, is
 2810 repealed.

2811 Section 111. Section 288.96255, Florida Statutes, is
 2812 repealed.

2813 Section 112. Section 288.9626, Florida Statutes, is
 2814 repealed.

2815 Section 113. Section 288.9627, Florida Statutes, is
 2816 repealed.

2817 Section 114. Paragraph (b) of subsection (1) of section
 2818 288.980, Florida Statutes, is amended to read:

2819 288.980 Military base retention; legislative intent;
 2820 grants program.—

2821 (1)

2822 ~~(b) The Florida Defense Alliance, an organization within~~
 2823 ~~Enterprise Florida, Inc., is designated as the organization to~~
 2824 ~~ensure that Florida, its resident military bases and missions,~~
 2825 ~~and its military host communities are in competitive positions~~

BILL

ORIGINAL

YEAR

2826 ~~as the United States continues its defense realignment and~~
 2827 ~~downsizing. The defense alliance shall serve as an overall~~
 2828 ~~advisory body for defense-related activity of Enterprise~~
 2829 ~~Florida, Inc. The Florida Defense Alliance may receive funding~~
 2830 ~~from appropriations made for that purpose administered by the~~
 2831 ~~department.~~

2832 Section 115. Section 288.991, Florida Statutes, is
 2833 repealed.

2834 Section 116. Section 288.9912, Florida Statutes, is
 2835 repealed.

2836 Section 117. Section 288.9913, Florida Statutes, is
 2837 repealed.

2838 Section 118. Section 288.9914, Florida Statutes, is
 2839 repealed.

2840 Section 119. Section 288.9915, Florida Statutes, is
 2841 repealed.

2842 Section 120. Section 288.9916, Florida Statutes, is
 2843 repealed.

2844 Section 121. Section 288.9917, Florida Statutes, is
 2845 repealed.

2846 Section 122. Section 288.9918, Florida Statutes, is
 2847 repealed.

2848 Section 123. Section 288.9919, Florida Statutes, is
 2849 repealed.

2850 Section 124. Section 288.9920, Florida Statutes, is

BILL

ORIGINAL

YEAR

2851 repealed.
 2852 Section 125. Section 288.9921, Florida Statutes, is
 2853 repealed.
 2854 Section 126. Section 288.9922, Florida Statutes, is
 2855 repealed.
 2856 Section 127. Subsection (4) of section 288.9932, Florida
 2857 Statutes, is amended to read:
 2858 288.9932 Definitions.—As used in this part, the term:
 2859 ~~(4) "Network" means the Florida Small Business Development~~
 2860 ~~Center Network.~~
 2861 Section 128. Paragraphs (e) and (f) of subsection (4) and
 2862 paragraph (b) of subsection (8) of section 288.9934, Florida
 2863 Statutes, are amended to read:
 2864 288.9934 Microfinance Loan Program.—
 2865 (4) CONTRACT AND AWARD OF FUNDS.—
 2866 ~~(c) Within 30 days of executing its contract with the~~
 2867 ~~department, the loan administrator must enter into a memorandum~~
 2868 ~~of understanding with the network:~~
 2869 1. ~~For the provision of business management training,~~
 2870 ~~business development training, and technical assistance to~~
 2871 ~~entrepreneurs and small businesses that receive microloans under~~
 2872 ~~this part; and~~
 2873 2. ~~To promote the program to underserved entrepreneurs and~~
 2874 ~~small businesses.~~
 2875 ~~(f) By September 1, 2014, the department shall review~~

BILL

ORIGINAL

YEAR

2876 | ~~industry best practices and determine the minimum business~~
 2877 | ~~management training, business development training, and~~
 2878 | ~~technical assistance that must be provided by the network to~~
 2879 | ~~achieve the goals of this part.~~

2880 | (8) AUDITS AND REPORTING.—

2881 | (b) The loan administrator shall submit quarterly reports
 2882 | to the department as required by s. 288.9936(2) ~~288.9936(3)~~.

2883 | Section 129. Section 288.9935, Florida Statutes, is
 2884 | repealed.

2885 | Section 130. Paragraph (p) of subsection (1) and
 2886 | subsection (2) of section 288.9936, Florida Statutes, are
 2887 | amended to read:

2888 | 288.9936 Annual report of the Microfinance Loan Program.—

2889 | (1) The department shall include in the report required by
 2890 | s. 20.60(10) a complete and detailed annual report on the
 2891 | Microfinance Loan Program. The report must include:

2892 | ~~(p) A description and evaluation of the technical~~
 2893 | ~~assistance and business management and development training~~
 2894 | ~~provided by the network pursuant to its memorandum of~~
 2895 | ~~understanding with the loan administrator.~~

2896 | ~~(2) The department shall submit the report provided to the~~
 2897 | ~~department from Enterprise Florida, Inc., pursuant to s.~~
 2898 | ~~288.9935(8) for inclusion in the department's annual report~~
 2899 | ~~required under s. 20.60(10).~~

2900 | Section 131. Section 288.9937, Florida Statutes, is

BILL

ORIGINAL

YEAR

2901 amended to read:

2902 288.9937 Evaluation of programs.—The Office of Economic
 2903 and Demographic Research shall analyze, evaluate, and determine
 2904 the economic benefits, as defined in s. 288.005, of the first 3
 2905 years of the Microfinance Loan Program ~~and the Microfinance~~
 2906 ~~Guarantee Program~~. The analysis must also evaluate the number of
 2907 jobs created, the increase or decrease in personal income, and
 2908 the impact on state gross domestic product from the direct,
 2909 indirect, and induced effects of the state's investment. The
 2910 analysis must also identify any inefficiencies in the program
 2911 ~~programs~~ and provide recommendations for changes to the program
 2912 ~~programs~~. The office shall submit a report to the President of
 2913 the Senate and the Speaker of the House of Representatives by
 2914 January 1, 2018. This section expires January 31, 2018.

2915 Section 132. Paragraph (h) of subsection (8) and paragraph
 2916 (a) of subsection (9) of section 290.0056, Florida Statutes, are
 2917 amended to read:

2918 290.0056 Enterprise zone development agency.—

2919 (8) The enterprise zone development agency shall have the
 2920 following powers and responsibilities:

2921 (h) To work with the department ~~and Enterprise Florida,~~
 2922 ~~Inc.~~, to ensure that the enterprise zone coordinator receives
 2923 training on an annual basis.

2924 (9) The following powers and responsibilities shall be
 2925 performed by the governing body creating the enterprise zone

BILL

ORIGINAL

YEAR

2926 development agency acting as the managing agent of the
 2927 enterprise zone development agency, or, contingent upon approval
 2928 by such governing body, such powers and responsibilities shall
 2929 be performed by the enterprise zone development agency:

2930 (a) To review, process, and certify applications for state
 2931 enterprise zone tax incentives pursuant to ss. 212.08(5)(f) and
 2932 (g) ~~212.08(5)(g), (h)~~, and (15); 212.096; 220.181; and 220.182.

2933 Section 133. Paragraph (b) of subsection (4) and
 2934 subsection (7) of section 290.0065, Florida Statutes, are
 2935 amended to read:

2936 290.0065 State designation of enterprise zones.—

2937 (4)

2938 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The
 2939 department shall, based on the enterprise zone profile and the
 2940 grounds for redesignation expressed in the resolution, determine
 2941 whether the enterprise zone merits redesignation. The department
 2942 may also examine and consider the following:

2943 1. Progress made, if any, in the enterprise zone's
 2944 strategic plan.

2945 2. Use of enterprise zone incentives during the life of
 2946 the enterprise zone.

2947
 2948 If the department determines that the enterprise zone merits
 2949 redesignation, the department shall notify the governing body in
 2950 writing of its approval of redesignation.

BILL

ORIGINAL

YEAR

2951 (7) Upon approval by the department of a resolution
 2952 authorizing an area to be an enterprise zone pursuant to this
 2953 section, the department shall assign a unique identifying number
 2954 to that resolution. ~~The department shall provide the Department~~
 2955 ~~of Revenue and Enterprise Florida, Inc., with a copy of each~~
 2956 ~~resolution approved, together with its identifying number.~~

2957 Section 134. Section 290.00677, Florida Statutes, is
 2958 amended to read:

2959 290.00677 Rural enterprise zones; special qualifications.—

2960 (1) Notwithstanding the enterprise zone residency
 2961 requirements set out in s. 212.096(1)(c), eligible businesses as
 2962 defined in s. 212.096(1)(a) located in rural enterprise zones as
 2963 defined in s. 290.004 may receive the basic minimum credit
 2964 provided under s. 212.096 for creating a new job and hiring a
 2965 person residing within the jurisdiction of a rural community ~~as~~
 2966 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,
 2967 including, but not limited to, those relating to the award of
 2968 enhanced credits, apply to such businesses.

2969 (2) Notwithstanding the enterprise zone residency
 2970 requirements set out in s. 220.03(1)(q), businesses as defined
 2971 in s. 220.03(1)(c) located in rural enterprise zones as defined
 2972 in s. 290.004 may receive the basic minimum credit provided
 2973 under s. 220.181 for creating a new job and hiring a person
 2974 residing within the jurisdiction of a rural community ~~as defined~~
 2975 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,

BILL

ORIGINAL

YEAR

2976 | but not limited to, those relating to the award of enhanced
 2977 | credits, apply to such businesses.

2978 | (3) As used in this section, the term "rural community"
 2979 | means:

2980 | (a) A county having a population of 75,000 or fewer.

2981 | (b) A county having a population of 125,000 or fewer that
 2982 | is contiguous to a county having a population of 75,000 or
 2983 | fewer.

2984 | (c) A municipality within a county described in paragraph
 2985 | (a) or paragraph (b).

2986 |
 2987 | For purposes of this subsection, population shall be determined
 2988 | in accordance with the most recent official estimate pursuant to
 2989 | s. 186.901.

2990 | Section 135. Subsections (4), (5), and (6) of section
 2991 | 290.007, Florida Statutes, are amended to read:

2992 | 290.007 State incentives available in enterprise zones.—
 2993 | The following incentives are provided by the state to encourage
 2994 | the revitalization of enterprise zones:

2995 | (4) The sales tax exemption for building materials used in
 2996 | the rehabilitation of real property in enterprise zones provided
 2997 | in s. 212.08(5)(f) ~~212.08(5)(g)~~.

