

By the Committee on Commerce and Tourism

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1 A bill to be entitled
 2 An act relating to governmental reorganization;
 3 amending ss. 68.096, 68.105, 159.81, 163.2517,
 4 163.3178, 163.3191, 163.3204, 163.3221, 163.3246,
 5 163.3247, 163.336, 163.458, 163.460, 163.461, 163.462,
 6 163.5055, 163.506, 163.508, 163.511, 163.512, 212.096,
 7 213.053, 215.55865, 218.411, 220.153, 220.183,
 8 220.194, 258.501, 259.042, 259.101, 282.201, 288.021,
 9 288.1045, 288.106, 288.108, 288.1083, 288.1089,
 10 288.1097, 288.11621, 288.1168, 288.1171, 288.1254,
 11 288.714, 288.7102, 288.987, 290.0055, 290.0065,
 12 290.00726, 290.00727, 290.00728, 311.09, 320.08058,
 13 339.135, 342.201, 377.703, 377.809, 380.06, 402.56,
 14 403.0891, 420.503, 420.507, 420.101, 420.0005,
 15 420.0006, 443.036, 443.091, 443.111, 443.141,
 16 443.1715, 443.17161, 446.50, 450.261, 509.032,
 17 624.5105, 1002.75, and 1002.79, F.S.; correcting
 18 references to agency names and divisions and
 19 correcting cross-references to conform to the
 20 governmental reorganization resulting from the
 21 enactment of chapter 2011-142, Laws of Florida; making
 22 technical and grammatical changes; amending s.
 23 259.035, F.S.; correcting a reference to the number of
 24 members of the Acquisition and Restoration Council;
 25 amending s. 288.12265, F.S.; authorizing Enterprise
 26 Florida, Inc., to contract with the Florida Tourism
 27 Industry Marketing Corporation for management and
 28 operation of welcome centers; amending s. 288.901,
 29 F.S.; limiting the requirement that members of the

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30 board of directors of Enterprise Florida, Inc., be
31 confirmed by the Senate to those members who are
32 appointed by the Governor; amending s. 288.980, F.S.;
33 changing a reference to the Office of Tourism, Trade,
34 and Economic Development to the Department of Economic
35 Opportunity; correcting the number of grant programs
36 relating to Florida Economic Reinvestment Initiative;
37 amending s. 331.3081, F.S.; adding the Governor or the
38 Lieutenant Governor as the Governor's designee as a
39 member and chair of the board of directors of Space
40 Florida; providing for the advisory council to make
41 recommendations to the board of directors of Space
42 Florida; providing for members of the advisory council
43 to be reimbursed for expenses as determined by the
44 board of directors of Space Florida; repealing s.
45 163.03, F.S., relating to the powers and duties of the
46 Secretary of Community Affairs and functions of
47 Department of Community Affairs with respect to
48 federal grant-in-aid programs; amending s. 373.461,
49 F.S.; removing obsolete provisions related to the
50 purchase of land for the restoration of the Lake
51 Apopka Basin; repealing s. 379.2353, F.S., relating to
52 the designation of enterprise zones in communities
53 suffering adverse impacts from the adoption of the
54 constitutional amendment limiting the use of nets to
55 harvest marine species; providing an effective date.

56
57 Be It Enacted by the Legislature of the State of Florida:
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59 Section 1. Subsection (1) of section 68.096, Florida
60 Statutes, is amended to read:

61 68.096 Definitions.—For purposes of this act:

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

64 Section 2. Section 68.105, Florida Statutes, is amended to
65 read:

66 68.105 Use of funds; reports.—All appropriations made for
67 the purposes of the Florida Access to Civil Legal Assistance
68 ~~this~~ Act shall ~~only~~ be used only for legal education or
69 assistance in family law, juvenile law, entitlement to federal
70 benefits, protection from domestic violence, elder abuse, child
71 abuse, or immigration law. These funds may ~~shall~~ not be used in
72 criminal or postconviction relief matters;; for lobbying
73 activities;; to sue the state, its agencies or political
74 subdivisions, or colleges or universities;; for class action
75 lawsuits, to provide legal assistance with respect to
76 noncriminal infractions pursuant to chapter 316, chapter 318,
77 chapter 320, or chapter 322;; to contest regulatory decisions of
78 any municipal, county, or state administrative or legislative
79 body;; or to file or assist in the filing of private causes of
80 action under federal or state statutes relating to or arising
81 out of employment or terms or conditions of employment. The
82 contracting organization shall require pilot projects to provide
83 data on the number of clients served, the types of cases, the
84 reasons the cases were closed, and the state dollars saved and
85 federal dollars brought into the state because of the legal
86 services provided. The contracting organization shall provide to
87 the department ~~of Community Affairs~~, within 60 days after

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88 completing ~~of the completion of~~ the contract, a report on the
89 legal services provided, the state dollars saved, and the
90 federal dollars brought into the state.

91 Section 3. Subsection (1) of section 159.81, Florida
92 Statutes, is amended to read:

93 159.81 Unused allocations; carryforwards.—

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

105 Section 4. Paragraph (b) of subsection (6) of section
106 163.2517, Florida Statutes, is amended to read:

107 163.2517 Designation of urban infill and redevelopment
108 area.—

109 (6)

110 (b) If the local government fails to implement the urban
111 infill and redevelopment plan in accordance with the deadlines
112 set forth in the plan, the state land planning agency ~~Department~~
113 ~~of Community Affairs~~ may seek to rescind the economic and
114 regulatory incentives granted to the urban infill and
115 redevelopment area, subject to the provisions of chapter 120.
116 The action to rescind may be initiated 90 days after issuing a

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117 written letter of warning to the local government.

118 Section 5. Subsection (3) of section 163.3178, Florida
119 Statutes, is amended to read:

120 163.3178 Coastal management.—

121 (3) Expansions to port harbors, spoil disposal sites,
122 navigation channels, turning basins, harbor berths, and other
123 related inwater harbor facilities of ports listed in s.
124 403.021(9); port transportation facilities and projects listed
125 in s. 311.07(3)(b); intermodal transportation facilities
126 identified pursuant to s. 311.09(3); and facilities determined
127 by the state land planning agency ~~Department of Community~~
128 ~~Affairs~~ and applicable general-purpose local government to be
129 port-related industrial or commercial projects located within 3
130 miles of or in a port master plan area which rely upon the use
131 of port and intermodal transportation facilities may ~~shall~~ not
132 be designated as developments of regional impact if such
133 expansions, projects, or facilities are consistent with
134 comprehensive master plans that are in compliance with this
135 section.

136 Section 6. Subsection (3) of section 163.3191, Florida
137 Statutes, is amended to read:

138 163.3191 Evaluation and appraisal of comprehensive plan.—

139 (3) Local governments are encouraged to comprehensively
140 evaluate and, as necessary, update comprehensive plans to
141 reflect changes in local conditions. Plan amendments transmitted
142 pursuant to this section shall be reviewed pursuant to ~~in~~
143 ~~accordance with~~ s. 163.3184(4).

