

By the Committees on Community Affairs; and Commerce and Tourism

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1 A bill to be entitled
2 An act relating to the Department of Economic
3 Opportunity; amending ss. 20.60, 288.906, and 288.907,
4 F.S.; revising requirements for various annual reports
5 submitted to the Governor and Legislature, including
6 the annual report of the Department of Economic
7 Opportunity, the annual report of Enterprise Florida,
8 Inc., and the annual incentives report; consolidating
9 the reporting requirements for various economic
10 development programs into these annual reports;
11 amending ss. 220.194, 288.012, 288.061, and 288.0656,
12 F.S.; conforming provisions to changes made by the
13 act; amending s. 288.095, F.S.; deleting requirements
14 for an annual report related to certain payments made
15 from the Economic Development Incentives Account of
16 the Economic Development Trust Fund; amending ss.
17 288.106, 288.1081, 288.1082, 288.1088, and 288.1089,
18 F.S.; conforming provisions to changes made by the
19 act; amending s. 288.1226, F.S.; revising membership
20 of the board of directors of the Florida Tourism
21 Industry Marketing Corporation; providing that the
22 Governor shall serve as a nonvoting member; amending
23 ss. 288.1253, 288.1254, and 288.1258, F.S.; revising
24 requirements for annual reports by the Office of Film
25 and Entertainment; amending ss. 288.714 and 288.7771,
26 F.S.; conforming provisions to changes made by the
27 act; amending s. 288.903, F.S.; revising the duties of
28 Enterprise Florida, Inc., with respect to preparation
29 of the annual incentives report; amending ss. 288.92,

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

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59 applications and the determination of project funding;
60 amending s. 290.047, F.S.; revising requirements for
61 the establishment of grant ceilings and maximum
62 expenditures on administrative costs from community
63 development block grants; limiting an eligible local
64 government's authority to contract for specified
65 services in connection with community development
66 block grants; amending s. 290.0475, F.S.; revising
67 conditions under which grant applications are
68 ineligible for funding; amending 290.048, F.S.;
69 revising the department's duties to administer the
70 Small Cities Community Development Block Grant Loan
71 Guarantee Program; deleting provisions authorizing the
72 establishment of an advisory committee; amending ss.
73 331.3051 and 331.310, F.S.; revising requirements for
74 annual reports by Space Florida; amending s.443.091,
75 F.S.; providing for online work registration and
76 providing exceptions; amending s. 443.1113, F.S.,
77 relating to the Reemployment Assistance Claims and
78 Benefits Information System; revising timeframe for
79 deployment of a certain Internet portal as part of
80 such system; amending s. 443.131, F.S.; revising
81 requirements for the estimate of interest due on
82 advances received from the Federal Government to the
83 Unemployment Compensation Trust Fund and the
84 calculation of additional assessments to contributing
85 employers to repay the interest; providing an
86 exemption from such additional assessments; amending
87 ss. 443.151 and 443.191, F.S.; revising provisions to

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88 conform to changes made to benefit eligibility;
89 requiring the department to impose a penalty against a
90 claimant who is overpaid reemployment assistance
91 benefits due to fraud by the claimant and providing
92 for deposit of moneys collected for such penalties in
93 the Unemployment Compensation Trust Fund; amending s.
94 443.1715, F.S.; prohibiting the unlawful disclosure of
95 certain confidential information relating to employing
96 units and individuals under the Reemployment
97 Assistance Program Law; providing criminal penalties;
98 amending s. 446.50, F.S.; conforming provisions to
99 changes made by the act; providing an effective date.

100

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

102

103 Section 1. Subsection (10) of section 20.60, Florida
104 Statutes, is amended to read:

105 20.60 Department of Economic Opportunity; creation; powers
106 and duties.—

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

116 (a) Information from the displaced homemaker program plan

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117 required under s. 446.50.

118 (b) Information from the report on the usage and revenue
119 impact by county of state incentives required under s. 290.014,
120 and from the report of each enterprise zone development agency
121 required under s. 290.0056. The report must include an analysis
122 of the activities and accomplishments of each enterprise zone.

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

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

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

133 Section 2. Subsection (3) is added to section 288.906,
134 Florida Statutes, to read:

135 288.906 Annual report of Enterprise Florida, Inc., and its
136 divisions; audits.—

137 (3) The following reports must be included as supplements
138 to the detailed report required by this section:

139 (a) The annual report of the Florida Export Finance
140 Corporation required under s. 288.7771.

141 (b) The report on the state's international offices
142 required under s. 288.012.

143 Section 3. Subsection (1) of section 288.907, Florida
144 Statutes, is amended to read:

145 288.907 Annual incentives report.—

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146 (1) ~~In addition to the annual report required under s.~~
147 ~~288.906,~~ Enterprise Florida, Inc., in conjunction with the
148 department, shall, by December 30 of each year, submit an annual
149 incentives report to ~~shall provide~~ the Governor, the President
150 of the Senate, and the Speaker of the House of Representatives
151 which details and quantifies a detailed incentives report
152 ~~quantifying~~ the economic benefits for all of the economic
153 development incentive programs marketed by Enterprise Florida,
154 Inc.

155 (a) The annual incentives report must include for each
156 incentive program:

- 157 1. A brief description of the incentive program.
- 158 2. The amount of awards granted, by year, since inception.
- 159 3. The economic benefits, as defined in s. 288.005, based
160 on the actual amount of private capital invested, actual number
161 of jobs created, and actual wages paid for incentive agreements
162 completed during the previous 3 years.
- 163 4. ~~The report shall also include~~ The actual amount of
164 private capital invested, actual number of jobs created, and
165 actual wages paid for incentive agreements completed during the
166 previous 3 years for each target industry sector.

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

- 169 1. The number of economic development incentive
170 applications received.
- 171 2. The number of recommendations made to the department by
172 Enterprise Florida, Inc., including the number recommended for
173 approval and the number recommended for denial.
- 174 3. The number of final decisions issued by the department

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175 for approval and for denial.

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

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

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

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

181 d. The amount of state economic development incentives
182 committed to the project from each incentive program under the
183 project's terms of agreement with the Department of Economic
184 Opportunity.

185 e. The amount and type of local matching funds committed to
186 the project.

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

189 6. The types of projects supported.

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

193 1. The number of jobs actually created.

194 2. The amount of capital investments actually made.

195 3. The annual average wage paid.