2998 | (5) The sales tax exemption for business equipment used in
 2999 | an enterprise zone provided in s. 212.08(5)(g) ~~212.08(5)(h)~~.

3000 | (6) The sales tax exemption for electrical energy used in

BILL

ORIGINAL

YEAR

3001 an enterprise zone provided in s. 212.08(14) ~~212.08(15)~~.

3002 Section 136. Subsections (3) and (4) of section 290.053,

3003 Florida Statutes, are amended to read:

3004 290.053 Response to economic emergencies in small

3005 communities.—

3006 (3) A local government entity shall notify the Governor

3007 and, the Department of Economic Opportunity, ~~and Enterprise~~

3008 ~~Florida, Inc.,~~ when one or more of the conditions specified in

3009 subsection (2) have occurred or will occur if action is not

3010 taken to assist the local governmental entity or the affected

3011 community.

3012 (4) Upon notification that one or more of the conditions

3013 described in subsection (2) exist, the Governor or his or her

3014 designee shall contact the local governmental entity to

3015 determine what actions have been taken by the local governmental

3016 entity or the affected community to resolve the economic

3017 emergency. The Governor may waive the eligibility criteria of

3018 any program or activity administered by the Department of

3019 Economic Opportunity ~~or Enterprise Florida, Inc.,~~ to provide

3020 economic relief to the affected community by granting

3021 participation in such programs or activities. The Governor shall

3022 consult with the President of the Senate and the Speaker of the

3023 House of Representatives and shall take other action, as

3024 necessary, to resolve the economic emergency in the most

3025 expedient manner possible. All actions taken pursuant to this

BILL

ORIGINAL

YEAR

3026 | section shall be within current appropriations and shall have no
 3027 | annualized impact beyond normal growth.

3028 | Section 137. Paragraphs (a) and (b) of subsection (3) and
 3029 | paragraph (b) of subsection (8) of section 295.21, Florida
 3030 | Statutes, are amended to read:

3031 | 295.21 Florida Is For Veterans, Inc.—

3032 | (3) DUTIES.—The corporation shall÷

3033 | ~~(a) Conduct research to identify the target market and the~~
 3034 | ~~educational and employment needs of those in the target market.~~
 3035 | ~~The corporation shall contract with at least one entity pursuant~~
 3036 | ~~to the competitive bidding requirements in s. 287.057 and the~~
 3037 | ~~provisions of s. 295.187 to perform the research. Such entity~~
 3038 | ~~must have experience conducting market research on the veteran~~
 3039 | ~~demographic. The corporation shall seek input from the Florida~~
 3040 | ~~Tourism Industry Marketing Corporation on the scope, process,~~
 3041 | ~~and focus of such research.~~

3042 | ~~(b) Advise the Florida Tourism Industry Marketing~~
 3043 | ~~Corporation, pursuant to s. 295.23, on:~~

3044 | ~~1. The target market as identified in paragraph (a).~~

3045 | ~~2. Development and implementation of a marketing campaign~~
 3046 | ~~to encourage members of the target market to remain in the state~~
 3047 | ~~or to make the state their permanent residence.~~

3048 | ~~3. Methods for disseminating information to the target~~
 3049 | ~~market that relates to the interests and needs of veterans of~~
 3050 | ~~all ages and facilitates veterans' knowledge of and access to~~

BILL

ORIGINAL

YEAR

3051 ~~benefits.~~

3052 (8) ANNUAL REPORT.—The corporation shall submit an annual
 3053 progress report and work plan by December 1 to the Governor, the
 3054 President of the Senate, and the Speaker of the House of
 3055 Representatives. The report must include:

3056 (b) Status of ~~the marketing campaign, delivery systems of~~
 3057 ~~the marketing campaign,~~ and outreach to the target market.

3058 Section 138. Paragraphs (a), (d), and (e) of subsection
 3059 (3) and subsection (4) of section 295.22, Florida Statutes, are
 3060 amended to read:

3061 295.22 Veterans Employment and Training Services Program.—

3062 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall
 3063 administer the Veterans Employment and Training Services Program
 3064 and perform all of the following functions:

3065 (a) Conduct marketing and recruiting efforts directed at
 3066 veterans who reside in or who have an interest in relocating to
 3067 this state and who are seeking employment. Marketing must
 3068 include information related to how a veteran's military
 3069 experience can be valuable to a business. Such efforts may
 3070 include attending veteran job fairs and events, hosting events
 3071 for veterans or the business community, and using digital and
 3072 social media and direct mail campaigns. ~~The corporation shall~~
 3073 ~~also include such marketing as part of its main marketing~~
 3074 ~~campaign.~~

3075 (d) Create a grant program to provide funding to assist

BILL

ORIGINAL

YEAR

3076 veterans in meeting the workforce-skill needs of businesses
 3077 seeking to hire veterans, establish criteria for approval of
 3078 requests for funding, and maximize the use of funding for this
 3079 program. Grant funds may be used only in the absence of
 3080 available veteran-specific federally funded programs. Grants may
 3081 fund specialized training specific to a particular business.

3082 1. Grant funds may be allocated to any training provider
 3083 selected by the business, including a career center, a Florida
 3084 College System institution, a state university, or an in-house
 3085 training provider of the business. If grant funds are used to
 3086 provide a technical certificate, a licensure, or a degree, funds
 3087 may be allocated only upon a review that includes, but is not
 3088 limited to, documentation of accreditation and licensure.
 3089 Instruction funded through the program terminates when
 3090 participants demonstrate competence at the level specified in
 3091 the request but may not exceed 48 months. Preference shall be
 3092 given to ~~target industry businesses, as defined in s. 288.106,~~
 3093 ~~and to~~ businesses in the defense supply, cloud virtualization,
 3094 or commercial aviation manufacturing industries.

3095 2. Costs and expenditures for the grant program must be
 3096 documented and separated from those incurred by the training
 3097 provider. Costs and expenditures shall be limited to \$8,000 per
 3098 veteran trainee. Eligible costs and expenditures include:

- 3099 a. Tuition and fees.
- 3100 b. Curriculum development.

BILL

ORIGINAL

YEAR

3101 c. Books and classroom materials.
 3102 d. Rental fees for facilities at public colleges and
 3103 universities, including virtual training labs.
 3104 e. Overhead or indirect costs not to exceed 5 percent of
 3105 the grant amount.
 3106 3. Before funds are allocated for a request pursuant to
 3107 this section, the corporation shall prepare a grant agreement
 3108 between the business requesting funds, the educational
 3109 institution or training provider receiving funding through the
 3110 program, and the corporation. Such agreement must include, but
 3111 need not be limited to:
 3112 a. Identification of the personnel necessary to conduct
 3113 the instructional program, the qualifications of such personnel,
 3114 and the respective responsibilities of the parties for paying
 3115 costs associated with the employment of such personnel.
 3116 b. Identification of the match provided by the business,
 3117 including cash and in-kind contributions, equal to at least 50
 3118 percent of the total grant amount.
 3119 c. Identification of the estimated duration of the
 3120 instructional program.
 3121 d. Identification of all direct, training-related costs.
 3122 e. Identification of special program requirements that are
 3123 not otherwise addressed in the agreement.
 3124 f. Permission to access aggregate information specific to
 3125 the wages and performance of participants upon the completion of

BILL

ORIGINAL

YEAR

3126 instruction for evaluation purposes. The agreement must specify
 3127 that any evaluation published subsequent to the instruction may
 3128 not identify the employer or any individual participant.

3129 ~~4. A business may receive a grant under the Quick-Response~~
 3130 ~~Training Program created under s. 288.047 and a grant under this~~
 3131 ~~section for the same veteran trainee. If a business receives~~
 3132 ~~funds under both programs, one grant agreement may be entered~~
 3133 ~~into with CareerSource Florida, Inc., as the grant~~
 3134 ~~administrator.~~

3135 (e) Contract with one or more entities to administer an
 3136 entrepreneur initiative program for veterans in this state which
 3137 connects business leaders in the state with veterans seeking to
 3138 become entrepreneurs.

3139 1. The corporation shall award each contract in accordance
 3140 with the competitive bidding requirements in s. 287.057 to one
 3141 or more public or private universities that:

3142 a. Demonstrate the ability to implement the program and
 3143 the commitment of university resources, including financial
 3144 resources, to such programs.

3145 b. Have a military and veteran resource center.

3146 ~~e. Have a regional small business development center in~~
 3147 ~~the Florida Small Business Development Center Network.~~

3148 c.d. As determined by the corporation, have been
 3149 nationally recognized for commitment to the military and
 3150 veterans.

BILL

ORIGINAL

YEAR

3151 2. Each contract must include performance metrics,
 3152 including a focus on employment and business creation. Each
 3153 university must coordinate with any entrepreneurship center
 3154 located at the university. The university may also work with an
 3155 entity offering related programs to refer veterans or to provide
 3156 services. The entrepreneur initiative program may include
 3157 activities and assistance such as peer-to-peer learning
 3158 sessions, mentoring, technical assistance, business roundtables,
 3159 networking opportunities, support of student organizations,
 3160 speaker series, or other tools within a virtual environment.

3161 ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~
 3162 ~~Inc., shall provide information about the corporation and its~~
 3163 ~~services to prospective, new, expanding, and relocating~~
 3164 ~~businesses seeking to conduct business in this state. Enterprise~~
 3165 ~~Florida, Inc., shall, to the greatest extent possible,~~
 3166 ~~collaborate with the corporation to meet the employment needs,~~
 3167 ~~including meeting the job-creation requirements, of any business~~
 3168 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3169 Section 139. Section 295.23, Florida Statutes, is
 3170 repealed.