144 Section 7. Section 163.3204, Florida Statutes, is amended
145 to read:

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146 163.3204 Cooperation by state and regional agencies.—The
147 state land planning agency ~~Department of Community Affairs~~ and
148 any ad hoc working groups appointed by the department and all
149 state and regional agencies involved in the administration and
150 implementation of the Community Planning ~~this~~ Act shall
151 cooperate and work with units of local government in the
152 preparation and adoption of comprehensive plans, or elements or
153 portions thereof, and of local land development regulations.

154 Section 8. Subsection (14) of section 163.3221, Florida
155 Statutes, is amended to read:

156 163.3221 Florida Local Government Development Agreement
157 Act; definitions.—As used in ss. 163.3220-163.3243:

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

160 Section 9. Subsection (1) of section 163.3246, Florida
161 Statutes, is amended to read:

162 163.3246 Local government comprehensive planning
163 certification program.—

164 (1) There is created the Local Government Comprehensive
165 Planning Certification Program to be administered by the state
166 land planning agency ~~Department of Community Affairs~~. The
167 purpose of the program is to create a certification process for
168 local governments who identify a geographic area for
169 certification within which they commit to directing growth and
170 who, because of a demonstrated record of effectively adopting,
171 implementing, and enforcing its comprehensive plan, the level of
172 technical planning experience exhibited by the local government,
173 and a commitment to implement exemplary planning practices,
174 require less state and regional oversight of the comprehensive

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175 plan amendment process. The purpose of the certification area is
176 to designate areas that are contiguous, compact, and appropriate
177 for urban growth and development within a 10-year planning
178 timeframe. Municipalities and counties are encouraged to jointly
179 establish the certification area, and subsequently enter into
180 joint certification agreement with the department.

181 Section 10. Paragraphs (a) and (b) of subsection (5) of
182 section 163.3247, Florida Statutes, are amended to read:

183 163.3247 Century Commission for a Sustainable Florida.—

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

185 (a) The executive director of the state land planning
186 agency ~~Secretary of Community Affairs~~ shall select an executive
187 director of the commission, and the executive director of the
188 commission shall serve at the pleasure of the executive director
189 of the state land planning agency ~~secretary~~ under the
190 supervision and control of the commission.

191 (b) The state land planning agency ~~Department of Community~~
192 ~~Affairs~~ shall provide staff and other resources necessary to
193 accomplish the goals of the commission based upon
194 recommendations of the Governor.

195 Section 11. Paragraph (c) of subsection (2) of section
196 163.336, Florida Statutes, is amended to read:

197 163.336 Coastal resort area redevelopment pilot project.—

198 (2) PILOT PROJECT ADMINISTRATION.—

199 (c) The Office of the Governor, the Department of
200 Environmental Protection, and the Department of Economic
201 Opportunity ~~Community Affairs~~ are directed to provide technical
202 assistance to expedite permitting for redevelopment projects and
203 construction activities within the pilot project areas

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204 consistent with the principles, processes, and timeframes
205 provided in s. 403.973.

206 Section 12. Section 163.458, Florida Statutes, is amended
207 to read:

208 163.458 Three-tiered plan.—The Department of Economic
209 Opportunity ~~may Community Affairs is authorized to~~ award core
210 administrative and operating grants. Administrative and
211 operating grants shall be used for staff salaries and
212 administrative expenses for eligible community-based development
213 organizations selected through a competitive three-tiered
214 process for the purpose of housing and economic development
215 projects. The department shall adopt by rule a set of criteria
216 for three-tiered funding which ~~that~~ shall ensure equitable
217 geographic distribution of the funding throughout the state.
218 This three-tiered plan shall include emerging, intermediate, and
219 mature community-based development organizations recognizing the
220 varying needs of the three tiers. Funding shall be provided for
221 core administrative and operating grants for all levels of
222 community-based development organizations. Priority shall be
223 given to those organizations that demonstrate community-based
224 productivity and high performance as evidenced by past projects
225 developed with stakeholder input that have responded to
226 neighborhood needs, and have current projects located in high-
227 poverty neighborhoods, and to emerging community-based
228 development corporations that demonstrate a positive need
229 identified by stakeholders. Persons, equipment, supplies, and
230 other resources funded in whole or in part by grant funds shall
231 be used ~~utilized~~ to further the purposes of the Community-Based
232 Development Organization Assistance ~~this~~ Act, and may be used

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233 utilized to further the goals and objectives of the Front Porch
234 Florida Initiative. Each community-based development
235 organization is ~~shall be~~ eligible to apply for a grant of up to
236 \$50,000 per year for a period of 5 years.

237 Section 13. Section 163.460, Florida Statutes, is amended
238 to read:

239 163.460 Application requirements.—A community-based
240 development organization applying for a core administrative and
241 operating grant pursuant to the Community-Based Development
242 Organization Assistance ~~this~~ Act must submit a proposal to the
243 Department of Economic Opportunity ~~which Community Affairs that~~
244 includes:

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

247 (2) A copy of the documents creating the community-based
248 development organization.

249 (3) A listing of the membership of the board of the
250 community-based development organization, including individual
251 members' terms of office and the number of low-income residents
252 on the board.

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

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

260 (6) A description of the location, financing plan, and
261 potential impact of the business enterprises on residential,

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262 commercial, or industrial development, which ~~that~~ shows a clear
263 relationship to the organization's annual revitalization plan
264 and demonstrates how the proposed expenditures are directly
265 related to the scope of work for the proposed projects in the
266 annual revitalization plan.

267 Section 14. Section 163.461, Florida Statutes, is amended
268 to read:

269 163.461 Reporting and evaluation requirements.—Community-
270 based development organizations that receive funds under the
271 Community-Based Development Organization Assistance ~~this~~ Act
272 shall provide the following information to the Department of
273 Economic Opportunity ~~Community Affairs~~ annually:

274 (1) A listing of business firms and individuals assisted by
275 the community-based development organization during the
276 reporting period.

277 (2) A listing of the type, source, purpose, and amount of
278 each individual grant, loan, or donation received by the
279 community-based development organization during the reporting
280 period.

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

283 (4) A listing of the salaries and administrative and
284 operating expenses of the community-based development
285 organization.

286 (5) An identification and explanation of changes in the
287 boundaries of the target area.

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

290 (7) The number and description of projects in

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291 predevelopment phase, projects under construction, ongoing
292 service programs, construction projects completed, and projects
293 at sell-out or lease-up and property management phase, and a
294 written explanation of the reasons that caused any projects not
295 to be completed for the projected development phase.

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

300 (9) The number of housing units rehabilitated or
301 constructed at various stages of development, predevelopment
302 phase, construction phase, completion and sell-out or lease-up
303 phase, and condominium or property management phase by the
304 community-based development organization within the service area
305 during the reporting period.

306 (10) The number of housing units, number of projects, and
307 number of persons served by prior projects developed by the
308 organization, the amounts of project financing leverage with
309 state funds for each prior and current project, and the
310 incremental amounts of local and state real estate tax and sales
311 tax revenue generated directly by the projects and programs
312 annually.