196 (d) For a project receiving economic development incentives
197 approved by the department and receiving federal or local
198 incentives, the report must include a description of the federal
199 or local incentives, if available.

200 (e) The report must state the number of withdrawn or
201 terminated projects that did not fulfill the terms of their
202 agreements with the department and consequently are not
203 receiving incentives.

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204 (f) The report must include an analysis of the economic
205 benefits, as defined in s. 288.005, of tax refunds, tax credits,
206 or other payments made to projects locating or expanding in
207 state enterprise zones, rural communities, brownfield areas, or
208 distressed urban communities.

209 (g) The report must also include a separate analysis of the
210 impact of tax refunds on rural communities, brownfield areas,
211 distressed urban communities, and state enterprise zones
212 designated pursuant to s. 290.0065.

213 (h) The report must list the name of each business that
214 received a tax refund during the previous fiscal year, and the
215 amount of the tax refund, pursuant to the qualified defense
216 contractor and space flight business tax refund program under s.
217 288.1045 or the tax refund program for qualified target industry
218 businesses under s. 288.106.

219 (i) ~~(g)~~ The report must identify the target industry
220 businesses and high-impact businesses.

221 (j) ~~(h)~~ The report must describe the trends relating to
222 business interest in, and usage of, the various incentives, and
223 the number of minority-owned or woman-owned businesses receiving
224 incentives.

225 (k) ~~(i)~~ The report must identify incentive programs not used
226 and include recommendations for changes to such programs
227 utilized.

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

230 (m) Beginning in 2014, the report must summarize the
231 activities related to the Florida Space Business Incentives Act,
232 s. 220.194.

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233 Section 4. Subsection (9) of section 220.194, Florida
234 Statutes, is amended to read:

235 220.194 Corporate income tax credits for spaceflight
236 projects.—

237 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
238 Economic Opportunity, in cooperation with Space Florida and the
239 department, shall include in the ~~submit an~~ annual incentives
240 report required under s. 288.907 a summary of ~~summarizing~~
241 activities relating to the Florida Space Business Incentives Act
242 established under this section ~~to the Governor, the President of~~
243 ~~the Senate, and the Speaker of the House of Representatives by~~
244 ~~each November 30.~~

245 Section 5. Subsection (3) of section 288.012, Florida
246 Statutes, is amended to read:

247 288.012 State of Florida international offices; state
248 protocol officer; protocol manual.—The Legislature finds that
249 the expansion of international trade and tourism is vital to the
250 overall health and growth of the economy of this state. This
251 expansion is hampered by the lack of technical and business
252 assistance, financial assistance, and information services for
253 businesses in this state. The Legislature finds that these
254 businesses could be assisted by providing these services at
255 State of Florida international offices. The Legislature further
256 finds that the accessibility and provision of services at these
257 offices can be enhanced through cooperative agreements or
258 strategic alliances between private businesses and state, local,
259 and international governmental entities.

260 (3) ~~By October 1 of each year,~~ Each international office
261 shall annually submit to Enterprise Florida, Inc., ~~the~~

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262 ~~department~~ a complete and detailed report on its activities and
263 accomplishments during the previous ~~preceding~~ fiscal year for
264 inclusion in the annual report required under s. 288.906. In the
265 ~~a~~ format and by the annual date prescribed ~~provided~~ by
266 Enterprise Florida, Inc., the report must set forth information
267 on:

- 268 (a) The number of Florida companies assisted.
269 (b) The number of inquiries received about investment
270 opportunities in this state.
271 (c) The number of trade leads generated.
272 (d) The number of investment projects announced.
273 (e) The estimated U.S. dollar value of sales confirmations.
274 (f) The number of representation agreements.
275 (g) The number of company consultations.
276 (h) Barriers or other issues affecting the effective
277 operation of the office.
278 (i) Changes in office operations which are planned for the
279 current fiscal year.
280 (j) Marketing activities conducted.
281 (k) Strategic alliances formed with organizations in the
282 country in which the office is located.
283 (l) Activities conducted with Florida's other international
284 offices.
285 (m) Any other information that the office believes would
286 contribute to an understanding of its activities.
- 287 Section 6. Subsection (3) of section 288.061, Florida
288 Statutes, is amended to read:
289 288.061 Economic development incentive application
290 process.-

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

294 Section 7. Subsection (8) of section 288.0656, Florida
295 Statutes, is amended to read:

296 288.0656 Rural Economic Development Initiative.—

297 (8) REDI shall submit a report to the department Governor,
298 ~~the President of the Senate, and the Speaker of the House of~~
299 ~~Representatives each year on or before September 1~~ on all REDI
300 activities for the previous prior fiscal year as a supplement to
301 the department's annual report required under s. 20.60. This
302 supplementary report must shall include:

303 (a) A status report on all projects currently being
304 coordinated through REDI, the number of preferential awards and
305 allowances made pursuant to this section, the dollar amount of
306 such awards, and the names of the recipients.

307 (b) ~~The report shall also include~~ A description of all
308 waivers of program requirements granted.

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

311 (d) Recommendations based on the review and evaluation of
312 statutes and rules having an adverse impact on rural
313 communities, ~~and~~ proposals to mitigate such adverse impacts.

314 Section 8. Paragraphs (d) and (e) of subsection (3) of
315 section 288.095, Florida Statutes, are redesignated as
316 paragraphs (c) and (d), respectively, and present paragraph (c)
317 of that subsection is amended to read:

318 288.095 Economic Development Trust Fund.—

319 (3)

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320 ~~(c) Pursuant to s. 288.907, Enterprise Florida, Inc., shall~~
321 ~~submit a complete and detailed annual report to the Governor,~~
322 ~~the President of the Senate, and the Speaker of the House of~~
323 ~~Representatives of all applications received, recommendations~~
324 ~~made to the department, final decisions issued, tax refund~~
325 ~~agreements executed, and tax refunds paid or other payments made~~
326 ~~under all programs funded out of the Economic Development~~
327 ~~Incentives Account, including analyses of benefits and costs,~~
328 ~~types of projects supported, and employment and investment~~
329 ~~created. The department shall also include a separate analysis~~
330 ~~of the impact of such tax refunds on state enterprise zones~~
331 ~~designated pursuant to s. 290.0065, rural communities,~~
332 ~~brownfield areas, and distressed urban communities. The report~~
333 ~~must also discuss the efforts made by the department to amend~~
334 ~~tax refund agreements to require tax refund claims to be~~
335 ~~submitted by January 31 for the net new full-time equivalent~~
336 ~~jobs in this state as of December 31 of the preceding calendar~~
337 ~~year. The report must also list the name and tax refund amount~~
338 ~~for each business that has received a tax refund under s.~~
339 ~~288.1045 or s. 288.106 during the preceding fiscal year.~~