3171 Section 140. Paragraph (a) of subsection (6), paragraph
 3172 (b) of subsection (9), paragraph (a) of subsection (35),
 3173 subsection (60), and paragraph (b) of subsection (64) of section
 3174 320.08058, Florida Statutes, are amended to read:

3175 320.08058 Specialty license plates.—

BILL

ORIGINAL

YEAR

3176 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE
 3177 PLATES.—

3178 (a) Because the United States Olympic Committee has
 3179 selected this state to participate in a combined fundraising
 3180 program that provides for one-half of all money raised through
 3181 volunteer giving to stay in this state ~~and be administered by~~
 3182 ~~Enterprise Florida, Inc.,~~ to support amateur sports, and because
 3183 the United States Olympic Committee is a ~~and Enterprise Florida,~~
 3184 ~~Inc.,~~ are nonprofit organization ~~organizations~~ dedicated to
 3185 providing athletes with support and training and preparing
 3186 athletes of all ages and skill levels for sports competition,
 3187 and because ~~Enterprise Florida, Inc.,~~ ~~assists in the bidding for~~
 3188 ~~sports competitions that provide significant impact to the~~
 3189 ~~economy of this state,~~ and the Legislature supports the efforts
 3190 of the United States Olympic Committee ~~and Enterprise Florida,~~
 3191 ~~Inc.,~~ the Legislature establishes a Florida United States
 3192 Olympic Committee license plate for the purpose of providing a
 3193 continuous funding source to support this worthwhile effort.
 3194 Florida United States Olympic Committee license plates must
 3195 contain the official United States Olympic Committee logo and
 3196 must bear a design and colors that are approved by the
 3197 department. The word "Florida" must be centered at the top of
 3198 the plate.

3199 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

3200 (b) The license plate annual use fees are to be annually

BILL

ORIGINAL

YEAR

3201 distributed as follows:

3202 1. Fifty-five percent of the proceeds from the Florida
 3203 Professional Sports Team plate must be deposited into the
 3204 Professional Sports Development Trust Fund within the Department
 3205 of Economic Opportunity. These funds must be used
 3206 solely to attract and support major sports events in this state.
 3207 As used in this subparagraph, the term "major sports events"
 3208 means, but is not limited to, championship or all-star contests
 3209 of Major League Baseball, the National Basketball Association,
 3210 the National Football League, the National Hockey League, Major
 3211 League Soccer, the men's and women's National Collegiate
 3212 Athletic Association Final Four basketball championship, or a
 3213 horseracing or dogracing Breeders' Cup. All funds must be used
 3214 to support and promote major sporting events, and the uses must
 3215 be approved by the Department of Economic Opportunity.

3216 2. The remaining proceeds of the Florida Professional
 3217 Sports Team license plate must be allocated to the Florida
 3218 Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be
 3219 deposited into the Professional Sports Development Trust Fund
 3220 within the Department of Economic Opportunity. These funds must
 3221 be used by the Florida Sports Foundation ~~Enterprise Florida,~~
 3222 ~~Inc.,~~ to promote the economic development of the sports
 3223 industry; to distribute licensing and royalty fees to
 3224 participating professional sports teams; to promote education
 3225 programs in Florida schools that provide an awareness of the

BILL

ORIGINAL

YEAR

3226 | benefits of physical activity and nutrition standards; to
 3227 | partner with the Department of Education and the Department of
 3228 | Health to develop a program that recognizes schools whose
 3229 | students demonstrate excellent physical fitness or fitness
 3230 | improvement; to institute a grant program for communities
 3231 | bidding on minor sporting events that create an economic impact
 3232 | for the state; to distribute funds to Florida-based charities
 3233 | designated by the Florida Sports Foundation ~~Enterprise Florida,~~
 3234 | ~~Inc.~~, and the participating professional sports teams; and to
 3235 | fulfill the sports promotion responsibilities of the Department
 3236 | of Economic Opportunity.

3237 | 3. The Florida Sports Foundation ~~Enterprise Florida, Inc.~~,
 3238 | shall provide an annual financial audit in accordance with s.
 3239 | 215.981 of its financial accounts and records by an independent
 3240 | certified public accountant pursuant to the contract established
 3241 | by the Department of Economic Opportunity. The auditor shall
 3242 | submit the audit report to the Department of Economic
 3243 | Opportunity for review and approval. If the audit report is
 3244 | approved, the Department of Economic Opportunity shall certify
 3245 | the audit report to the Auditor General for review.

3246 | 4. Notwithstanding the provisions of subparagraphs 1. and
 3247 | 2., proceeds from the Professional Sports Development Trust Fund
 3248 | may also be used for operational expenses of the Florida Sports
 3249 | Foundation ~~Enterprise Florida, Inc.~~, and financial support of
 3250 | the Sunshine State Games.

BILL

ORIGINAL

YEAR

3251 (35) FLORIDA GOLF LICENSE PLATES.—

3252 (a) The Department of Highway Safety and Motor Vehicles
 3253 shall develop a Florida Golf license plate as provided in this
 3254 section. The word "Florida" must appear at the bottom of the
 3255 plate. The Dade Amateur Golf Association, following consultation
 3256 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~
 3257 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a
 3258 revised sample plate for consideration by the department.

3259 (60) FLORIDA NASCAR LICENSE PLATES.—

3260 (a) The department shall develop a Florida NASCAR license
 3261 plate as provided in this section. Florida NASCAR license plates
 3262 must bear the colors and design approved by the department. The
 3263 word "Florida" must appear at the top of the plate, and the term
 3264 "NASCAR" must appear at the bottom of the plate. The National
 3265 Association for Stock Car Auto Racing, following consultation
 3266 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may
 3267 submit a sample plate for consideration by the department.

3268 (b) The license plate annual use fees shall be distributed
 3269 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The
 3270 license plate annual use fees shall be annually allocated as
 3271 follows:

3272 1. Up to 5 percent of the proceeds from the annual use
 3273 fees may be used by the Department of Economic Opportunity
 3274 ~~Enterprise Florida, Inc.~~, for the administration of the NASCAR
 3275 license plate program.

BILL

ORIGINAL

YEAR

3276 2. The National Association for Stock Car Auto Racing
 3277 shall receive up to \$60,000 in proceeds from the annual use fees
 3278 to be used to pay startup costs, including costs incurred in
 3279 developing and issuing the plates. Thereafter, 10 percent of the
 3280 proceeds from the annual use fees shall be provided to the
 3281 association for the royalty rights for the use of its marks.

3282 3. The remaining proceeds from the annual use fees shall
 3283 be distributed to the Florida Sports Foundation ~~Enterprise~~
 3284 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~
 3285 ~~Inc.~~, will retain 15 percent to support its regional grant
 3286 program, attracting sporting events to Florida; 20 percent to
 3287 support the marketing of motorsports-related tourism in the
 3288 state; and 50 percent to be paid to the NASCAR Foundation, a s.
 3289 501(c)(3) charitable organization, to support Florida-based
 3290 charitable organizations.

3291 (c) The Florida Sports Foundation ~~Enterprise Florida,~~
 3292 ~~Inc.~~ shall provide an annual financial audit in accordance with
 3293 s. 215.981 of its financial accounts and records by an
 3294 independent certified public accountant pursuant to the contract
 3295 established by the Department of Economic Opportunity. The
 3296 auditor shall submit the audit report to the Department of
 3297 Economic Opportunity for review and approval. If the audit
 3298 report is approved, the Department of Economic Opportunity shall
 3299 certify the audit report to the Auditor General for review.

3300 (64) FLORIDA TENNIS LICENSE PLATES.—

BILL

ORIGINAL

YEAR

3301 (b) The department shall distribute the annual use fees to
 3302 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The
 3303 license plate annual use fees shall be annually allocated as
 3304 follows:

3305 1. Up to 5 percent of the proceeds from the annual use
 3306 fees may be used by the Florida Sports Foundation ~~Enterprise~~
 3307 ~~Florida, Inc.~~, to administer the license plate program.

3308 2. The United States Tennis Association Florida Section
 3309 Foundation shall receive the first \$60,000 in proceeds from the
 3310 annual use fees to reimburse it for startup costs,
 3311 administrative costs, and other costs it incurs in the
 3312 development and approval process.

3313 3. Up to 5 percent of the proceeds from the annual use
 3314 fees may be used for promoting and marketing the license plates.
 3315 The remaining proceeds shall be available for grants by the
 3316 United States Tennis Association Florida Section Foundation to
 3317 nonprofit organizations to operate youth tennis programs and
 3318 adaptive tennis programs for special populations of all ages,
 3319 and for building, renovating, and maintaining public tennis
 3320 courts.

3321 Section 141. Subsections (2), (3), (5) and (6) of section
 3322 331.3051, Florida Statutes, are amended to read:

3323 331.3051 Duties of Space Florida.—Space Florida shall:

3324 (2) Enter into agreement with the Department of Education,
 3325 the Department of Transportation, ~~Enterprise Florida, Inc.~~, and

BILL

ORIGINAL

YEAR

3326 CareerSource Florida, Inc., for the purpose of implementing this
 3327 act.

3328 (3) ~~In cooperation with Enterprise Florida, Inc.,~~ Develop
 3329 a plan to retain, expand, attract, and create aerospace industry
 3330 entities, public or private, which results in the creation of
 3331 high-value-added businesses and jobs in this state.

3332 (5) Consult with the Department of Economic Opportunity
 3333 ~~Florida Tourism Industry Marketing Corporation~~ in developing a
 3334 space tourism marketing plan. ~~Space Florida and the Florida~~
 3335 ~~Tourism Industry Marketing Corporation may enter into a mutually~~
 3336 ~~beneficial agreement that provides funding to the corporation~~
 3337 ~~for its services to implement this subsection.~~

3338 (6) ~~Develop, in cooperation with Enterprise Florida, Inc.,~~
 3339 a plan to provide financing assistance to aerospace businesses.
 3340 The plan may include the following activities:

3341 (a) Assembling, publishing, and disseminating information
 3342 concerning financing opportunities and techniques for aerospace
 3343 projects, programs, and activities; sources of public and
 3344 private aerospace financing assistance; and sources of
 3345 aerospace-related financing.

3346 (b) Organizing, hosting, and participating in seminars and
 3347 other forums designed to disseminate information and technical
 3348 assistance regarding aerospace-related financing.

3349 (c) Coordinating with programs and goals of the Department
 3350 of Defense, the National Aeronautics and Space Administration,

BILL

ORIGINAL

YEAR

3351 the Export-Import Bank of the United States, the International
 3352 Trade Administration of the United States Department of
 3353 Commerce, the Foreign Credit Insurance Association, and other
 3354 private and public programs and organizations, domestic and
 3355 foreign.