313 (11) The number of jobs, both permanent and temporary,
314 received by individuals who were directly assisted by the
315 community-based development organization through assistance to
316 the business such as a loan or other credit assistance.

317 (12) An identification and explanation of changes in the
318 boundaries of the service area.

319 (13) The impact of completed projects on residents in the

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320 target area and the relationship of this impact to expected
321 outcomes listed in the organization's annual revitalization
322 plan.

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

325 Section 15. Section 163.462, Florida Statutes, is amended
326 to read:

327 163.462 Rulemaking authority.—The Department of Economic
328 Opportunity Community Affairs shall adopt rules for the
329 administration of the Community-Based Development Organization
330 Assistance ~~this~~ Act.

331 Section 16. Subsection (1) of section 163.5055, Florida
332 Statutes, is amended to read:

333 163.5055 Registration of district establishment; notice of
334 dissolution.—

335 (1) (a) Each neighborhood improvement district authorized
336 and established under this part shall within 30 days thereof
337 register with both the Department of Economic Opportunity
338 Community Affairs and the Department of Legal Affairs by
339 providing these departments with the district's name, location,
340 size, and type, and such other information as the departments
341 may require.

342 (b) Each local governing body that ~~which~~ authorizes the
343 dissolution of a district shall notify both the Department of
344 Economic Opportunity Community Affairs and the Department of
345 Legal Affairs within 30 days after the dissolution of the
346 district.

347 Section 17. Paragraph (h) of subsection (1) of section
348 163.506, Florida Statutes, is amended to read:

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349 163.506 Local government neighborhood improvement
350 districts; creation; advisory council; dissolution.—

351 (1) After a local planning ordinance has been adopted
352 authorizing the creation of local government neighborhood
353 improvement districts, the local governing body of a
354 municipality or county may create local government neighborhood
355 improvement districts by the enactment of a separate ordinance
356 for each district, which ordinance:

357 (h) Requires the district to notify the Department of Legal
358 Affairs and the Department of Economic Opportunity Community
359 ~~Affairs~~ in writing of its establishment within 30 days thereof
360 pursuant to s. 163.5055.

361 Section 18. Paragraph (g) of subsection (1) of section
362 163.508, Florida Statutes, is amended to read:

363 163.508 Property owners' association neighborhood
364 improvement districts; creation; powers and duties; duration.—

365 (1) After a local planning ordinance has been adopted
366 authorizing the creation of property owners' association
367 neighborhood improvement districts, the local governing body of
368 a municipality or county may create property owners' association
369 neighborhood improvement districts by the enactment of a
370 separate ordinance for each district, which ordinance:

371 (g) Requires the district to notify the Department of Legal
372 Affairs and the Department of Economic Opportunity Community
373 ~~Affairs~~ in writing of its establishment within 30 days thereof
374 pursuant to s. 163.5055.

375 Section 19. Paragraph (i) of subsection (1) of section
376 163.511, Florida Statutes, is amended to read:

377 163.511 Special neighborhood improvement districts;

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378 creation; referendum; board of directors; duration; extension.-

379 (1) After a local planning ordinance has been adopted
380 authorizing the creation of special neighborhood improvement
381 districts, the governing body of a municipality or county may
382 declare the need for and create special residential or business
383 neighborhood improvement districts by the enactment of a
384 separate ordinance for each district, which ordinance:

385 (i) Requires the district to notify the Department of Legal
386 Affairs and the Department of Economic Opportunity ~~Community~~
387 ~~Affairs~~ in writing of its establishment within 30 days thereof
388 pursuant to s. 163.5055.

389 Section 20. Paragraph (i) of subsection (1) of section
390 163.512, Florida Statutes, is amended to read:

391 163.512 Community redevelopment neighborhood improvement
392 districts; creation; advisory council; dissolution.-

393 (1) Upon the recommendation of the community redevelopment
394 agency and after a local planning ordinance has been adopted
395 authorizing the creation of community redevelopment neighborhood
396 improvement districts, the local governing body of a
397 municipality or county may create community redevelopment
398 neighborhood improvement districts by the enactment of a
399 separate ordinance for each district, which ordinance:

400 (i) Requires the district to notify the Department of Legal
401 Affairs and the Department of Economic Opportunity ~~Community~~
402 ~~Affairs~~ in writing of its establishment within 30 days thereof
403 pursuant to s. 163.5055.

404 Section 21. Paragraph (d) of subsection (1) of section
405 212.096, Florida Statutes, is amended to read:

406 212.096 Sales, rental, storage, use tax; enterprise zone

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407 jobs credit against sales tax.—

408 (1) For the purposes of the credit provided in this
409 section:

410 (d) "Job" means a full-time position, as consistent with
411 terms used by the Department of Economic Opportunity Agency for
412 ~~Workforce Innovation~~ and the United States Department of Labor
413 for purposes of unemployment compensation tax administration and
414 employment estimation resulting directly from a business
415 operation in this state. This term does ~~may~~ not include a
416 temporary construction job involved with the construction of
417 facilities or any job that has previously been included in any
418 application for tax credits under s. 220.181(1). The term also
419 includes employment of an employee leased from an employee
420 leasing company licensed under chapter 468 if such employee has
421 been continuously leased to the employer for an average of at
422 least 36 hours per week for more than 6 months.

423

424 A person shall be deemed to be employed if the person performs
425 duties in connection with the operations of the business on a
426 regular, full-time basis, provided the person is performing such
427 duties for an average of at least 36 hours per week each month.
428 The person must be performing such duties at a business site
429 located in the enterprise zone.

430 Section 22. Paragraphs (k) and (bb) of subsection (8) of
431 section 213.053, Florida Statutes, are amended, and present
432 paragraphs (l) through (bb) of that subsection are redesignated
433 as paragraphs (k) through (aa), respectively, to read:

434 213.053 Confidentiality and information sharing.—

435 (8) Notwithstanding any other provision of this section,

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436 the department may provide:

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

442 (aa) ~~(bb)~~ Information relating to tax credits taken under s.
 443 220.194 ~~to the Office of Tourism, Trade, and Economic~~
 444 ~~Development or~~ to Space Florida.

445

446 Disclosure of information under this subsection shall be
 447 pursuant to a written agreement between the executive director
 448 and the agency. Such agencies, governmental or nongovernmental,
 449 shall be bound by the same requirements of confidentiality as
 450 the Department of Revenue. Breach of confidentiality is a
 451 misdemeanor of the first degree, punishable as provided by s.
 452 775.082 or s. 775.083.