340 Section 9. Paragraph (d) of subsection (7) of section
341 288.106, Florida Statutes, is amended to read:

342 288.106 Tax refund program for qualified target industry
343 businesses.—

344 (7) ADMINISTRATION.—

345 (d) Beginning with tax refund agreements signed after July
346 1, 2010, the department shall attempt to ascertain the causes
347 for any business's failure to complete its agreement and shall
348 include report its findings and recommendations in the annual

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349 incentives report required under s. 288.907 ~~to the Governor, the~~
350 ~~President of the Senate, and the Speaker of the House of~~
351 ~~Representatives. The report shall be submitted by December 1 of~~
352 ~~each year beginning in 2011.~~

353 Section 10. Subsection (8) of section 288.1081, Florida
354 Statutes, is amended to read:

355 288.1081 Economic Gardening Business Loan Pilot Program.—

356 (8) ~~On June 30 and December 31 of each year,~~ The department
357 shall include in its annual ~~submit a report required under s.~~
358 20.60 a detailed description of ~~to the Governor, the President~~
359 ~~of the Senate, and the Speaker of the House of Representatives~~
360 ~~which describes in detail~~ the use of the loan funds. The report
361 must include, at a minimum, the number of businesses receiving
362 loans, the number of full-time equivalent jobs created as a
363 result of the loans, the amount of wages paid to employees in
364 the newly created jobs, the locations and types of economic
365 activity undertaken by the borrowers, the amounts of loan
366 repayments made to date, and the default rate of borrowers.

367 Section 11. Subsection (8) of section 288.1082, Florida
368 Statutes, is amended to read:

369 288.1082 Economic Gardening Technical Assistance Pilot
370 Program.—

371 (8) ~~On December 31 of each year,~~ The department shall
372 include in its annual ~~submit a report required under s. 20.60 a~~
373 detailed description of ~~to the Governor, the President of the~~
374 ~~Senate, and the Speaker of the House of Representatives which~~
375 ~~describes in detail~~ the progress of the pilot program. The
376 report must include, at a minimum, the number of businesses
377 receiving assistance, the number of full-time equivalent jobs

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378 created as a result of the assistance, if any, the amount of
379 wages paid to employees in the newly created jobs, and the
380 locations and types of economic activity undertaken by the
381 businesses.

382 Section 12. Paragraph (e) of subsection (3) of section
383 288.1088, Florida Statutes, is amended to read:

384 288.1088 Quick Action Closing Fund.—

385 (3)

386 (e) The department ~~Enterprise Florida, Inc.,~~ shall validate
387 contractor performance and report. such validation in the annual
388 incentives report required under s. 288.907 ~~shall be reported~~
389 ~~within 6 months after completion of the contract to the~~
390 ~~Governor, President of the Senate, and the Speaker of the House~~
391 ~~of Representatives.~~

392 Section 13. Subsection (9) and paragraph (a) of subsection
393 (11) of section 288.1089, Florida Statutes, are amended to read:

394 288.1089 Innovation Incentive Program.—

395 (9) The department shall validate the performance of an
396 innovation business, a research and development facility, or an
397 alternative and renewable energy business that has received an
398 award. At the conclusion of the innovation incentive award
399 agreement, or its earlier termination, the department shall
400 include in the annual incentives report required under s.
401 288.907 a detailed description of, ~~within 90 days, submit a~~
402 ~~report to the Governor, the President of the Senate, and the~~
403 ~~Speaker of the House of Representatives detailing~~ whether the
404 recipient of the innovation incentive grant achieved its
405 specified outcomes.

406 (11) (a) The department shall include in ~~submit to the~~

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407 ~~Governor, the President of the Senate, and the Speaker of the~~
408 ~~House of Representatives, as part of the annual incentives~~
409 ~~report required under s. 288.907, a report summarizing the~~
410 activities and accomplishments of the recipients of grants from
411 the Innovation Incentive Program during the previous 12 months
412 and an evaluation of whether the recipients are catalysts for
413 additional direct and indirect economic development in Florida.

414 Section 14. Subsection (4) of section 288.1226, Florida
415 Statutes, is amended to read:

416 288.1226 Florida Tourism Industry Marketing Corporation;
417 use of property; board of directors; duties; audit.—

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

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

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

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

431 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
432 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
433 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
434 Taylor, and Union Counties.

435 3. Region 3, composed of Brevard, Indian River, Lake,

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436 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and
437 Volusia Counties.

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

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

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

444 (c) ~~(b)~~ The 15 additional tourism-industry-related members
445 shall include 1 representative from the statewide rental car
446 industry; 7 representatives from tourist-related statewide
447 associations, including those that represent hotels,
448 campgrounds, county destination marketing organizations,
449 museums, restaurants, retail, and attractions; 3 representatives
450 from county destination marketing organizations; 1
451 representative from the cruise industry; 1 representative from
452 an automobile and travel services membership organization that
453 has at least 2.8 million members in Florida; 1 representative
454 from the airline industry; and 1 representative from the space
455 tourism industry, who will each serve for a term of 2 years.

456 Section 15. Subsection (3) of section 288.1253, Florida
457 Statutes, is amended to read:

458 288.1253 Travel and entertainment expenses.—

459 (3) The Office of Film and Entertainment ~~department~~ shall
460 include in the annual report for the entertainment industry
461 financial incentive program required under s. 288.1254(10) a
462 ~~prepare an annual~~ report of the office's expenditures ~~of the~~
463 ~~Office of Film and Entertainment~~ and ~~provide such report to the~~
464 ~~Legislature no later than December 30 of each year for the~~

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465 ~~expenditures~~ of the previous fiscal year. The report must ~~shall~~
466 consist of a summary of all travel, entertainment, and
467 incidental expenses incurred within the United States and all
468 travel, entertainment, and incidental expenses incurred outside
469 the United States, as well as a summary of all successful
470 projects that developed from such travel.