3356 (d) Establishing a network of contacts among those
 3357 domestic and foreign public and private organizations that
 3358 provide information, technical assistance, and financial support
 3359 to the aerospace industry.

3360 (e) Financing aerospace business development projects or
 3361 initiatives using funds provided by the Legislature.

3362 Section 142. Section 331.3081, Florida Statutes, is
 3363 amended to read:

3364 331.3081 Board of directors.—Space Florida shall be
 3365 governed by a 13-member independent board of directors. The
 3366 Governor, or his or her designee, shall serve as an ex officio
 3367 voting member and chair of the board. The other 12 members shall
 3368 be appointed from the private sector, 6 of whom shall be
 3369 appointed by the Governor, 3 of whom shall be appointed by the
 3370 President of the Senate, and 3 of whom shall be appointed by the
 3371 Speaker of the House of Representatives ~~that consists of the~~
 3372 ~~members appointed to the board of directors of Enterprise~~
 3373 ~~Florida, Inc., by the Governor, the President of the Senate, and~~
 3374 ~~the Speaker of the House of Representatives pursuant to s.~~
 3375 ~~288.901(5)(a)7. and the Governor, who shall serve ex officio, or~~

BILL

ORIGINAL

YEAR

3376 | ~~who may appoint a designee to serve, as the chair and a voting~~
 3377 | ~~member of the board.~~

3378 | Section 143. Paragraph (f) of subsection (1) of section
 3379 | 339.08, Florida Statutes, is amended to read:

3380 | 339.08 Use of moneys in State Transportation Trust Fund.—

3381 | (1) The department shall expend moneys in the State
 3382 | Transportation Trust Fund accruing to the department, in
 3383 | accordance with its annual budget. The use of such moneys shall
 3384 | be restricted to the following purposes:

3385 | ~~(f) To pay the cost of economic development transportation~~
 3386 | ~~projects in accordance with s. 339.2821.~~

3387 | Section 144. Section 339.2821, Florida Statutes, is
 3388 | repealed.

3389 | Section 145. Subsection (2) of section 364.0135, Florida
 3390 | Statutes, is amended to read:

3391 | 364.0135 Promotion of broadband adoption.—

3392 | (2) The Department of Management Services is authorized to
 3393 | work collaboratively with, and to receive staffing support and
 3394 | other resources from, ~~Enterprise Florida, Inc.,~~ state agencies,
 3395 | local governments, private businesses, and community
 3396 | organizations to:

3397 | (a) Monitor the adoption of broadband Internet service in
 3398 | collaboration with communications service providers, including,
 3399 | but not limited to, wireless and wireline Internet service
 3400 | providers, to develop geographical information system maps at

BILL

ORIGINAL

YEAR

3401 the census tract level that will:

3402 1. Identify geographic gaps in broadband services,

3403 including areas unserved by any broadband provider and areas

3404 served by a single broadband provider;

3405 2. Identify the download and upload transmission speeds

3406 made available to businesses and individuals in the state, at

3407 the census tract level of detail, using data rate benchmarks for

3408 broadband service used by the Federal Communications Commission

3409 to reflect different speed tiers; and

3410 3. Provide a baseline assessment of statewide broadband

3411 deployment in terms of percentage of households with broadband

3412 availability.

3413 (b) Create a strategic plan that has goals and strategies

3414 for increasing the use of broadband Internet service in the

3415 state.

3416 (c) Build and facilitate local technology planning teams

3417 or partnerships with members representing cross-sections of the

3418 community, which may include, but are not limited to,

3419 representatives from the following organizations and industries:

3420 libraries, K-12 education, colleges and universities, local

3421 health care providers, private businesses, community

3422 organizations, economic development organizations, local

3423 governments, tourism, parks and recreation, and agriculture.

3424 (d) Encourage the use of broadband Internet service,

3425 especially in the rural, unserved, and underserved communities

BILL

ORIGINAL

YEAR

3426 of the state through grant programs having effective strategies
 3427 to facilitate the statewide deployment of broadband Internet
 3428 service. For any grants to be awarded, priority must be given to
 3429 projects that:

3430 1. Provide access to broadband education, awareness,
 3431 training, access, equipment, and support to libraries, schools,
 3432 colleges and universities, health care providers, and community
 3433 support organizations.

3434 2. Encourage the sustainable adoption of broadband in
 3435 primarily unserved areas by removing barriers to entry.

3436 3. Work toward encouraging investments in establishing
 3437 affordable and sustainable broadband Internet service in
 3438 unserved areas of the state.

3439 4. Facilitate the development of applications, programs,
 3440 and services, including, but not limited to, telework,
 3441 telemedicine, and e-learning to increase the usage of, and
 3442 demand for, broadband Internet service in the state.

3443 Section 146. Paragraph (d) of subsection (1) of section
 3444 376.82, Florida Statutes, is amended to read:

3445 376.82 Eligibility criteria and liability protection.—

3446 (1) ELIGIBILITY.—Any person who has not caused or
 3447 contributed to the contamination of a brownfield site on or
 3448 after July 1, 1997, is eligible to participate in the brownfield
 3449 program established in ss. 376.77-376.85, subject to the
 3450 following:

BILL

ORIGINAL

YEAR

3451 (d) After July 1, 1997, petroleum and drycleaning
 3452 contamination sites shall not receive both restoration funding
 3453 assistance available for the discharge under this chapter ~~and~~
 3454 ~~any state assistance available under s. 288.107.~~ Nothing in this
 3455 act shall affect the cleanup criteria, priority ranking, and
 3456 other rights and obligations inherent in petroleum contamination
 3457 and drycleaning contamination site rehabilitation under ss.
 3458 376.30-376.317, or the availability of economic incentives
 3459 otherwise provided for by law.

3460 Section 147. Paragraph (h) of subsection (2) of section
 3461 377.703, Florida Statutes, is amended to read:

3462 377.703 Additional functions of the Department of
 3463 Agriculture and Consumer Services.—

3464 (2) DUTIES.—The department shall perform the following
 3465 functions, unless as otherwise provided, consistent with the
 3466 development of a state energy policy:

3467 (h) The department shall promote the development and use
 3468 of renewable energy resources, in conformance with chapter 187
 3469 and s. 377.601, by:

3470 1. Establishing goals and strategies for increasing the
 3471 use of renewable energy in this state.

3472 2. Aiding and promoting the commercialization of renewable
 3473 energy resources, in cooperation with the Florida Energy Systems
 3474 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~
 3475 ~~Inc.,~~ and any other federal, state, or local governmental agency

BILL

ORIGINAL

YEAR

3476 that may seek to promote research, development, and the
 3477 demonstration of renewable energy equipment and technology.

3478 3. Identifying barriers to greater use of renewable energy
 3479 resources in this state, and developing specific recommendations
 3480 for overcoming identified barriers, with findings and
 3481 recommendations to be submitted annually in the report to the
 3482 Governor and Legislature required under paragraph (f).

3483 4. In cooperation with the Department of Environmental
 3484 Protection, the Department of Transportation, the Department of
 3485 Economic Opportunity, ~~Enterprise Florida, Inc.~~, the Florida
 3486 Energy Systems Consortium, the Florida Solar Energy Center, and
 3487 the Florida Solar Energy Industries Association, investigating
 3488 opportunities, pursuant to the national Energy Policy Act of
 3489 1992, the Housing and Community Development Act of 1992, and any
 3490 subsequent federal legislation, for renewable energy resources,
 3491 electric vehicles, and other renewable energy manufacturing,
 3492 distribution, installation, and financing efforts that enhance
 3493 this state's position as the leader in renewable energy
 3494 research, development, and use.

3495 5. Undertaking other initiatives to advance the
 3496 development and use of renewable energy resources in this state.

3497
 3498 In the exercise of its responsibilities under this paragraph,
 3499 the department shall seek the assistance of the renewable energy
 3500 industry in this state and other interested parties and may

BILL

ORIGINAL

YEAR

3501 enter into contracts, retain professional consulting services,
 3502 and expend funds appropriated by the Legislature for such
 3503 purposes.

3504 Section 148. Subsection (5) of section 377.804, Florida
 3505 Statutes, is amended to read:

3506 377.804 Renewable Energy and Energy-Efficient Technologies
 3507 Grants Program.—

3508 (5) The department shall solicit the expertise of state
 3509 agencies, ~~Enterprise Florida, Inc.,~~ and state universities, and
 3510 may solicit the expertise of other public and private entities
 3511 it deems appropriate, in evaluating project proposals. State
 3512 agencies shall cooperate with the department and provide such
 3513 assistance as requested.

3514 Section 149. Paragraph (a) of subsection (4) of section
 3515 377.809, Florida Statutes, is amended to read:

3516 377.809 Energy Economic Zone Pilot Program.—

3517 (4) (a) Beginning July 1, 2012, all the incentives and
 3518 benefits provided for enterprise zones pursuant to state law
 3519 shall be available to the energy economic zones designated
 3520 pursuant to this section on or before July 1, 2010. In order to
 3521 provide incentives, by March 1, 2012, each local governing body
 3522 that has jurisdiction over an energy economic zone must, by
 3523 local ordinance, establish the boundary of the energy economic
 3524 zone, specify applicable energy-efficiency standards, and
 3525 determine eligibility criteria for the application of state and

BILL

ORIGINAL

YEAR

3526 local incentives and benefits in the energy economic zone.
 3527 ~~However, in order to receive benefits provided under s. 288.106,~~
 3528 ~~a business must be a qualified target industry business under s.~~
 3529 ~~288.106 for state purposes.~~ An energy economic zone's boundary
 3530 may be revised by local ordinance. Such incentives and benefits
 3531 include those in ss. ~~212.08,~~ 212.096, 220.181, 220.182, 220.183,
 3532 ~~288.106,~~ and 624.5105 and the public utility discounts provided
 3533 in s. 290.007(8). ~~The exemption provided in s. 212.08(5)(c)~~
 3534 ~~shall be for renewable energy as defined in s. 377.803.~~ For
 3535 purposes of this section, any applicable requirements for
 3536 employee residency for higher refund or credit thresholds must
 3537 be based on employee residency in the energy economic zone or an
 3538 enterprise zone. A business in an energy economic zone may also
 3539 be eligible for funding under s. ss. 288.047 and 445.003, and a
 3540 ~~transportation project in an energy economic zone shall be~~
 3541 ~~provided priority in funding under s. 339.2821.~~ Other projects
 3542 shall be given priority ranking to the extent practicable for
 3543 grants administered under state energy programs.