453 Section 23. Section 215.55865, Florida Statutes, is amended
 454 to read:

455 215.55865 Uniform home grading scale.—The Financial
 456 Services Commission shall adopt a uniform home grading scale to
 457 grade the ability of a home to withstand the wind load from a
 458 sustained severe tropical storm or hurricane. The commission
 459 shall coordinate with the Office of Insurance Regulation, the
 460 Department of Financial Services, and the Florida Building
 461 Commission ~~Department of Community Affairs~~ in developing the
 462 grading scale, which must be based upon and consistent with the
 463 rating system required by chapter 2006-12, Laws of Florida. ~~The~~
 464 ~~commission shall adopt the uniform grading scale by rule no~~

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465 ~~later than June 30, 2007.~~

466 Section 24. Paragraph (c) of subsection (1) of section
467 218.411, Florida Statutes, is amended to read:

468 218.411 Authorization for state technical and advisory
469 assistance.—

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

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

476 Section 25. Subsections (1), (2), and (3), paragraphs (b)
477 and (c) of subsection (4), and subsection (5) of section
478 220.153, Florida Statutes, are amended to read:

479 220.153 Apportionment by sales factor.—

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

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

483 ~~(b) "qualified capital expenditures" means expenditures in~~
484 ~~this state for purposes substantially related to a business's~~
485 ~~production or sale of goods or services. The expenditure must~~
486 ~~fund the acquisition of additional real property (land,~~
487 ~~buildings, including appurtenances, fixtures and fixed~~
488 ~~equipment, structures, etc.), including additions, replacements,~~
489 ~~major repairs, and renovations to real property which materially~~
490 ~~extend its useful life or materially improve or change its~~
491 ~~functional use and the furniture and equipment necessary to~~
492 ~~furnish and operate a new or improved facility. The term~~
493 ~~"qualified capital expenditures" does not include an expenditure~~

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494 for a passive investment or for an investment intended for the
 495 accumulation of reserves or the realization of profit for
 496 distribution to any person holding an ownership interest in the
 497 business. The term "~~qualified capital expenditures~~" does not
 498 include expenditures to acquire an existing business or
 499 expenditures in excess of \$125 million to acquire land or
 500 buildings.

501 (2) APPORTIONMENT OF TAXES; ELIGIBILITY.—A taxpayer, not
 502 including a financial organization as defined in s. 220.15(6) or
 503 a bank, savings association, international banking facility, or
 504 banking organization as defined in s. 220.62, doing business
 505 within and without this state, who applies and demonstrates to
 506 the Department of Economic Opportunity ~~office~~ that, within a 2-
 507 year period beginning on or after July 1, 2011, it has made
 508 qualified capital expenditures equal to or exceeding \$250
 509 million may apportion its adjusted federal income solely by the
 510 sales factor set forth in s. 220.15(5), commencing in the
 511 taxable year that the Department of Economic Opportunity ~~office~~
 512 approves the application, but not before a taxable year that
 513 begins on or after January 1, 2013. Once approved, a taxpayer
 514 may elect to apportion its adjusted federal income for any
 515 taxable year using the method provided under this section or the
 516 method provided under s. 220.15.

517 (3) QUALIFICATION PROCESS.—

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

520 1. The taxpayer must notify the Department of Economic
 521 Opportunity ~~office~~ of its intent to submit an application to
 522 apportion its adjusted federal income in order to commence the

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523 2-year period for measuring qualified capital expenditures.

524 2. The taxpayer must submit an application to apportion its
525 adjusted federal income under this section to the Department of
526 Economic Opportunity ~~office~~ within 2 years after notifying the
527 Department of Economic Opportunity ~~office~~ of the taxpayer's
528 intent to qualify. The application must be made under oath and
529 provide such information as the Department of Economic
530 Opportunity ~~office~~ reasonably requires by rule for determining
531 the applicant's eligibility to apportion adjusted federal income
532 under this section. The taxpayer is responsible for
533 affirmatively demonstrating to the satisfaction of the
534 Department of Economic Opportunity ~~office~~ that it meets the
535 eligibility requirements.

536 (b) The taxpayer notice and application forms shall be
537 established by the Department of Economic Opportunity ~~office~~ by
538 rule. The Department of Economic Opportunity ~~office~~ shall
539 acknowledge receipt of the notice and approve or deny the
540 application in writing within 45 days after receipt.

541 (4) REVIEW AUTHORITY; RECAPTURE OF TAX.—

542 (b) The Department of Economic Opportunity ~~office~~ may, by
543 order, revoke its decision to grant eligibility for
544 apportionment pursuant to this section, and may also order the
545 recalculation of apportionment factors to those applicable under
546 s. 220.15 if, as the result of an audit, investigation, or
547 examination, it determines that information provided by the
548 taxpayer in the application, or in a statement, representation,
549 record, report, plan, or other document provided to the
550 Department of Economic Opportunity ~~office~~ to become eligible for
551 apportionment, was materially false at the time it was made and

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552 that an individual acting on behalf of the taxpayer knew, or
553 should have known, that the information submitted was false. The
554 taxpayer shall pay such additional taxes and interest as may be
555 due pursuant to this chapter computed as the difference between
556 the tax that would have been due under the apportionment formula
557 provided in s. 220.15 for such years and the tax actually paid.
558 In addition, the department shall assess a penalty equal to 100
559 percent of the additional tax due.

560 (c) The Department of Economic Opportunity ~~office~~ shall
561 immediately notify the department of an order affecting a
562 taxpayer's eligibility to apportion tax pursuant to this
563 section. A taxpayer who is liable for past tax must file an
564 amended return with the department, or such other report as the
565 department prescribes by rule, and pay any required tax,
566 interest, and penalty within 60 days after the taxpayer receives
567 notification from the Department of Economic Opportunity ~~office~~
568 that the previously approved credits have been revoked. If the
569 revocation is contested, the taxpayer shall file an amended
570 return or other report within 30 days after an order becomes
571 final. A taxpayer who fails to pay the past tax, interest, and
572 penalty by the due date is subject to the penalties provided in
573 s. 220.803.

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

576 Section 26. Paragraph (b) of subsection (2) of section
577 220.183, Florida Statutes, is amended to read:

578 220.183 Community contribution tax credit.—

579 (2) ELIGIBILITY REQUIREMENTS.—

580 (b)1. All community contributions must be reserved

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581 exclusively for use in projects as defined in s. 220.03(1)(t).

582 2. If, during the first 10 business days of the state
583 fiscal year, eligible tax credit applications for projects that
584 provide homeownership opportunities for low-income or very-low-
585 income households as defined in s. 420.9071(19) and (28) are
586 received for less than the annual tax credits available for
587 those projects, the Department of Economic Opportunity shall
588 grant tax credits for those applications and shall grant
589 remaining tax credits on a first-come, first-served basis for
590 any subsequent eligible applications received before the end of
591 the state fiscal year. If, during the first 10 business days of
592 the state fiscal year, eligible tax credit applications for
593 projects that provide homeownership opportunities for low-income
594 or very-low-income households as defined in s. 420.9071(19) and
595 (28) are received for more than the annual tax credits available
596 for those projects, the Department of Economic Opportunity
597 ~~office~~ shall grant the tax credits for those applications as
598 follows:

599 a. If tax credit applications submitted for approved
600 projects of an eligible sponsor do not exceed \$200,000 in total,
601 the credit shall be granted in full if the tax credit
602 applications are approved.