471 Section 16. Subsection (10) of section 288.1254, Florida
472 Statutes, is amended to read:

473 288.1254 Entertainment industry financial incentive
474 program.—

475 (10) ANNUAL REPORT.—Each November 1 ~~October 1~~, the Office
476 of Film and Entertainment shall submit ~~provide~~ an annual report
477 for the previous fiscal year to the Governor, the President of
478 the Senate, and the Speaker of the House of Representatives
479 which outlines the incentive program's return on investment and
480 economic benefits to the state. The report must ~~shall~~ also
481 include an estimate of the full-time equivalent positions
482 created by each production that received tax credits under this
483 section and information relating to the distribution of
484 productions receiving credits by geographic region and type of
485 production. The report must also include the expenditures report
486 required under s. 288.1253(3) and the information describing the
487 relationship between tax exemptions and incentives to industry
488 growth required under s. 288.1258(5).

489 Section 17. Subsection (5) of section 288.1258, Florida
490 Statutes, is amended to read:

491 288.1258 Entertainment industry qualified production
492 companies; application procedure; categories; duties of the
493 Department of Revenue; records and reports.—

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494 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO
495 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The Office of Film
496 and Entertainment shall keep annual records from the information
497 provided on taxpayer applications for tax exemption certificates
498 beginning January 1, 2001. These records also must ~~shall~~ reflect
499 a ratio of the annual amount of sales and use tax exemptions
500 under this section, plus the incentives awarded pursuant to s.
501 288.1254 to the estimated amount of funds expended by certified
502 productions. In addition, the office shall maintain data showing
503 annual growth in Florida-based entertainment industry companies
504 and entertainment industry employment and wages. The employment
505 information must ~~shall~~ include an estimate of the full-time
506 equivalent positions created by each production that received
507 tax credits pursuant to s. 288.1254. The Office of Film and
508 Entertainment shall include ~~report~~ this information in the
509 annual report for the entertainment industry financial incentive
510 program required under s. 288.1254(10) to the Legislature no
511 later than December 1 of each year.

512 Section 18. Subsection (3) of section 288.714, Florida
513 Statutes, is amended to read:

514 288.714 Quarterly and annual reports.—

515 (3) ~~By August 31 of each year,~~ The department shall include
516 in its annual report required under s. 20.60 ~~provide to the~~
517 ~~Governor, the President of the Senate, and the Speaker of the~~
518 ~~House of Representatives~~ a detailed report of the performance of
519 the Black Business Loan Program. The report must include a
520 cumulative summary of the quarterly report data compiled
521 pursuant to ~~required by~~ subsection (2) ~~(1)~~.

522 Section 19. Section 288.7771, Florida Statutes, is amended

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523 to read:

524 288.7771 Annual report of Florida Export Finance
525 Corporation.—The corporation shall annually prepare and submit
526 to Enterprise Florida, Inc., ~~the department~~ for inclusion in its
527 annual report required under s. 288.906 ~~by s. 288.095~~ a complete
528 and detailed report setting forth:

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

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

532 Section 20. Subsections (3), (4), and (5) of section
533 288.903, Florida Statutes, are amended to read:

534 288.903 Duties of Enterprise Florida, Inc.—Enterprise
535 Florida, Inc., shall have the following duties:

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

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

539 (5) ~~(4)~~ Assist the department with the development of an
540 annual and a long-range strategic business blueprint for
541 economic development required in s. 20.60.

542 (6) ~~(5)~~ In coordination with Workforce Florida, Inc.,
543 identify education and training programs that will ensure
544 Florida businesses have access to a skilled and competent
545 workforce necessary to compete successfully in the domestic and
546 global marketplace.

547 Section 21. Subsection (3) of section 288.92, Florida
548 Statutes, is amended to read:

549 288.92 Divisions of Enterprise Florida, Inc.—

550 (3) ~~By October 15 each year,~~ Each division shall draft and
551 submit an annual report for inclusion in the report required

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552 under 288.906 which details the division's activities during the
553 previous ~~prior~~ fiscal year and includes ~~any~~ recommendations for
554 improving current statutes related to the division's ~~related~~
555 area of responsibility.

556 Section 22. Subsection (5) of section 288.95155, Florida
557 Statutes, is amended to read:

558 288.95155 Florida Small Business Technology Growth
559 Program.—

560 (5) Enterprise Florida, Inc., shall include in the annual
561 incentives report required under s. 288.907 ~~prepare for~~
562 ~~inclusion in the annual report of the department required by s.~~
563 ~~288.095~~ a report on the financial status of the program. The
564 report must specify the assets and liabilities of the program
565 within the current fiscal year and must include a portfolio
566 update that lists all of the businesses assisted, the private
567 dollars leveraged by each business assisted, and the growth in
568 sales and ~~in~~ employment of each business assisted.

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

571 290.0056 Enterprise zone development agency.—

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

576 (a) Its operations and accomplishments during the fiscal
577 year.

578 (b) The accomplishments and progress concerning the
579 implementation of the strategic plan or measurable goals, and
580 any updates to the strategic plan or measurable goals.

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

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

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

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

588 Section 24. Section 290.014, Florida Statutes, is amended
589 to read:

590 290.014 Annual reports on enterprise zones.—

591 ~~(1) By October 1 ~~February 1~~ of each year, the Department of~~
592 Revenue shall submit a ~~an annual~~ report to the department for
593 inclusion in the department's annual report required under s.
594 20.60 which details ~~detailing~~ the usage and revenue impact by
595 county of the state incentives listed in s. 290.007.

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

605 Section 25. Section 290.0411, Florida Statutes, is amended
606 to read:

607 290.0411 Legislative intent and purpose of ss. 290.0401-
608 290.048.—It is the intent of the Legislature to provide the
609 necessary means to develop, preserve, redevelop, and revitalize

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610 Florida communities exhibiting signs of decline, ~~or~~ distress, or
611 economic need by enabling local governments to undertake the
612 necessary community and economic development programs. The
613 overall objective is to create viable communities by eliminating
614 slum and blight, fortifying communities in urgent need,
615 providing decent housing and suitable living environments, and
616 expanding economic opportunities, principally for persons of low
617 or moderate income. The purpose of ss. 290.0401-290.048 is to
618 assist local governments in carrying out effective community and
619 economic development and project planning and design activities
620 to arrest and reverse community decline and restore community
621 vitality. Community development and project planning activities
622 to maintain viable communities, revitalize existing communities,
623 expand economic development and employment opportunities, and
624 improve housing conditions and expand housing opportunities,
625 providing direct benefit to persons of low or moderate income,
626 are the primary purposes of ss. 290.0401-290.048. The
627 Legislature, therefore, declares that the development,
628 redevelopment, preservation, and revitalization of communities
629 in this state and all the purposes of ss. 290.0401-290.048 are
630 public purposes for which public money may be borrowed,
631 expended, loaned, pledged to guarantee loans, and granted.