3544 Section 150. Subsection (24) of section 380.06, Florida
 3545 Statutes, is amended to read:

3546 380.06 Developments of regional impact.—

3547 (24) STATUTORY EXEMPTIONS.—

3548 (a) Any proposed hospital is exempt from this section.

3549 (b) Any proposed electrical transmission line or
 3550 electrical power plant is exempt from this section.

BILL

ORIGINAL

YEAR

3551 (c) Any proposed addition to an existing sports facility
 3552 complex is exempt from this section if the addition meets the
 3553 following characteristics:

3554 1. It would not operate concurrently with the scheduled
 3555 hours of operation of the existing facility.

3556 2. Its seating capacity would be no more than 75 percent
 3557 of the capacity of the existing facility.

3558 3. The sports facility complex property is owned by a
 3559 public body before July 1, 1983.

3560

3561 This exemption does not apply to any pari-mutuel facility.

3562 (d) Any proposed addition or cumulative additions
 3563 subsequent to July 1, 1988, to an existing sports facility
 3564 complex owned by a state university is exempt if the increased
 3565 seating capacity of the complex is no more than 30 percent of
 3566 the capacity of the existing facility.

3567 (e) Any addition of permanent seats or parking spaces for
 3568 an existing sports facility located on property owned by a
 3569 public body before July 1, 1973, is exempt from this section if
 3570 future additions do not expand existing permanent seating or
 3571 parking capacity more than 15 percent annually in excess of the
 3572 prior year's capacity.

3573 (f) Any increase in the seating capacity of an existing
 3574 sports facility having a permanent seating capacity of at least
 3575 50,000 spectators is exempt from this section, provided that

BILL

ORIGINAL

YEAR

3576 such an increase does not increase permanent seating capacity by
 3577 more than 5 percent per year and not to exceed a total of 10
 3578 percent in any 5-year period, and provided that the sports
 3579 facility notifies the appropriate local government within which
 3580 the facility is located of the increase at least 6 months before
 3581 the initial use of the increased seating, in order to permit the
 3582 appropriate local government to develop a traffic management
 3583 plan for the traffic generated by the increase. Any traffic
 3584 management plan shall be consistent with the local comprehensive
 3585 plan, the regional policy plan, and the state comprehensive
 3586 plan.

3587 (g) Any expansion in the permanent seating capacity or
 3588 additional improved parking facilities of an existing sports
 3589 facility is exempt from this section, if the following
 3590 conditions exist:

3591 1.a. The sports facility had a permanent seating capacity
 3592 on January 1, 1991, of at least 41,000 spectator seats;

3593 b. The sum of such expansions in permanent seating
 3594 capacity does not exceed a total of 10 percent in any 5-year
 3595 period and does not exceed a cumulative total of 20 percent for
 3596 any such expansions; or

3597 c. The increase in additional improved parking facilities
 3598 is a one-time addition and does not exceed 3,500 parking spaces
 3599 serving the sports facility; and

3600 2. The local government having jurisdiction of the sports

BILL

ORIGINAL

YEAR

3601 facility includes in the development order or development permit
 3602 approving such expansion under this paragraph a finding of fact
 3603 that the proposed expansion is consistent with the
 3604 transportation, water, sewer and stormwater drainage provisions
 3605 of the approved local comprehensive plan and local land
 3606 development regulations relating to those provisions.

3607
 3608 Any owner or developer who intends to rely on this statutory
 3609 exemption shall provide to the department a copy of the local
 3610 government application for a development permit. Within 45 days
 3611 after receipt of the application, the department shall render to
 3612 the local government an advisory and nonbinding opinion, in
 3613 writing, stating whether, in the department's opinion, the
 3614 prescribed conditions exist for an exemption under this
 3615 paragraph. The local government shall render the development
 3616 order approving each such expansion to the department. The
 3617 owner, developer, or department may appeal the local government
 3618 development order pursuant to s. 380.07, within 45 days after
 3619 the order is rendered. The scope of review shall be limited to
 3620 the determination of whether the conditions prescribed in this
 3621 paragraph exist. If any sports facility expansion undergoes
 3622 development-of-regional-impact review, all previous expansions
 3623 which were exempt under this paragraph shall be included in the
 3624 development-of-regional-impact review.

3625 (h) Expansion to port harbors, spoil disposal sites,

BILL

ORIGINAL

YEAR

3626 navigation channels, turning basins, harbor berths, and other
 3627 related inwater harbor facilities of ports listed in s.
 3628 403.021(9)(b), port transportation facilities and projects
 3629 listed in s. 311.07(3)(b), and intermodal transportation
 3630 facilities identified pursuant to s. 311.09(3) are exempt from
 3631 this section when such expansions, projects, or facilities are
 3632 consistent with comprehensive master plans that are in
 3633 compliance with s. 163.3178.

3634 (i) Any proposed facility for the storage of any petroleum
 3635 product or any expansion of an existing facility is exempt from
 3636 this section.

3637 (j) Any renovation or redevelopment within the same land
 3638 parcel which does not change land use or increase density or
 3639 intensity of use.

3640 (k) Waterport and marina development, including dry
 3641 storage facilities, are exempt from this section.

3642 (l) Any proposed development within an urban service
 3643 boundary established under s. 163.3177(14), Florida Statutes
 3644 (2010), which is not otherwise exempt pursuant to subsection
 3645 (29), is exempt from this section if the local government having
 3646 jurisdiction over the area where the development is proposed has
 3647 adopted the urban service boundary and has entered into a
 3648 binding agreement with jurisdictions that would be impacted and
 3649 with the Department of Transportation regarding the mitigation
 3650 of impacts on state and regional transportation facilities.

BILL

ORIGINAL

YEAR

3651 (m) Any proposed development within a rural land
 3652 stewardship area created under s. 163.3248.

3653 (n) The establishment, relocation, or expansion of any
 3654 military installation as defined in s. 163.3175, is exempt from
 3655 this section.

3656 (o) Any self-storage warehousing that does not allow
 3657 retail or other services is exempt from this section.

3658 (p) Any proposed nursing home or assisted living facility
 3659 is exempt from this section.

3660 (q) Any development identified in an airport master plan
 3661 and adopted into the comprehensive plan pursuant to s.
 3662 163.3177(6)(b)4. is exempt from this section.

3663 (r) Any development identified in a campus master plan and
 3664 adopted pursuant to s. 1013.30 is exempt from this section.

3665 (s) Any development in a detailed specific area plan which
 3666 is prepared and adopted pursuant to s. 163.3245 is exempt from
 3667 this section.

3668 (t) Any proposed solid mineral mine and any proposed
 3669 addition to, expansion of, or change to an existing solid
 3670 mineral mine is exempt from this section. A mine owner will
 3671 enter into a binding agreement with the Department of
 3672 Transportation to mitigate impacts to strategic intermodal
 3673 system facilities pursuant to the transportation thresholds in
 3674 subsection (19) or rule 9J-2.045(6), Florida Administrative
 3675 Code. Proposed changes to any previously approved solid mineral

BILL

ORIGINAL

YEAR

3676 | mine development-of-regional-impact development orders having
 3677 | vested rights are is not subject to further review or approval
 3678 | as a development-of-regional-impact or notice-of-proposed-change
 3679 | review or approval pursuant to subsection (19), except for those
 3680 | applications pending as of July 1, 2011, which shall be governed
 3681 | by s. 380.115(2). Notwithstanding the foregoing, however,
 3682 | pursuant to s. 380.115(1), previously approved solid mineral
 3683 | mine development-of-regional-impact development orders shall
 3684 | continue to enjoy vested rights and continue to be effective
 3685 | unless rescinded by the developer. All local government
 3686 | regulations of proposed solid mineral mines shall be applicable
 3687 | to any new solid mineral mine or to any proposed addition to,
 3688 | expansion of, or change to an existing solid mineral mine.

3689 | (u) Notwithstanding any provisions in an agreement with or
 3690 | among a local government, regional agency, or the state land
 3691 | planning agency or in a local government's comprehensive plan to
 3692 | the contrary, a project no longer subject to development-of-
 3693 | regional-impact review under revised thresholds is not required
 3694 | to undergo such review.

3695 | (v) Any development within a county with a research and
 3696 | education authority created by special act and that is also
 3697 | within a research and development park that is operated or
 3698 | managed by a research and development authority pursuant to part
 3699 | V of chapter 159 is exempt from this section.

3700 | (w) Any development in an energy economic zone designated

BILL

ORIGINAL

YEAR

3701 pursuant to s. 377.809 is exempt from this section upon approval
 3702 by its local governing body.