603 b. If tax credit applications submitted for approved
604 projects of an eligible sponsor exceed \$200,000 in total, the
605 amount of tax credits granted under sub-subparagraph a. shall be
606 subtracted from the amount of available tax credits, and the
607 remaining credits shall be granted to each approved tax credit
608 application on a pro rata basis.

609 3. If, during the first 10 business days of the state

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610 fiscal year, eligible tax credit applications for projects other
611 than those that provide homeownership opportunities for low-
612 income or very-low-income households as defined in s.
613 420.9071(19) and (28) are received for less than the annual tax
614 credits available for those projects, the Department of Economic
615 Opportunity ~~office~~ shall grant tax credits for those
616 applications and shall grant remaining tax credits on a first-
617 come, first-served basis for any subsequent eligible
618 applications received before the end of the state fiscal year.
619 If, during the first 10 business days of the state fiscal year,
620 eligible tax credit applications for projects other than those
621 that provide homeownership opportunities for low-income or very-
622 low-income households as defined in s. 420.9071(19) and (28) are
623 received for more than the annual tax credits available for
624 those projects, the Department of Economic Opportunity ~~office~~
625 shall grant the tax credits for those applications on a pro rata
626 basis.

627 Section 27. Paragraphs (b), (d), (e), and (f) of subsection
628 (3), paragraphs (a), (c), and (e) of subsection (4), subsection
629 (5), paragraph (b) of subsection (6), paragraphs (a), (b), (d),
630 and (e) of subsection (7), paragraph (a) of subsection (8), and
631 subsection (9) of section 220.194, Florida Statutes, are amended
632 to read:

633 220.194 Corporate income tax credits for spaceflight
634 projects.—

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

636 (b) "Certified" means that a spaceflight business has been
637 certified by the Department of Economic Opportunity ~~office~~ as
638 meeting all of the requirements necessary to obtain at least one

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639 of the approved tax credits available under this section,
640 including approval to transfer a credit.

641 (d) "New job" means the full-time employment of an employee
642 in a manner that is consistent with terms used by the Department
643 of Economic Opportunity Agency for Workforce Innovation and the
644 United States Department of Labor for purposes of unemployment
645 compensation tax administration and employment estimation. In
646 order to meet the requirement for certification specified in
647 paragraph (5) (b), a new job must:

648 1. Pay new employees at least 115 percent of the statewide
649 or countywide average annual private sector wage for the 3
650 taxable years immediately preceding filing an application for
651 certification;

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

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

659 ~~(e) "Office" means the Office of Tourism, Trade, and~~
660 ~~Economic Development.~~

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

663 (4) TAX CREDITS.—

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

667 1. A certified spaceflight business may take a

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668 nontransferable corporate income tax credit for up to 50 percent
669 of the business's tax liability under this chapter for the
670 taxable year in which the credit is taken. The maximum
671 nontransferable tax credit amount that may be approved per
672 taxpayer for a taxable year is \$1 million. No more than \$3
673 million in total tax credits pursuant to this subparagraph may
674 be certified pursuant to subsection (5). No credit may be
675 approved after October 1, 2017.

676 2. A certified spaceflight business may transfer, in whole
677 or in part, its Florida net operating loss that would otherwise
678 be available to be taken on a return filed under this chapter,
679 provided that the activity giving rise to such net operating
680 loss must have occurred after July 1, 2011. The transfer allowed
681 under this subparagraph will be in the form of a transferable
682 tax credit equal to the amount of the net operating loss
683 eligible to be transferred. The maximum transferable tax credit
684 amount that may be approved per taxpayer for a taxable year is
685 \$2.5 million. No more than \$7 million in total tax credits
686 pursuant to this subparagraph may be certified pursuant to
687 subsection (5). No credit may be approved after October 1, 2017.

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

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

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

695 (III) Not be 50 percent or more owned or controlled,
696 directly or indirectly, by another corporation that has

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697 demonstrated positive net income in any of the 3 previous
698 taxable years of ongoing operations; and

699 (IV) Not be part of a consolidated group of affiliated
700 corporations, as filed for federal income tax purposes, which in
701 the aggregate demonstrated positive net income in any of the 3
702 previous taxable years.

703 b. The credit that may be transferred by a certified
704 spaceflight business:

705 (I) Is limited to the amount of eligible net operating
706 losses incurred in the immediate 3 taxable years before the
707 transfer; and

708 (II) Must be directly associated with a spaceflight project
709 in this state as verified through an audit or examination by a
710 certified public accountant licensed to do business in this
711 state and as verified by the Department of Economic Opportunity
712 ~~office~~.

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

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

723 (5) APPLICATION AND CERTIFICATION.—

724 (a) In order to claim a tax credit under this section, a
725 spaceflight business must first submit an application to the

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726 Department of Economic Opportunity ~~office~~ for approval to earn
727 tax credits or create transferable tax credits. The application
728 must be filed by the date established by the Department of
729 Economic Opportunity ~~office~~. In addition to any information that
730 the Department of Economic Opportunity ~~office~~ may require, the
731 applicant must provide a complete description of the activity in
732 this state which demonstrates to the Department of Economic
733 Opportunity ~~office~~ the applicant's likelihood to be certified to
734 take or transfer a credit. The applicant must also provide a
735 description of the total amount and type of credits for which
736 approval is sought. The Department of Economic Opportunity
737 ~~office~~ may consult with Space Florida regarding the
738 qualifications of an applicant. The applicant shall provide an
739 affidavit certifying that all information contained in the
740 application is true and correct.

741 1. Approval of the credits shall be provided on a first-
742 come, first-served basis, based on the date the completed
743 applications are received by the Department of Economic
744 Opportunity ~~office~~. A taxpayer may not submit more than one
745 completed application per state fiscal year. The Department of
746 Economic Opportunity ~~office~~ may not accept an incomplete
747 placeholder application, and the submission of such an
748 application will not secure a place in the first-come, first-
749 served application line.

750 2. The Department of Economic Opportunity ~~office~~ has 60
751 days after the receipt of a completed application within which
752 to issue a notice of intent to deny or approve an application
753 for credits. The Department of Economic Opportunity ~~office~~ must
754 ensure that the corporate income tax credits approved for all

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755 applicants do not exceed the limits provided in this section.

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

761 1. The application must include:

762 a. The name and physical in-state address of the taxpayer.

763 b. Documentation demonstrating to the satisfaction of the
764 Department of Economic Opportunity ~~office~~ that:

765 (I) The taxpayer is a spaceflight business.

766 (II) The business has engaged in a qualifying spaceflight
767 project before taking or transferring a credit under this
768 section.

769 c. In addition to any requirement specific to a credit,
770 documentation that the business has:

771 (I) Created 35 new jobs in this state directly associated
772 with spaceflight projects during its immediately preceding 3
773 taxable years. The business shall be deemed to have created new
774 jobs if the number of full-time jobs located in this state at
775 the time of application for certification is greater than the
776 total number of full-time jobs located in this state at the time
777 of application for approval to earn credits; and

778 (II) Invested a total of at least \$15 million in this state
779 on a spaceflight project during its immediately preceding 3
780 taxable years.