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

634 290.042 Definitions relating to Florida Small Cities
635 Community Development Block Grant Program Act.—As used in ss.
636 290.0401-290.048, the term:

637 (1) "Administrative closeout" means the notification of a
638 grantee by the department that all applicable administrative

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639 actions and all required work of an existing ~~the~~ grant have been
640 completed with the exception of the final audit.

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

647 Section 27. Subsections (2), (3), and (4) of section
648 290.044, Florida Statutes, are amended to read:

649 290.044 Florida Small Cities Community Development Block
650 Grant Program Fund; administration; distribution.—

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

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

- 663 (a) ~~Housing.~~
- 664 (b) ~~Economic development.~~
- 665 (c) ~~Neighborhood revitalization.~~
- 666 (d) ~~Commercial revitalization.~~
- 667 (e) ~~Project planning and design.~~

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668 (4) The department may set aside an amount of up to 5
669 percent of the funds annually for use in any eligible local
670 government jurisdiction for which an emergency or natural
671 disaster has been declared by executive order. Such funds may
672 only be provided to a local government to fund eligible
673 emergency-related activities but must not be provided unless ~~for~~
674 ~~which~~ no other source of federal, state, or local disaster funds
675 is available. The department may provide for such set-aside by
676 rule. In the last quarter of the state fiscal year, any funds
677 not allocated under the emergency-related set-aside must ~~shall~~
678 be distributed to unfunded applications from the most recent
679 funding cycle.

680 Section 28. Section 290.0455, Florida Statutes, is amended
681 to read:

682 290.0455 Small Cities Community Development Block Grant
683 Loan Guarantee Program; Section 108 loan guarantees.-

684 (1) The Small Cities Community Development Block Grant Loan
685 Guarantee Program is created. The department shall administer
686 the loan guarantee program pursuant to Section 108 ~~s. 108~~ of
687 Title I of the Housing and Community Development Act of 1974, as
688 amended, and as further amended by s. 910 of the Cranston-
689 Gonzalez National Affordable Housing Act. The purpose of the
690 Small Cities Community Development Block Grant Loan Guarantee
691 Program is to guarantee, or to make commitments to guarantee,
692 notes or other obligations issued by public entities for the
693 purposes of financing activities enumerated in 24 C.F.R. s.
694 570.703.

695 (2) Activities assisted under the loan guarantee program
696 must meet the requirements contained in 24 C.F.R. ss. 570.700-

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697 570.710 and may not otherwise be financed in whole or in part
698 from the Florida Small Cities Community Development Block Grant
699 Program.

700 (3) The department may pledge existing revenues on deposit
701 or future revenues projected to be available for deposit in the
702 Florida Small Cities Community Development Block Grant Program
703 in order to guarantee, ~~in whole or in part,~~ the payment of
704 principal and interest on a Section 108 loan ~~made under the loan~~
705 ~~guarantee program.~~

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

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

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726 ~~applicant has submitted the proposed activity to a loan~~
727 ~~underwriter to document its financial feasibility.~~

728 (6) ~~(5)~~ The maximum amount of an individual loan guarantee
729 commitment that an ~~commitments that any~~ eligible local
730 government may receive is ~~may be~~ limited to \$5 ~~\$7~~ million
731 ~~pursuant to 24 C.F.R. s. 570.705,~~ and the maximum amount of loan
732 guarantee commitments statewide may not exceed an amount equal
733 to two ~~five~~ times the amount of the most recent grant received
734 by the department under the Florida Small Cities Community
735 Development Block Grant Program. The \$5 million loan guarantee
736 limit does not apply to loans guaranteed prior to July 1, 2013,
737 that may be refinanced.

738 (7) ~~(6)~~ Section 108 loans guaranteed by the Small Cities
739 Community Development Block Grant Program ~~loan guarantee program~~
740 must be repaid within 20 years.

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

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

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755 award used in payment of debt service on the loan.

756 (10) If a local government receives a Section 108 loan
757 guaranteed through the Florida Small Cities Community
758 Development Block Grant Program and is granted entitlement
759 community status as defined in subpart D of 24 C.F.R. part 570
760 by the United States Department of Housing and Urban Development
761 before paying the loan in full, the local government must pledge
762 its community development block grant entitlement allocation as
763 a guarantee of its previous loan and request that the United
764 States Department of Housing and Urban Development release the
765 department as guarantor of the loan.

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

776 Section 29. Section 290.046, Florida Statutes, is amended
777 to read:

778 (Substantial rewording of section. See
779 s. 290.046, F.S., for present text.)

780 290.046 Applications for grants; procedures; requirements.-

781 (1) The department shall adopt rules establishing
782 application procedures.

783 (2) (a) Except for economic development projects, each local

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784 government that is eligible by rule to apply for a grant during
785 an application cycle may submit one application for a
786 noneconomic development project during the application cycle. A
787 local government that is eligible by rule to apply for an
788 economic development grant may apply up to three times each
789 funding cycle for an economic development grant and may have
790 more than one open economic development grant.

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

796 (c) The department may not award a grant until the
797 department has completed a site visit to verify the information
798 contained in the application.

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

811 (b) Project funding must be determined by the rankings
812 established in each application cycle. If economic development

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813 funding remains available after the application cycle closes,
814 funding will be awarded to eligible projects on a first-come,
815 first-served basis until funding for this category is fully
816 obligated.

817 (4) In order to provide the public with information
818 concerning an applicant's proposed program before an application
819 is submitted to the department, the applicant shall, for each
820 funding cycle:

821 (a) Conduct an initial public hearing to inform the public
822 of funding opportunities available to meet community needs and
823 eligible activities and to solicit public input on community
824 needs.

825 (b) Publish a summary of the proposed application which
826 affords the public an opportunity to examine the contents of the
827 application and submit comments.

828 (c) Conduct a second public hearing to obtain public
829 comments on the proposed application and make appropriate
830 modifications to the application.