3703 ~~(x) Any proposed development that is located in a local~~
 3704 ~~government jurisdiction that does not qualify for an exemption~~
 3705 ~~based on the population and density criteria in paragraph~~
 3706 ~~(29) (a), that is approved as a comprehensive plan amendment~~
 3707 ~~adopted pursuant to s. 163.3184(4), and that is the subject of~~
 3708 ~~an agreement pursuant to s. 288.106(5) is exempt from this~~
 3709 ~~section. This exemption shall only be effective upon a written~~
 3710 ~~agreement executed by the applicant, the local government, and~~
 3711 ~~the state land planning agency. The state land planning agency~~
 3712 ~~shall only be a party to the agreement upon a determination that~~
 3713 ~~the development is the subject of an agreement pursuant to s.~~
 3714 ~~288.106(5) and that the local government has the capacity to~~
 3715 ~~adequately assess the impacts of the proposed development. The~~
 3716 ~~local government shall only be a party to the agreement upon~~
 3717 ~~approval by the governing body of the local government and upon~~
 3718 ~~providing at least 21 days' notice to adjacent local governments~~
 3719 ~~that includes, at a minimum, information regarding the location,~~
 3720 ~~density and intensity of use, and timing of the proposed~~
 3721 ~~development. This exemption does not apply to areas within the~~
 3722 ~~boundary of any area of critical state concern designated~~
 3723 ~~pursuant to s. 380.05, within the boundary of the Wekiva Study~~
 3724 ~~Area as described in s. 369.316, or within 2 miles of the~~
 3725 ~~boundary of the Everglades Protection Area as defined in s.~~

BILL

ORIGINAL

YEAR

3726 | ~~373.4592(2).~~

3727

3728 | If a use is exempt from review as a development of regional
 3729 | impact under paragraphs (a)-(u), but will be part of a larger
 3730 | project that is subject to review as a development of regional
 3731 | impact, the impact of the exempt use must be included in the
 3732 | review of the larger project, ~~unless such exempt use involves a~~
 3733 | ~~development of regional impact that includes a landowner,~~
 3734 | ~~tenant, or user that has entered into a funding agreement with~~
 3735 | ~~the Department of Economic Opportunity under the Innovation~~
 3736 | ~~Incentive Program and the agreement contemplates a state award~~
 3737 | ~~of at least \$50 million.~~

3738 | Section 151. Subsections (1) and (5) of section 380.0657,
 3739 | Florida Statutes, are amended to read:

3740 | 380.0657 Expedited permitting process for economic
 3741 | development projects.—

3742 | (1) The Department of Environmental Protection and, as
 3743 | appropriate, the water management districts created under
 3744 | chapter 373 shall adopt programs to expedite the processing of
 3745 | wetland resource and environmental resource permits for ~~economic~~
 3746 | ~~development projects that have been identified by a municipality~~
 3747 | ~~or county as meeting the definition of target industry~~
 3748 | ~~businesses under s. 288.106, or any intermodal logistics center~~
 3749 | receiving or sending cargo to or from Florida ports, with the
 3750 | exception of those projects requiring approval by the Board of

BILL

ORIGINAL

YEAR

3751 Trustees of the Internal Improvement Trust Fund.

3752 (5) Notwithstanding the provisions of this section, permit

3753 applications for projects to be located in a charter county that

3754 has a population of 1.2 million or more and has entered into a

3755 delegation agreement with the Department of Environmental

3756 Protection or the applicable water management district to

3757 process environmental resource permits, wetland resource

3758 management permits, or surface water management permits pursuant

3759 to chapter 373 are eligible for expedited permitting under this

3760 section only upon designation by resolution of the charter

3761 county's governing board. ~~Before the governing board decides~~

3762 ~~that a project is eligible for expedited permitting, it may~~

3763 ~~require the county's economic development agency, or such other~~

3764 ~~agency that provides advice to the governing board on economic~~

3765 ~~matters, to review and recommend whether the project meets the~~

3766 ~~definition of a target industry business as defined in s.~~

3767 ~~288.106 and to identify the tangible benefits and impacts of the~~

3768 ~~project.~~ The governing board's decision shall be made without

3769 consideration of the project's geographic location within the

3770 charter county. ~~If the governing board designates the project as~~

3771 ~~a target industry business, the permit application for the~~

3772 ~~project shall be approved or denied within the timeframe~~

3773 ~~provided in subsection (4).~~

3774 Section 152. Paragraph (b) of subsection (3) of section

3775 403.42, Florida Statutes, is amended to read:

BILL

ORIGINAL

YEAR

3776 403.42 Florida Clean Fuel Act.—
 3777 (3) CLEAN FUEL FLORIDA ADVISORY BOARD ESTABLISHED;
 3778 MEMBERSHIP; DUTIES AND RESPONSIBILITIES.—
 3779 (b)1. The advisory board shall consist of the Executive
 3780 Director of the Department of Economic Opportunity, the
 3781 Secretary of Environmental Protection, or a designee from that
 3782 department, the Commissioner of Education, or a designee from
 3783 that department, the Secretary of Transportation, or a designee
 3784 from that department, the Commissioner of Agriculture, or a
 3785 designee from that department, the Secretary of Management
 3786 Services, or a designee from that department, and a
 3787 representative of each of the following, who shall be appointed
 3788 by the Secretary of Environmental Protection:
 3789 a. The Florida biodiesel industry.
 3790 b. The Florida electric utility industry.
 3791 c. The Florida natural gas industry.
 3792 d. The Florida propane gas industry.
 3793 e. An automobile manufacturers' association.
 3794 f. A Florida Clean Cities Coalition designated by the
 3795 United States Department of Energy.
 3796 ~~g. Enterprise Florida, Inc.~~
 3797 g.h. EV Ready Broward.
 3798 ~~h.i.~~ The Florida petroleum industry.
 3799 ~~i.j.~~ The Florida League of Cities.
 3800 j.k. The Florida Association of Counties.

BILL

ORIGINAL

YEAR

3801 | k.~~1.~~ Floridians for Better Transportation.
 3802 | l.~~m.~~ A motor vehicle manufacturer.
 3803 | m.~~n.~~ Florida Local Environment Resource Agencies.
 3804 | n.~~o.~~ Project for an Energy Efficient Florida.
 3805 | o.~~p.~~ Florida Transportation Builders Association.
 3806 | 2. The purpose of the advisory board is to serve as a
 3807 | resource for the department and to provide the Governor, the
 3808 | Legislature, and the Secretary of Environmental Protection with
 3809 | private sector and other public agency perspectives on achieving
 3810 | the goal of increasing the use of alternative fuel vehicles in
 3811 | this state.
 3812 | 3. Members shall be appointed to serve terms of 1 year
 3813 | each, with reappointment at the discretion of the Secretary of
 3814 | Environmental Protection. Vacancies shall be filled for the
 3815 | remainder of the unexpired term in the same manner as the
 3816 | original appointment.
 3817 | 4. The board shall annually select a chairperson.
 3818 | 5.a. The board shall meet at least once each quarter or
 3819 | more often at the call of the chairperson or the Secretary of
 3820 | Environmental Protection.
 3821 | b. Meetings are exempt from the notice requirements of
 3822 | chapter 120, and sufficient notice shall be given to afford
 3823 | interested persons reasonable notice under the circumstances.
 3824 | 6. Members of the board are entitled to travel expenses
 3825 | while engaged in the performance of board duties.

BILL

ORIGINAL

YEAR

3826 7. The board shall terminate 5 years after the effective
 3827 date of this act.

3828 Section 153. Subsection (5) of section 403.7032, Florida
 3829 Statutes, is amended to read:

3830 403.7032 Recycling.—

3831 (5) The Department of Environmental Protection shall
 3832 create the Recycling Business Assistance Center by December 1,
 3833 2010. In carrying out its duties under this subsection, the
 3834 department shall consult with state agency personnel appointed
 3835 to serve as economic development liaisons under s. 288.021 ~~and~~
 3836 ~~seek technical assistance from Enterprise Florida, Inc.,~~ to
 3837 ensure the Recycling Business Assistance Center is positioned to
 3838 succeed. The purpose of the center shall be to serve as the
 3839 mechanism for coordination among state agencies and the private
 3840 sector in order to coordinate policy and overall strategic
 3841 planning for developing new markets and expanding and enhancing
 3842 existing markets for recyclable materials in this state, other
 3843 states, and foreign countries. The duties of the center must
 3844 include, at a minimum:

3845 (a) Identifying and developing new markets and expanding
 3846 and enhancing existing markets for recyclable materials.

3847 (b) Pursuing expanded end uses for recycled materials.

3848 (c) Targeting materials for concentrated market
 3849 development efforts.

3850 (d) Developing proposals for new incentives for market

BILL

ORIGINAL

YEAR

3851 development, particularly focusing on targeted materials.
 3852 (e) Providing guidance on issues such as permitting,
 3853 finance options for recycling market development, site location,
 3854 research and development, grant program criteria for recycled
 3855 materials markets, recycling markets education and information,
 3856 and minimum content.
 3857 (f) Coordinating the efforts of various governmental
 3858 entities having market development responsibilities in order to
 3859 optimize supply and demand for recyclable materials.
 3860 (g) Evaluating source-reduced products as they relate to
 3861 state procurement policy. The evaluation shall include, but is
 3862 not limited to, the environmental and economic impact of source-
 3863 reduced product purchases to the state. For the purposes of this
 3864 paragraph, the term "source-reduced" means any method, process,
 3865 product, or technology that significantly or substantially
 3866 reduces the volume or weight of a product while providing, at a
 3867 minimum, equivalent or generally similar performance and service
 3868 to and for the users of such materials.
 3869 (h) Providing evaluation of solid waste management grants,
 3870 pursuant to s. 403.7095, to reduce the flow of solid waste to
 3871 disposal facilities and encourage the sustainable recovery of
 3872 materials from Florida's waste stream.
 3873 (i) Providing below-market financing for companies that
 3874 manufacture products from recycled materials or convert
 3875 recyclable materials into raw materials for use in manufacturing

BILL

ORIGINAL

YEAR

3876 | pursuant to the Florida Recycling Loan Program as administered
 3877 | by the Florida First Capital Finance Corporation.

3878 | (j) Maintaining a continuously updated online directory
 3879 | listing the public and private entities that collect, transport,
 3880 | broker, process, or remanufacture recyclable materials in the
 3881 | state.

3882 | (k) Providing information on the availability and benefits
 3883 | of using recycled materials to private entities and industries
 3884 | in the state.

3885 | (l) Distributing any materials prepared in implementing
 3886 | this subsection to the public, private entities, industries,
 3887 | governmental entities, or other organizations upon request.

3888 | (m) Coordinating with the Department of Economic
 3889 | Opportunity and its partners to provide job placement and job
 3890 | training services to job seekers through the state's workforce
 3891 | services programs.