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

782 e. An acknowledgment that a transfer of a tax credit is to
783 be accomplished pursuant to subsection (5).

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784 f. A copy of an audit or audits of the preceding 3 taxable
785 years, prepared by a certified public accountant licensed to
786 practice in this state, which identifies that portion of the
787 business's activities in this state related to spaceflight
788 projects in this state.

789 g. An acknowledgment that the business must file an annual
790 report on the spaceflight project's progress with the Department
791 of Economic Opportunity ~~office~~.

792 h. Any other information necessary to demonstrate that the
793 applicant meets the job creation, investment, and other
794 requirements of this section.

795 2. Within 60 days after receipt of the application for
796 certification, the Department of Economic Opportunity ~~office~~
797 shall evaluate the application and recommend the business for
798 certification or denial. The executive director of the
799 Department of Economic Opportunity ~~office~~ must approve or deny
800 the application within 30 days after receiving the
801 recommendation. If approved, the Department of Economic
802 Opportunity ~~office~~ must provide a letter of certification to the
803 applicant consistent with any restrictions imposed. If the
804 Department of Economic Opportunity ~~office~~ denies any part of the
805 requested credit, the Department of Economic Opportunity ~~office~~
806 must inform the applicant of the grounds for the denial. A copy
807 of the certification shall be submitted to the department within
808 10 days after the executive director's approval.

809 (6) TRANSFERABILITY OF CREDIT.—

810 (b) In order to perfect the transfer, the transferor shall
811 provide the department with a written transfer statement that
812 has been approved by the Department of Economic Opportunity

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813 ~~office~~ notifying the department of the transferor's intent to
814 transfer the tax credits to the transferee; the date that the
815 transfer is effective; the transferee's name, address, and
816 federal taxpayer identification number; the tax period; and the
817 amount of tax credits to be transferred. Upon receipt of the
818 approved transfer statement, the department shall provide the
819 transferee and the Department of Economic Opportunity ~~office~~
820 with a certificate reflecting the tax credit amounts
821 transferred. A copy of the certificate must be attached to each
822 tax return for which the transferee seeks to apply the credits.

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

824 (a) In addition to its existing audit and investigative
825 authority, the department may perform any additional financial
826 and technical audits and investigations, including examining the
827 accounts, books, and financial records of the tax credit
828 applicant, which are necessary for verifying the accuracy of the
829 return and to ensure compliance with this section. If requested
830 by the department, the Department of Economic Opportunity ~~office~~
831 and Space Florida must provide technical assistance for any
832 technical audits or examinations performed under this
833 subsection.

834 (b) Grounds for forfeiture of previously claimed tax
835 credits approved under this section exist if the department
836 determines, as a result of an audit or examination, or from
837 information received from the Department of Economic Opportunity
838 ~~office~~, that a certified spaceflight business, or in the case of
839 transferred tax credits, a taxpayer received tax credits for
840 which the certified spaceflight business or taxpayer was not
841 entitled. The spaceflight business or transferee must file an

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842 amended return reflecting the disallowed credits and paying any
843 tax due as a result of the amendment.

844 (d) The Department of Economic Opportunity ~~office~~ may
845 revoke or modify a certification granting eligibility for tax
846 credits if it finds that the certified spaceflight business made
847 a false statement or representation in any application, record,
848 report, plan, or other document filed in an attempt to receive
849 tax credits under this section. The Department of Economic
850 Opportunity ~~office~~ shall immediately notify the department of
851 any revoked or modified orders affecting previously granted tax
852 credits. The certified spaceflight business must also notify the
853 department of any change in its claimed tax credit.

854 (e) The certified spaceflight business must file with the
855 department an amended return or other report required by the
856 department by rule and pay any required tax and interest within
857 60 days after the certified business receives notification from
858 the Department of Economic Opportunity ~~office~~ that previously
859 approved tax credits have been revoked or modified. If the
860 revocation or modification order is contested, the spaceflight
861 business must file the amended return or other report within 60
862 days after a final order is issued.

863 (8) RULES.—

864 (a) The Department of Economic Opportunity ~~office~~, in
865 consultation with Space Florida, shall adopt rules to administer
866 this section, including rules relating to application forms for
867 credit approval and certification, and the application and
868 certification procedures, guidelines, and requirements necessary
869 to administer this section.

870 (9) ANNUAL REPORT.—Beginning in 2014, the Department of

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871 Economic Opportunity ~~office~~, in cooperation with Space Florida
872 and the department, shall submit an annual report summarizing
873 activities relating to the Florida Space Business Incentives Act
874 established under this section to the Governor, the President of
875 the Senate, and the Speaker of the House of Representatives by
876 each November 30.

877 Section 28. Paragraph (b) of subsection (3), paragraph (b)
878 of subsection (4), subsection (6), paragraph (a) of subsection
879 (7), and paragraph (c) of subsection (9) of section 258.501,
880 Florida Statutes, are amended to read:

881 258.501 Myakka River; wild and scenic segment.—

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

883 (b) "Agreement" means the interagency operating agreement
884 between the department, the Department of Economic Opportunity
885 ~~Community Affairs~~, and Sarasota County or the City of North
886 Port.

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

888 (b) The governments of Sarasota County and the City of
889 North Port shall manage the Myakka River wild and scenic
890 protection zone under their existing authorities for
891 comprehensive planning, the regulation of land development
892 activities, and other necessary or appropriate ordinances and in
893 conformance with this section, the management plan required
894 under subsection (5), and the agreements adopted by the
895 department and the Department of Economic Opportunity ~~Community~~
896 ~~Affairs~~ with the city and county pursuant to this section.

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

898 (a) Sarasota County and the City of North Port shall amend
899 their comprehensive plans so that the parts of such plans that

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900 affect the wild and scenic protection zone conform to, or are
901 more stringent than, this section, the river management plan,
902 and management guidelines and performance standards to be
903 developed and contained within agreements to be adopted by the
904 department, the Department of Economic Opportunity ~~Community~~
905 ~~Affairs~~, and the city and county. The guidelines and performance
906 standards must be used by the department and the Department of
907 Economic Opportunity ~~Community Affairs~~ to review and monitor the
908 regulation of activities by the city and county in the wild and
909 scenic protection zone. Amendments to those comprehensive plans
910 must include specific policies and guidelines for minimizing
911 adverse impacts on resources in the river area and for managing
912 the wild and scenic protection zone in conformance with this
913 section, the river management plan, and the agreement. Such
914 comprehensive plans must be amended within 1 year after the
915 adoption date of the agreement, and thereafter, within 6 months
916 following an amendment to this section, the river management
917 plan, or the agreement, as may be necessary. For the purposes
918 established in this subsection, such amendments need not conform
919 to statutory or local ordinance limitations on the frequency of
920 consideration of amendments to local comprehensive plans.