831 Section 30. Section 290.047, Florida Statutes, is amended
832 to read:

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

835 290.047 Establishment of grant ceilings and maximum
836 administrative cost percentages.-

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

838 (a) Grant ceilings.

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

841 (c) Grant administration procurement procedures for

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842 eligible local governments.

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

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

858 Section 31. Section 290.0475, Florida Statutes, is amended
859 to read:

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

865 (1) The application is not received by the department by
866 the application deadline.

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

870 (3) The proposed project is not an eligible activity as

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871 contained in the federal legislation.

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

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

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

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

887 Section 32. Subsections (5), (6), and (7) of section
888 290.048, Florida Statutes, are amended to read:

889 290.048 General powers of department under ss. 290.0401-
890 290.048.—The department has all the powers necessary or
891 appropriate to carry out the purposes and provisions of the
892 program, including the power to:

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

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

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

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

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

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

905 (5) ~~(6)~~ Pledge community development block grant revenues
 906 from the Federal Government in order to guarantee notes or other
 907 obligations of a public entity which are approved pursuant to s.
 908 290.0455.

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

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

915 331.3051 Duties of Space Florida.—Space Florida shall:

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

924 331.310(2)(e).

925 Section 34. Paragraph (e) of subsection (2) of section
 926 331.310, Florida Statutes, is amended to read:

927 331.310 Powers and duties of the board of directors.—

928 (2) The board of directors shall:

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

942 Section 35. Paragraphs (b) and (c) of subsection (1) of
943 section 443.091, Florida Statutes, are amended to read:

944 443.091 Benefit eligibility conditions.—

945 (1) An unemployed individual is eligible to receive
946 benefits for any week only if the Department of Economic
947 Opportunity finds that:

948 (b) She or he has completed the department's online work
949 registration ~~registered with the department for work~~ and
950 subsequently reports to the one-stop career center as directed
951 by the regional workforce board for reemployment services. This
952 requirement does not apply to persons who are:

- 953 1. Non-Florida residents;
- 954 2. On a temporary layoff;
- 955 3. Union members who customarily obtain employment through
956 a union hiring hall; or
- 957 4. Claiming benefits under an approved short-time

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958 compensation plan as provided in s. 443.1116.

959 5. Unable to complete the online work registration due to
960 illiteracy, physical or mental impairment, a legal prohibition
961 from using a computer, or a language impediment. If a person is
962 exempted from the online work registration under this
963 subparagraph, then the filing of his or her claim constitutes
964 registration for work.

965 (c) To make continued claims for benefits, she or he is
966 reporting to the department in accordance with this paragraph
967 and department rules, and participating in an initial skills
968 review, as directed by the department. Department rules may not
969 conflict with s. 443.111(1)(b), which requires that each
970 claimant continue to report regardless of any pending appeal
971 relating to her or his eligibility or disqualification for
972 benefits.

973 1. For each week of unemployment claimed, each report must,
974 at a minimum, include the name, address, and telephone number of
975 each prospective employer contacted, or the date the claimant
976 reported to a one-stop career center, pursuant to paragraph (d).

977 2. The administrator or operator of the initial skills
978 review shall notify the department when the individual completes
979 the initial skills review and report the results of the review
980 to the regional workforce board or the one-stop career center as
981 directed by the workforce board. The department shall prescribe
982 a numeric score on the initial skills review that demonstrates a
983 minimal proficiency in workforce skills. The department,
984 workforce board, or one-stop career center shall use the initial
985 skills review to develop a plan for referring individuals to
986 training and employment opportunities. The failure of the

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987 individual to comply with this requirement will result in the
988 individual being determined ineligible for benefits for the week
989 in which the noncompliance occurred and for any subsequent week
990 of unemployment until the requirement is satisfied. However,
991 this requirement does not apply if the individual ~~is able to~~
992 ~~affirmatively attest to being unable to complete such review due~~
993 ~~to illiteracy or a language impediment or~~ is exempt from the
994 work registration requirement as set forth in paragraph (b).

995 3. Any individual who falls below the minimal proficiency
996 score prescribed by the department in subparagraph 2. on the
997 initial skills review shall be offered training opportunities
998 and encouraged to participate in such training at no cost to the
999 individual in order to improve his or her workforce skills to
1000 the minimal proficiency level.

1001 4. The department shall coordinate with Workforce Florida,
1002 Inc., the workforce boards, and the one-stop career centers to
1003 identify, develop, and utilize best practices for improving the
1004 skills of individuals who choose to participate in training
1005 opportunities and who have a minimal proficiency score below the
1006 score prescribed in subparagraph 2.

1007 5. The department, in coordination with Workforce Florida,
1008 Inc., the workforce boards, and the one-stop career centers,
1009 shall evaluate the use, effectiveness, and costs associated with
1010 the training prescribed in subparagraph 3. and report its
1011 findings and recommendations for training and the use of best
1012 practices to the Governor, the President of the Senate, and the
1013 Speaker of the House of Representatives by January 1, 2013.

1014 Section 36. Paragraph (b) of subsection (4) of section
1015 443.1113, Florida Statutes, is amended to read:

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1016 443.1113 Reemployment Assistance Claims and Benefits
1017 Information System.—

1018 (4) The project to implement the Reemployment Assistance
1019 Claims and Benefits Information System is ~~shall be~~ comprised of
1020 the following phases and corresponding implementation
1021 timeframes:

1022 (b) The Reemployment Assistance Claims and Benefits
1023 Internet portal that replaces the Florida Unemployment Internet
1024 Direct and the Florida Continued Claims Internet Directory
1025 systems, the Call Center Interactive Voice Response System, the
1026 Benefit Overpayment Screening System, the Internet and Intranet
1027 Appeals System, and the Claims and Benefits Mainframe System
1028 shall be deployed to full operational status no later than the
1029 end of fiscal year 2013-2014 ~~2012-2013~~.

1030 Section 37. Subsection (5) of section 443.131, Florida
1031 Statutes, is amended to read:

1032 443.131 Contributions.—

1033 (5) ADDITIONAL RATE FOR INTEREST ON FEDERAL ADVANCES.—

1034 (a) When the Unemployment Compensation Trust Fund has
1035 received advances from the Federal Government under the
1036 provisions of 42 U.S.C. s. 1321, each contributing employer
1037 shall be assessed an additional rate solely for the purpose of
1038 paying interest due on such federal advances. The additional
1039 rate shall be assessed no later than February 1 in each calendar
1040 year in which an interest payment is due.