3892 | Section 154. Subsections (16) through (19) of section
 3893 | 403.973, Florida Statutes, are renumbered as subsections (15)
 3894 | through (18), respectively, and present subsections (15) and
 3895 | (17) of that section are amended to read:

3896 | 403.973 Expedited permitting; amendments to comprehensive
 3897 | plans.—

3898 | ~~(15) The Department of Economic Opportunity, working with~~
 3899 | ~~the agencies providing cooperative assistance and input~~
 3900 | ~~regarding the memoranda of agreement, shall review sites~~

BILL

ORIGINAL

YEAR

3901 ~~proposed for the location of facilities that the Department of~~
 3902 ~~Economic Opportunity has certified to be eligible for the~~
 3903 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~
 3904 ~~after the request for the review by the Department of Economic~~
 3905 ~~Opportunity, the agencies shall provide to the Department of~~
 3906 ~~Economic Opportunity a statement as to each site's necessary~~
 3907 ~~permits under local, state, and federal law and an~~
 3908 ~~identification of significant permitting issues, which if~~
 3909 ~~unresolved, may result in the denial of an agency permit or~~
 3910 ~~approval or any significant delay caused by the permitting~~
 3911 ~~process.~~

3912 (16)~~(17)~~ The Department of Economic Opportunity shall be
 3913 responsible for certifying a business as eligible for undergoing
 3914 expedited review under this section. ~~Enterprise Florida, Inc.,~~ A
 3915 county or municipal government, or the Rural Economic
 3916 Development Initiative may recommend to the Department of
 3917 Economic Opportunity that a project meeting the minimum job
 3918 creation threshold undergo expedited review.

3919 Section 155. Paragraph (b) of subsection (8) of section
 3920 413.801, Florida Statutes, is amended to read:

3921 413.801 Florida Unique Abilities Partner Program.—

3922 (8) INTERAGENCY COLLABORATION.—

3923 ~~(b) On a quarterly basis, the department shall provide the~~
 3924 ~~Florida Tourism Industry Marketing Corporation with a current~~
 3925 ~~list of all businesses that are designated as Florida Unique~~

BILL

ORIGINAL

YEAR

3926 ~~Abilities Partners. The Florida Tourism Industry Marketing~~
 3927 ~~Corporation must consider the Florida Unique Abilities Partner~~
 3928 ~~Program in the development of marketing campaigns, and~~
 3929 ~~specifically in any targeted marketing campaign for individuals~~
 3930 ~~who have a disability or their families.~~

3931 Section 156. Paragraph (c) of subsection (1) of section
 3932 443.091, Florida Statutes, is amended to read:

3933 443.091 Benefit eligibility conditions.—

3934 (1) An unemployed individual is eligible to receive
 3935 benefits for any week only if the Department of Economic
 3936 Opportunity finds that:

3937 (c) To make continued claims for benefits, she or he is
 3938 reporting to the department in accordance with this paragraph
 3939 and department rules. Department rules may not conflict with s.
 3940 443.111(1)(b), which requires that each claimant continue to
 3941 report regardless of any pending appeal relating to her or his
 3942 eligibility or disqualification for benefits.

3943 1. For each week of unemployment claimed, each report
 3944 must, at a minimum, include the name, address, and telephone
 3945 number of each prospective employer contacted, or the date the
 3946 claimant reported to a one-stop career center, pursuant to
 3947 paragraph (d).

3948 2. The department shall offer an online assessment aimed
 3949 at identifying an individual's skills, abilities, and career
 3950 aptitude. The skills assessment must be voluntary, and the

BILL

ORIGINAL

YEAR

3951 department shall allow a claimant to choose whether to take the
 3952 skills assessment. The online assessment shall be made available
 3953 to any person seeking services from a local workforce
 3954 development board or a one-stop career center.

3955 a. If the claimant chooses to take the online assessment,
 3956 the outcome of the assessment shall be made available to the
 3957 claimant, local workforce development board, and one-stop career
 3958 center. The department, local workforce development board, or
 3959 one-stop career center shall use the assessment to develop a
 3960 plan for referring individuals to training and employment
 3961 opportunities. Aggregate data on assessment outcomes may be made
 3962 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~
 3963 ~~Inc.,~~ for use in the development of policies related to
 3964 education and training programs that will ensure that businesses
 3965 in this state have access to a skilled and competent workforce.

3966 b. Individuals shall be informed of and offered services
 3967 through the one-stop delivery system, including career
 3968 counseling, the provision of skill match and job market
 3969 information, and skills upgrade and other training
 3970 opportunities, and shall be encouraged to participate in such
 3971 services at no cost to the individuals. The department shall
 3972 coordinate with CareerSource Florida, Inc., the local workforce
 3973 development boards, and the one-stop career centers to identify,
 3974 develop, and use best practices for improving the skills of
 3975 individuals who choose to participate in skills upgrade and

BILL

ORIGINAL

YEAR

3976 other training opportunities. The department may contract with
 3977 an entity to create the online assessment in accordance with the
 3978 competitive bidding requirements in s. 287.057. The online
 3979 assessment must work seamlessly with the Reemployment Assistance
 3980 Claims and Benefits Information System.

3981 Section 157. Paragraphs (b) through (g) of subsection (6)
 3982 of section 445.004, Florida Statutes, are redesignated as
 3983 paragraphs (a) through (f), respectively, and paragraph (d) of
 3984 subsection (3), paragraphs (b) and (d) of subsection (5), and
 3985 paragraph (a) of subsection (6) of that section are amended to
 3986 read:

3987 445.004 CareerSource Florida, Inc.; creation; purpose;
 3988 membership; duties and powers.—

3989 (3)

3990 (d) The board must include ~~the vice chairperson of the~~
 3991 ~~board of directors of Enterprise Florida, Inc.,~~ and one member
 3992 representing each of the Workforce Innovation and Opportunity
 3993 Act partners, including the Division of Career and Adult
 3994 Education, and other entities representing programs identified
 3995 in the Workforce Innovation and Opportunity Act, as determined
 3996 necessary.

3997 (5) CareerSource Florida, Inc., shall have all the powers
 3998 and authority not explicitly prohibited by statute which are
 3999 necessary or convenient to carry out and effectuate its purposes
 4000 as determined by statute, Pub. L. No. 113-128, and the Governor,

BILL

ORIGINAL

YEAR

4001 as well as its functions, duties, and responsibilities,
 4002 including, but not limited to, the following:
 4003 (b) Providing oversight and policy direction to ensure
 4004 that the following programs are administered by the department
 4005 in compliance with approved plans and under contract with
 4006 CareerSource Florida, Inc.:
 4007 1. Programs authorized under Title I of the Workforce
 4008 Innovation and Opportunity Act, Pub. L. No. 113-128, with the
 4009 exception of programs funded directly by the United States
 4010 Department of Labor under Title I, s. 167.
 4011 2. Programs authorized under the Wagner-Peyser Act of
 4012 1933, as amended, 29 U.S.C. ss. 49 et seq.
 4013 3. Activities authorized under Title II of the Trade Act
 4014 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
 4015 Adjustment Assistance Program.
 4016 4. Activities authorized under 38 U.S.C. chapter 41,
 4017 including job counseling, training, and placement for veterans.
 4018 5. Employment and training activities carried out under
 4019 funds awarded to this state by the United States Department of
 4020 Housing and Urban Development.
 4021 6. Welfare transition services funded by the Temporary
 4022 Assistance for Needy Families Program, created under the
 4023 Personal Responsibility and Work Opportunity Reconciliation Act
 4024 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
 4025 of the Social Security Act, as amended.

BILL

ORIGINAL

YEAR

4026 | 7. Displaced homemaker programs, provided under s. 446.50.

4027 | 8. The Florida Bonding Program, provided under Pub. L. No.
4028 | 97-300, s. 164(a)(1).

4029 | 9. The Food Assistance Employment and Training Program,
4030 | provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
4031 | 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
4032 | and the Hunger Prevention Act, Pub. L. No. 100-435.

4033 | ~~10. The Quick Response Training Program, provided under~~
4034 | ~~ss. 288.046-288.047. Matching funds and in-kind contributions~~
4035 | ~~that are provided by clients of the Quick Response Training~~
4036 | ~~Program shall count toward the requirements of s. 288.904,~~
4037 | ~~pertaining to the return on investment from activities of~~
4038 | ~~Enterprise Florida, Inc.~~

4039 | 10.11. The Work Opportunity Tax Credit, provided under the
4040 | Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
4041 | and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

4042 | 11.12. Offender placement services, provided under ss.
4043 | 944.707-944.708.

4044 | (d) Contracting with public and private entities as
4045 | necessary to further the directives of this section. All
4046 | contracts executed by CareerSource Florida, Inc., must include
4047 | specific performance expectations and deliverables. All
4048 | CareerSource Florida, Inc., contracts, including those
4049 | solicited, managed, or paid by the department pursuant to s.
4050 | 20.60(5)(b) ~~20.60(5)(c)~~ are exempt from s. 112.061, but shall be

BILL

ORIGINAL

YEAR

4051 governed by subsection (1).

4052 (6) CareerSource Florida, Inc., may take action that it
 4053 deems necessary to achieve the purposes of this section,
 4054 including, but not limited to:

4055 (a) Creating a state employment, education, and training
 4056 policy that ensures that programs to prepare workers are
 4057 responsive to present and future business and industry needs ~~and~~
 4058 ~~complement the initiatives of Enterprise Florida, Inc.~~

4059 Section 158. Subsection (5) of section 445.045, Florida
 4060 Statutes, is amended to read:

4061 445.045 Development of an Internet-based system for
 4062 information technology industry promotion and workforce
 4063 recruitment.-

4064 (5) In furtherance of the requirements of this section
 4065 that the website promote and market the information technology
 4066 industry by communicating information on the scope of the
 4067 industry in this state, CareerSource Florida, Inc., shall
 4068 ~~coordinate its efforts with the high technology industry~~
 4069 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~
 4070 ~~Through links or actual content, the website developed under~~
 4071 ~~this section shall serve as a forum for distributing the~~
 4072 ~~marketing campaign developed by Enterprise Florida, Inc., under~~
 4073 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~
 4074 solicit input from the not-for-profit corporation created to
 4075 advocate on behalf of the information technology industry as an

BILL

ORIGINAL

YEAR

4076 | outgrowth of the Information Service Technology Development Task
 4077 | Force created under chapter 99-354, Laws of Florida.

4078 | Section 159. Subsections (2) and (5) of section 446.44,
 4079 | Florida Statutes, are amended to read:

4080 | 446.44 Duties of Rural Workforce Services Program.—It
 4081 | shall be the direct responsibility of the Rural Workforce
 4082 | Services Program to promote and deliver employment and workforce
 4083 | services and resources to the rural undeveloped and
 4084 | underdeveloped counties of the state in an effort to:

4085 | ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~
 4086 | ~~pollution-free industry to the rural counties.~~

4087 | (4)~~(5)~~ Develop rural workforce programs that will be
 4088 | evaluated, planned, and implemented through communications and
 4089 | planning with appropriate:

4090 | (a) Departments of state and federal governments.