921 (b) Sarasota County and the City of North Port shall adopt
922 or amend, within 1 year after the department and the Department
923 of Economic Opportunity ~~Community Affairs~~ adopt with the city
924 and with the county agreements for regulating activities in the
925 wild and scenic protection zone, any necessary ordinances and
926 land development regulations so that those ordinances and
927 regulations conform to the purposes of this section, the river
928 management plan, and the agreement. Thereafter, following any

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929 amendment to this section, the river management plan, or the
930 agreement, the city and county must amend or adopt, within 1
931 year, appropriate ordinances and land development regulations to
932 maintain such local ordinances and regulations in conformance
933 with this section, the river management plan, and the agreement.
934 Those ordinances and regulations must provide that activities
935 must be prohibited, or must undergo review and either be denied
936 or permitted with or without conditions, so as to minimize
937 potential adverse physical and visual impacts on resource values
938 in the river area and to minimize adverse impacts on private
939 landowners' use of land for residential purposes. The resource
940 values of concern are those identified in this section and by
941 the coordinating council in the river management plan.
942 Activities which may be prohibited, subject to the agreement,
943 include, but are not limited to, landfills, clear cuttings,
944 major new infrastructure facilities, major activities that would
945 alter historic water or flood flows, multifamily residential
946 construction, commercial and industrial development, and mining
947 and major excavations. However, appurtenant structures for these
948 activities may be permitted if such structures do not have
949 adverse visual or measurable adverse environmental impacts to
950 resource values in the river area.

951 (c) If the Department of Economic Opportunity ~~Community~~
952 ~~Affairs~~ determines that the local comprehensive plan or land
953 development regulations, as amended or supplemented by the local
954 government, are not in conformance with the purposes of this
955 section, the river management plan, and the agreement, the
956 Department of Economic Opportunity ~~Community Affairs~~ shall issue
957 a notice of intent to find the plan not in compliance and such

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958 plan shall be subject to the administrative proceedings in
959 accordance with s. 163.3184.

960 (7) MANAGEMENT COORDINATING COUNCIL.—

961 (a) Upon designation, the department shall create a
962 permanent council to provide interagency and intergovernmental
963 coordination in the management of the river. The coordinating
964 council shall be composed of one representative appointed from
965 each of the following: the department, the Department of
966 Transportation, the Fish and Wildlife Conservation Commission,
967 the Department of Economic Opportunity ~~Community Affairs~~, the
968 Division of Forestry of the Department of Agriculture and
969 Consumer Services, the Division of Historical Resources of the
970 Department of State, the Tampa Bay Regional Planning Council,
971 the Southwest Florida Water Management District, the Southwest
972 Florida Regional Planning Council, Manatee County, Sarasota
973 County, Charlotte County, the City of Sarasota, the City of
974 North Port, agricultural interests, environmental organizations,
975 and any others deemed advisable by the department.

976 (9) RULEMAKING AUTHORITY.—

977 (c) The department and the Department of Economic
978 Opportunity ~~Community Affairs~~ must enter into agreements with
979 the City of North Port and Sarasota County which ~~that~~ provide
980 for guiding and monitoring the regulation of activities by the
981 city and county, in accordance with subsection (6). Such
982 agreements shall include guidelines and performance standards
983 for regulating proposed activities so as to minimize adverse
984 environmental and visual impacts of such activities on the
985 resource values in the river area, and to minimize adverse
986 impacts to landowners' use of land for residential purposes.

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987 Section 29. Subsection (3) of section 259.042, Florida
988 Statutes, is amended to read:

989 259.042 Tax increment financing for conservation lands.—

990 (3) The governing body of the jurisdiction that will
991 administer the separate reserve account shall provide
992 documentation to the Department of Economic Opportunity
993 ~~Community Affairs~~ identifying the boundary of the tax increment
994 area. The department shall determine whether the boundary is
995 appropriate in that property owners within the boundary will
996 receive a benefit from the proposed purchase of identified
997 conservation lands. The department must issue a letter of
998 approval stating that the establishment of the tax increment
999 area and the proposed purchases would benefit property owners
1000 within the boundary and serve a public purpose before any tax
1001 increment funds are deposited into the separate reserve account.
1002 If the department fails to provide the required letter within 90
1003 days after receiving sufficient documentation of the boundary,
1004 the establishment of the area and the proposed purchases are
1005 deemed to provide such benefit and serve a public purpose.

1006 Section 30. Paragraph (c) of subsection (3) of section
1007 259.101, Florida Statutes, is amended to read:

1008 259.101 Florida Preservation 2000 Act.—

1009 (3) LAND ACQUISITION PROGRAMS SUPPLEMENTED.—Less the costs
1010 of issuance, the costs of funding reserve accounts, and other
1011 costs with respect to the bonds, the proceeds of bonds issued
1012 pursuant to this act shall be deposited into the Florida
1013 Preservation 2000 Trust Fund created by s. 375.045. In fiscal
1014 year 2000-2001, for each Florida Preservation 2000 program
1015 described in paragraphs (a)-(g), that portion of each program's

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1016 total remaining cash balance which, as of June 30, 2000, is in
1017 excess of that program's total remaining appropriation balances
1018 shall be redistributed by the department and deposited into the
1019 Save Our Everglades Trust Fund for land acquisition. For
1020 purposes of calculating the total remaining cash balances for
1021 this redistribution, the Florida Preservation 2000 Series 2000
1022 bond proceeds, including interest thereon, and the fiscal year
1023 1999-2000 General Appropriations Act amounts shall be deducted
1024 from the remaining cash and appropriation balances,
1025 respectively. The remaining proceeds shall be distributed by the
1026 Department of Environmental Protection in the following manner:

1027 (c) Ten percent to the Department of Environmental
1028 Protection ~~Community Affairs~~ to provide land acquisition grants
1029 and loans to local governments through the Florida Communities
1030 Trust pursuant to part III of chapter 380. From funds allocated
1031 to the trust, \$3 million annually shall be used by the Division
1032 of State Lands within the Department of Environmental Protection
1033 to implement the Green Swamp Land Protection Initiative
1034 specifically for the purchase of conservation easements, as
1035 defined in s. 380.0677(3), of lands, or severable interests or
1036 rights in lands, in the Green Swamp Area of Critical State
1037 Concern. From funds allocated to the trust, \$3 million annually
1038 shall be used by the Monroe County Comprehensive Plan Land
1039 Authority specifically for the purchase of a real property
1040 interest in those lands subject to the Rate of Growth Ordinances
1041 adopted by local governments in Monroe County or those lands
1042 within the boundary of an approved Conservation and Recreation
1043 Lands project located within the Florida Keys or Key West Areas
1044 of Critical State Concern; however, title to lands acquired

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1045 within the boundary of an approved Conservation and Recreation
1046 Lands project may, in accordance with an approved joint
1047 acquisition agreement, vest in the Board of Trustees of the
1048 Internal Improvement Trust Fund. Of the remaining funds, one-
1049 half shall be matched by local governments on a dollar-for-
1050 dollar basis. To the extent allowed by federal requirements for
1051 the use of bond proceeds, the trust shall expend Preservation
1052 2000 funds to carry out the purposes of part III of chapter 380.