1041 (b) The Revenue Estimating Conference shall estimate the
1042 amount of ~~such~~ interest due on federal advances by no later than
1043 December 1 of the calendar year before ~~preceding~~ the calendar
1044 year in which an interest payment is due. The Revenue Estimating

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1045 Conference shall, at a minimum, consider the following as the
1046 basis for the estimate:

- 1047 1. The amounts actually advanced to the trust fund.
- 1048 2. Amounts expected to be advanced to the trust fund based
1049 on current and projected unemployment patterns and employer
1050 contributions.
- 1051 3. The interest payment due date.
- 1052 4. The interest rate that will be applied by the Federal
1053 Government to any accrued outstanding balances.

1054 (c) ~~(b)~~ The tax collection service provider shall calculate
1055 the additional rate to be assessed against contributing
1056 employers. The additional rate assessed for a calendar year is
1057 ~~shall be~~ determined by dividing the estimated amount of interest
1058 to be paid in that year by 95 percent of the taxable wages as
1059 described in s. 443.1217 paid by all employers for the year
1060 ending June 30 of the previous ~~immediately preceding~~ calendar
1061 year. The amount to be paid by each employer is ~~shall be~~ the
1062 product obtained by multiplying such employer's taxable wages as
1063 described in s. 443.1217 for the year ending June 30 of the
1064 previous ~~immediately preceding~~ calendar year by the rate as
1065 determined by this subsection. An assessment may not be made if
1066 the amount of assessments on deposit from previous years, plus
1067 any earned interest, is at least 80 percent of the estimated
1068 amount of interest.

1069 (d) The tax collection service provider shall make a
1070 separate collection of such assessment, which may be collected
1071 at the time of employer contributions and subject to the same
1072 penalties for failure to file a report, imposition of the
1073 standard rate pursuant to paragraph (3) (h), and interest if the

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1074 assessment is not received on or before June 30. Section
1075 443.141(1)(d) and (e) does not apply to this separately
1076 collected assessment. The tax collection service provider shall
1077 maintain those funds in the tax collection service provider's
1078 Audit and Warrant Clearing Trust Fund until the provider is
1079 directed by the Governor or the Governor's designee to make the
1080 interest payment to the Federal Government. Assessments on
1081 deposit must be available to pay the interest on advances
1082 received from the Federal Government under 42 U.S.C. s. 1321.
1083 Assessments on deposit may be invested and any interest earned
1084 shall be part of the balance available to pay the interest on
1085 advances received from the Federal Government under 42 U.S.C. s.
1086 1321.

1087 (e) Four months after ~~In the calendar year that~~ all
1088 advances from the Federal Government under 42 U.S.C. s. 1321 and
1089 associated interest are repaid, ~~if there are assessment funds in~~
1090 ~~excess of the amount required to meet the final interest~~
1091 ~~payment,~~ any ~~such~~ excess assessed funds in the Audit and Warrant
1092 Clearing Trust Fund, including associated interest, shall be
1093 transferred to ~~credited to employer accounts in~~ the Unemployment
1094 Compensation Trust Fund. Any assessment amounts subsequently
1095 collected shall also be transferred to the Unemployment
1096 Compensation Trust Fund ~~in an amount equal to the employer's~~
1097 ~~contribution to the assessment for that year divided by the~~
1098 ~~total amount of the assessment for that year, the result of~~
1099 ~~which is multiplied by the amount of excess assessed funds.~~

1100 (f) If ~~However, if~~ the state is permitted to defer interest
1101 payments due during a calendar year under 42 U.S.C. s. 1322,
1102 payment of the interest assessment is ~~shall~~ not be due. If a

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1103 deferral of interest expires or is subsequently disallowed by
1104 the Federal Government, either prospectively or retroactively,
1105 the interest assessment shall be immediately due and payable.
1106 Notwithstanding any other provision of this section, if interest
1107 due during a calendar year on federal advances is forgiven or
1108 postponed under federal law and is no longer due during that
1109 calendar year, no interest assessment shall be assessed against
1110 an employer for that calendar year, and any assessment already
1111 assessed and collected against an employer before the
1112 forgiveness or postponement of the interest for that calendar
1113 year shall be credited to such employer's account in the
1114 Unemployment Compensation Trust Fund. However, such funds may be
1115 used only to pay benefits or refunds of erroneous contributions.

1116 (g) This subsection expires July 1, 2014.

1117 Section 38. Paragraph (b) of subsection (2) and paragraph
1118 (a) of subsection (6) of section 443.151, Florida Statutes, are
1119 amended to read:

1120 443.151 Procedure concerning claims.—

1121 (2) FILING OF CLAIM INVESTIGATIONS; NOTIFICATION OF
1122 CLAIMANTS AND EMPLOYERS.—

1123 (b) *Process.*—When the Reemployment Assistance Claims and
1124 Benefits Information System described in s. 443.1113 is fully
1125 operational, the process for filing claims must incorporate the
1126 process for registering for work with the workforce information
1127 systems established pursuant to s. 445.011. Unless exempted
1128 under s. 443.091(1)(b)5., a claim for benefits may not be
1129 processed until the work registration requirement is satisfied.
1130 The department may adopt rules as necessary to administer the
1131 work registration requirement set forth in this paragraph.

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1132 (6) RECOVERY AND RECOUPMENT.—

1133 (a) Any person who, by reason of her or his fraud, receives
1134 benefits under this chapter to which she or he is not entitled
1135 is liable for repaying those benefits to the Department of
1136 Economic Opportunity on behalf of the trust fund or, in the
1137 discretion of the department, to have those benefits deducted
1138 from future benefits payable to her or him under this chapter.
1139 In addition, the department shall impose upon the claimant a
1140 penalty equal to 15 percent of the amount overpaid. To enforce
1141 this paragraph, the department must find the existence of fraud
1142 through a redetermination or decision under this section within
1143 2 years after the fraud was committed. Any recovery or
1144 recoupment of benefits must be commenced within 7 years after
1145 the redetermination or decision.