4091 | ~~(b) Units of Enterprise Florida, Inc.~~

4092 | (b)~~(c)~~ Agencies and organizations of the public and
 4093 | private sectors at the state, regional, and local levels.

4094 | Section 160. Subsection (5) of section 477.0135, Florida
 4095 | Statutes, is amended to read:

4096 | 477.0135 Exemptions.—

4097 | (5) A license is not required of any individual providing
 4098 | makeup, special effects, or cosmetology services to an actor,
 4099 | stunt person, musician, extra, or other talent during a
 4100 | production recognized by the Office of Film and Entertainment as

BILL

ORIGINAL

YEAR

4101 a qualified production ~~as defined in s. 288.1254(1)~~. Such
 4102 services are not required to be performed in a licensed salon.
 4103 Individuals exempt under this subsection may not provide such
 4104 services to the general public.

4105 Section 161. Subsection (1) of section 570.81, Florida
 4106 Statutes, is amended to read:

4107 570.81 Agricultural Economic Development Project Review
 4108 Committee; powers and duties.—

4109 (1) There is created an Agricultural Economic Development
 4110 Project Review Committee consisting of five members appointed by
 4111 the commissioner. The members shall be appointed based upon the
 4112 recommendations submitted by each entity represented on the
 4113 committee and shall include:

- 4114 (a) The commissioner or the commissioner's designee.
- 4115 (b) One representative from the Farm Credit Service.
- 4116 (c) One representative from the Department of Economic
 4117 Opportunity Enterprise Florida, Inc.

4118 (d) One representative from the Florida Farm Bureau
 4119 Federation.

4120 (e) One agricultural economist from the Institute of Food
 4121 and Agricultural Sciences or from Florida Agricultural and
 4122 Mechanical University.

4123 Section 162. Subsection (2) of section 570.85, Florida
 4124 Statutes, is amended to read:

4125 570.85 Agritourism.—

BILL

ORIGINAL

YEAR

4126 (2) The Department of Agriculture and Consumer Services
 4127 may provide marketing advice, technical expertise, promotional
 4128 support, and product development related to agritourism to
 4129 assist the following in their agritourism initiatives:
 4130 ~~Enterprise Florida, Inc.;~~ convention and visitor bureaus,;
 4131 tourist development councils,; economic development
 4132 organizations,; and local governments. In carrying out this
 4133 responsibility, the department shall focus its agritourism
 4134 efforts on rural and urban communities.

4135 Section 163. Paragraph (c) of subsection (1) of section
 4136 624.5105, Florida Statutes, is amended to read:

4137 624.5105 Community contribution tax credit; authorization;
 4138 limitations; eligibility and application requirements;
 4139 administration; definitions; expiration.—

4140 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

4141 (c) The total amount of tax credit which may be granted
 4142 for all programs approved under this section and ss.
 4143 212.08(5)(o) ~~212.08(5)(p)~~ and 220.183 is \$18.4 million in the
 4144 2015-2016 fiscal year, \$21.4 million in the 2016-2017 fiscal
 4145 year, and \$21.4 million in the 2017-2018 fiscal year for
 4146 projects that provide housing opportunities for persons with
 4147 special needs as defined in s. 420.0004 or homeownership
 4148 opportunities for low-income or very-low-income households as
 4149 defined in s. 420.9071 and \$3.5 million annually for all other
 4150 projects.

BILL

ORIGINAL

YEAR

4151 Section 164. Section 625.3255, Florida Statutes, is
 4152 repealed.

4153 Section 165. Subsection (4) of section 657.042, Florida
 4154 Statutes, is amended to read:

4155 657.042 Investment powers and limitations.—A credit union
 4156 may invest its funds subject to the following definitions,
 4157 restrictions, and limitations:

4158 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF
 4159 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of
 4160 the credit union may be invested in ~~any of the following:~~

4161 ~~(a)~~ Corporate obligations of any one corporation which is
 4162 an affiliate or subsidiary of the credit union or a service
 4163 corporation, except that the total investment in all such
 4164 corporate obligations shall not exceed 10 percent of the capital
 4165 of the credit union.

4166 ~~(b) Any capital participation instrument or evidence of~~
 4167 ~~indebtedness issued by Enterprise Florida, Inc., pursuant to the~~
 4168 ~~Florida Small and Minority Business Assistance Act.~~

4169 Section 166. Paragraph (f) of subsection (4) of section
 4170 658.67, Florida Statutes, is amended to read:

4171 658.67 Investment powers and limitations.—A bank may
 4172 invest its funds, and a trust company may invest its corporate
 4173 funds, subject to the following definitions, restrictions, and
 4174 limitations:

4175 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR

BILL

ORIGINAL

YEAR

4176 LESS OF CAPITAL ACCOUNTS.—

4177 ~~(f) Up to 10 percent of the capital accounts of a bank or~~
 4178 ~~trust company may be invested in any capital participation~~
 4179 ~~instrument or evidence of indebtedness issued by Enterprise~~
 4180 ~~Florida, Inc., pursuant to the Florida Small and Minority~~
 4181 ~~Business Assistance Act.~~

4182 Section 167. Paragraph (h) of subsection (2) of section
 4183 1004.015, Florida Statutes, is amended to read:

4184 1004.015 Higher Education Coordinating Council.—

4185 (2) Members of the council shall include:

4186 (h) The secretary of the Department of Economic
 4187 Opportunity, or his or her designee ~~president of Enterprise~~
 4188 ~~Florida, Inc., or a designated member of the Stakeholders~~
 4189 ~~Council appointed by the president.~~

4190 Section 168. Paragraph (d) of subsection (5) of section
 4191 1004.65, Florida Statutes, is amended to read:

4192 1004.65 Florida College System institutions; governance,
 4193 mission, and responsibilities.—

4194 (5) The primary mission and responsibility of Florida
 4195 College System institutions is responding to community needs for
 4196 postsecondary academic education and career degree education.
 4197 This mission and responsibility includes being responsible for:

4198 (d) Promoting economic development for the state within
 4199 each Florida College System institution district through the
 4200 provision of special programs, including, but not limited to,

BILL

ORIGINAL

YEAR

4201 the:

4202 ~~1. Enterprise Florida-related programs.~~

4203 1.2. Technology transfer centers.

4204 2.3. Economic development centers.

4205 3.4. Workforce literacy programs.

4206 Section 169. Paragraph (b) of subsection (10) of section
4207 1004.78, Florida Statutes, is amended to read:

4208 1004.78 Technology transfer centers at Florida College
4209 System institutions.—

4210 (10) The State Board of Education may award grants to
4211 Florida College System institutions, or consortia of public and
4212 private colleges and universities and other public and private
4213 entities, for the purpose of supporting the objectives of this
4214 section. Grants awarded pursuant to this subsection shall be in
4215 accordance with rules of the State Board of Education. Such
4216 rules shall include the following provisions:

4217 (b) Grants to centers funded with state revenues
4218 appropriated specifically for technology transfer activities
4219 shall be reviewed and approved by the State Board of Education
4220 using proposal solicitation, evaluation, and selection
4221 procedures established by the state board in consultation with
4222 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~
4223 Such procedures may include designation of specific areas or
4224 applications of technology as priorities for the receipt of
4225 funding.

BILL

ORIGINAL

YEAR

4226 Section 170. Subsection (4) of section 1011.76, Florida
 4227 Statutes, is amended to read:

4228 1011.76 Small School District Stabilization Program.—

4229 (4) The Department of Education may award the school
 4230 district a stabilization grant intended to protect the district
 4231 from continued financial reductions. The amount of the grant
 4232 will be determined by the Department of Education and may be
 4233 equivalent to the amount of the decline in revenues projected
 4234 for the next fiscal year. In addition, the Department of
 4235 Economic Opportunity may implement a rural economic development
 4236 initiative to identify the economic factors that are negatively
 4237 impacting the community ~~and may consult with Enterprise Florida,~~
 4238 ~~Inc., in developing a plan to assist the county with its~~
 4239 ~~economic transition.~~ The grant will be available to the school
 4240 district for a period of up to 5 years to the extent that
 4241 funding is provided for such purpose in the General
 4242 Appropriations Act.

4243 Section 171. Paragraph (c) of subsection (6) of section
 4244 1011.80, Florida Statutes, is amended to read:

4245 1011.80 Funds for operation of workforce education
 4246 programs.—

4247 (6)

4248 (c) A program is established to assist school districts
 4249 and Florida College System institutions in responding to the
 4250 needs of new and expanding businesses and thereby strengthening

BILL

ORIGINAL

YEAR

4251 the state's workforce and economy. The program may be funded in
 4252 the General Appropriations Act. The district or Florida College
 4253 System institution shall use the program to provide customized
 4254 training for businesses ~~which satisfies the requirements of s.~~
 4255 ~~288.047~~. Business firms whose employees receive the customized
 4256 training must provide 50 percent of the cost of the training.
 4257 Balances remaining in the program at the end of the fiscal year
 4258 shall not revert to the general fund, but shall be carried over
 4259 for 1 additional year and used for the purpose of serving
 4260 incumbent worker training needs of area businesses with fewer
 4261 than 100 employees. Priority shall be given to businesses that
 4262 must increase or upgrade their use of technology to remain
 4263 competitive.

4264 Section 172. Subsection (1) of section 1011.94, Florida
 4265 Statutes, is amended to read:

4266 1011.94 University Major Gifts Program.—

4267 (1) There is established a University Major Gifts Program.
 4268 The purpose of the program is to enable each university to
 4269 provide donors with an incentive in the form of matching grants
 4270 for donations for the establishment of permanent endowments and
 4271 sales tax exemption matching funds received pursuant to s.
 4272 212.08(5)(i) ~~212.08(5)(j)~~, which must be invested, with the
 4273 proceeds of the investment used to support libraries and
 4274 instruction and research programs, as defined by the Board of
 4275 Governors.

BILL

ORIGINAL

YEAR

4276

Section 173. This act shall take effect July 1, 2017.