1146 Section 39. Subsection (1) of section 443.191, Florida
1147 Statutes, is amended to read:

1148 443.191 Unemployment Compensation Trust Fund; establishment
1149 and control.—

1150 (1) There is established, as a separate trust fund apart
1151 from all other public funds of this state, an Unemployment
1152 Compensation Trust Fund, which shall be administered by the
1153 Department of Economic Opportunity exclusively for the purposes
1154 of this chapter. The fund must ~~shall~~ consist of:

1155 (a) All contributions and reimbursements collected under
1156 this chapter;

1157 (b) Interest earned on any moneys in the fund;

1158 (c) Any property or securities acquired through the use of
1159 moneys belonging to the fund;

1160 (d) All earnings of these properties or securities;

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1161 (e) All money credited to this state's account in the
1162 federal Unemployment Compensation Trust Fund under 42 U.S.C. s.
1163 1103; ~~and~~

1164 (f) All money collected for penalties imposed pursuant to
1165 s. 443.151(6) (a); and

1166 (g) Advances on the amount in the federal Unemployment
1167 Compensation Trust Fund credited to the state under 42 U.S.C. s.
1168 1321, as requested by the Governor or the Governor's designee.

1169
1170 Except as otherwise provided in s. 443.1313(4), all moneys in
1171 the fund must ~~shall~~ be mingled and undivided.

1172 Section 40. Subsection (1) of section 443.1715, Florida
1173 Statutes, is amended to read:

1174 443.1715 Disclosure of information; confidentiality.-

1175 (1) RECORDS AND REPORTS.-Information revealing an employing
1176 unit's or individual's identity obtained from the employing unit
1177 or any individual under the administration of this chapter, and
1178 any determination revealing that information, is confidential
1179 and exempt from s. 119.07(1) and s. 24(a), Art. I of the State
1180 Constitution. This confidential information may be released in
1181 accordance with the provisions in 20 C.F.R. part 603. A person
1182 receiving confidential information who violates this subsection
1183 commits a misdemeanor of the second degree, punishable as
1184 provided in s. 775.082 or s. 775.083. The Department of Economic
1185 Opportunity or its tax collection service provider may, however,
1186 furnish to any employer copies of any report submitted by that
1187 employer upon the request of the employer and may furnish to any
1188 claimant copies of any report submitted by that claimant upon
1189 the request of the claimant. The department or its tax

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1190 collection service provider may charge a reasonable fee for
1191 copies of these reports as prescribed by rule, which may not
1192 exceed the actual reasonable cost of the preparation of the
1193 copies. Fees received for copies under this subsection must be
1194 deposited in the Employment Security Administration Trust Fund.

1195 Section 41. Paragraph (b) of subsection (3) and subsection
1196 (4) of section 446.50, Florida Statutes, are amended to read:

1197 446.50 Displaced homemakers; multiservice programs; report
1198 to the Legislature; Displaced Homemaker Trust Fund created.—

1199 (3) POWERS AND DUTIES OF THE DEPARTMENT OF ECONOMIC
1200 OPPORTUNITY.—

1201 (b)1. The department shall enter into contracts with, and
1202 make grants to, public and nonprofit private entities for
1203 purposes of establishing multipurpose service programs for
1204 displaced homemakers under this section. Such grants and
1205 contracts must ~~shall~~ be awarded pursuant to chapter 287 and
1206 based on criteria established in the program state plan as
1207 provided in subsection (4) ~~developed pursuant to this section~~.
1208 The department shall designate catchment areas that together,
1209 must ~~shall~~ compose the entire state, and, to the extent possible
1210 from revenues in the Displaced Homemaker Trust Fund, the
1211 department shall contract with, and make grants to, entities
1212 that will serve entire catchment areas so that displaced
1213 homemaker service programs are available statewide. These
1214 catchment areas must ~~shall~~ be coterminous with the state's
1215 workforce development regions. The department may give priority
1216 to existing displaced homemaker programs when evaluating bid
1217 responses to the request for proposals.

1218 2. In order to receive funds under this section, and unless

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1219 specifically prohibited by law from doing so, an entity that
1220 provides displaced homemaker service programs must receive at
1221 least 25 percent of its funding from one or more local,
1222 municipal, or county sources or nonprofit private sources. In-
1223 kind contributions may be evaluated by the department and
1224 counted as part of the required local funding.

1225 3. The department shall require an entity that receives
1226 funds under this section to maintain appropriate data to be
1227 compiled in an annual report to the department. Such data must
1228 ~~shall~~ include, but is ~~shall~~ not be limited to, the number of
1229 clients served, the units of services provided, designated
1230 client-specific information including intake and outcome
1231 information specific to each client, costs associated with
1232 specific services and program administration, total program
1233 revenues by source and other appropriate financial data, and
1234 client followup information at specified intervals after the
1235 placement of a displaced homemaker in a job.

1236 (4) DISPLACED HOME MAKER PROGRAM STATE PLAN.-

1237 ~~(a)~~ The Department of Economic Opportunity shall include in
1238 its annual report required under s. 20.60 a develop a 3-year
1239 state plan for the displaced homemaker program which shall be
1240 updated annually. The plan must address, at a minimum, the need
1241 for programs specifically designed to serve displaced
1242 homemakers, any necessary service components for such programs
1243 in addition to those described ~~enumerated~~ in this section, goals
1244 of the displaced homemaker program with an analysis of the
1245 extent to which those goals are being met, and recommendations
1246 for ways to address any unmet program goals. Any request for
1247 funds for program expansion must be based on the ~~state~~ plan.

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1248 ~~(b) The displaced homemaker program~~ Each annual update must
1249 address any changes in the components of the 3-year state plan
1250 and a report that must include, but need not be limited to, the
1251 following:

1252 (a) 1. The scope of the incidence of displaced homemakers;

1253 (b) 2. A compilation and report, by program, of data
1254 submitted to the department pursuant to subparagraph (3) (b) 3.
1255 ~~subparagraph 3.~~ by funded displaced homemaker service programs;

1256 (c) 3. An identification and description of the programs in
1257 the state which receive funding from the department, including
1258 funding information; and

1259 (d) 4. An assessment of the effectiveness of each displaced
1260 homemaker service program based on outcome criteria established
1261 by rule of the department.

1262 ~~(c) The 3-year state plan must be submitted to the~~
1263 ~~President of the Senate, the Speaker of the House of~~
1264 ~~Representatives, and the Governor on or before January 1, 2001,~~
1265 ~~and annual updates of the plan must be submitted by January 1 of~~
1266 ~~each subsequent year.~~

1267 Section 42. This act shall take effect July 1, 2013.