1053

1054 Local governments may use federal grants or loans, private
1055 donations, or environmental mitigation funds, including
1056 environmental mitigation funds required pursuant to s. 338.250,
1057 for any part or all of any local match required for the purposes
1058 described in this subsection. Bond proceeds allocated pursuant
1059 to paragraph (c) may be used to purchase lands on the priority
1060 lists developed pursuant to s. 259.035. Title to lands purchased
1061 pursuant to paragraphs (a), (d), (e), (f), and (g) shall be
1062 vested in the Board of Trustees of the Internal Improvement
1063 Trust Fund. Title to lands purchased pursuant to paragraph (c)
1064 may be vested in the Board of Trustees of the Internal
1065 Improvement Trust Fund. The board of trustees shall hold title
1066 to land protection agreements and conservation easements that
1067 were or will be acquired pursuant to s. 380.0677, and the
1068 Southwest Florida Water Management District and the St. Johns
1069 River Water Management District shall monitor such agreements
1070 and easements within their respective districts until the state
1071 assumes this responsibility.

1072 Section 31. Paragraphs (e) and (h) of subsection (4) of
1073 section 282.201, Florida Statutes, are amended to read:

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1074 282.201 State data center system; agency duties and
1075 limitations.—A state data center system that includes all
1076 primary data centers, other nonprimary data centers, and
1077 computing facilities, and that provides an enterprise
1078 information technology service as defined in s. 282.0041, is
1079 established.

1080 (4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

1081 (e) During the 2012-2013 fiscal year, the following shall
1082 be consolidated into the Southwood Shared Resource Center:

1083 1. By September 30, 2012, the Division of Emergency
1084 Management ~~and the Department of Community Affairs~~, except for
1085 the Emergency Operation Center's management system in
1086 Tallahassee and the Camp Blanding Emergency Operations Center in
1087 Starke.

1088 2. By September 30, 2012, the Department of Revenue's
1089 Carlton Building and Imaging Center locations.

1090 3. By December 31, 2012, the Department of Health's Test
1091 and Development Lab and all remaining data center resources
1092 located at the Capital Circle Office Complex.

1093 (h) During the 2014-2015 fiscal year, the following
1094 agencies shall work with the Agency for Enterprise Information
1095 Technology to begin preliminary planning for consolidation into
1096 a primary data center:

1097 1. The Department of Health's Jacksonville Lab Data Center.

1098 2. The Department of Transportation's district offices,
1099 toll offices, and the District Materials Office.

1100 3. The Department of Military Affairs' Camp Blanding Joint
1101 Training Center in Starke.

1102 4. The ~~Department of Community Affairs'~~ Camp Blanding

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1103 Emergency Operations Center in Starke.

1104 5. The Department of Education's Division of Blind Services
1105 disaster recovery site in Daytona Beach.

1106 6. The Department of Education's disaster recovery site at
1107 Santa Fe College.

1108 7. The Department of the Lottery's Disaster Recovery Backup
1109 Data Center in Orlando.

1110 8. The Fish and Wildlife Conservation Commission's Fish and
1111 Wildlife Research Institute in St. Petersburg.

1112 9. The Department of Children and Family Services' Suncoast
1113 Data Center in Tampa.

1114 10. The Department of Children and Family Services' Florida
1115 State Hospital in Chattahoochee.

1116 Section 32. Subsection (1) of section 288.021, Florida
1117 Statutes, is amended to read:

1118 288.021 Economic development liaison.—

1119 (1) The heads of the Department of Transportation, the
1120 Department of Environmental Protection and an additional member
1121 appointed by the secretary of the department, ~~the Agency for~~
1122 ~~Workforce Innovation~~, the Department of Education, the
1123 Department of Management Services, the Department of Revenue,
1124 the Fish and Wildlife Conservation Commission, each water
1125 management district, and each Department of Transportation
1126 District office shall designate a high-level staff member from
1127 within such agency to serve as the economic development liaison
1128 for the agency. This person shall report to the agency head and
1129 have general knowledge both of the state's permitting and other
1130 regulatory functions and of the state's economic goals,
1131 policies, and programs. This person shall also be the primary

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1132 point of contact for the agency with the department on issues
1133 and projects important to the economic development of Florida,
1134 including its rural areas, to expedite project review, to ensure
1135 a prompt, effective response to problems arising with regard to
1136 permitting and regulatory functions, and to work closely with
1137 the other economic development liaisons to resolve interagency
1138 conflicts.

1139 Section 33. Paragraph (f) of subsection (2) and paragraph
1140 (c) of subsection (5) of section 288.1045, Florida Statutes, are
1141 amended to read:

1142 288.1045 Qualified defense contractor and space flight
1143 business tax refund program.—

1144 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.—

1145 (f) After entering into a tax refund agreement pursuant to
1146 subsection (4), a qualified applicant may:

1147 1. Receive refunds from the account for corporate income
1148 taxes due and paid pursuant to chapter 220 by that business
1149 beginning with the first taxable year of the business which
1150 begins after entering into the agreement.

1151 2. Receive refunds from the account for the following taxes
1152 due and paid by that business after entering into the agreement:

1153 a. Taxes on sales, use, and other transactions paid
1154 pursuant to chapter 212.

1155 b. Intangible personal property taxes paid pursuant to
1156 chapter 199.

1157 c. Excise taxes paid on documents pursuant to chapter 201.

1158 d. Ad valorem taxes paid, as defined in s. 220.03(1)(a) on
1159 June 1, 1996.

1160 e. State communications services taxes administered under

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1161 chapter 202. This provision does not apply to the gross receipts
1162 tax imposed under chapter 203 and administered under chapter 202
1163 or the local communications services tax authorized under s.
1164 202.19.

1165

1166 However, a qualified applicant may not receive a tax refund
1167 pursuant to this section for any amount of credit, refund, or
1168 exemption granted such contractor for any of such taxes. If a
1169 refund for such taxes is provided by the department, which taxes
1170 are subsequently adjusted by the application of any credit,
1171 refund, or exemption granted to the qualified applicant other
1172 than that provided in this section, the qualified applicant
1173 shall reimburse the Economic Development Trust Fund for the
1174 amount of such credit, refund, or exemption. A qualified
1175 applicant must notify and tender payment to the department
1176 ~~office~~ within 20 days after receiving a credit, refund, or
1177 exemption, other than that provided in this section.

1178 (5) ANNUAL CLAIM FOR REFUND.—

1179 (c) A tax refund may not be approved for any qualified
1180 applicant unless local financial support has been paid to the
1181 Economic Development Trust Fund for that refund. If the local
1182 financial support is less than 20 percent of the approved tax
1183 refund, the tax refund shall be reduced. The tax refund paid may
1184 not exceed 5 times the local financial support received. Funding
1185 from local sources includes tax abatement under s. 196.1995 or
1186 the appraised market value of municipal or county land,
1187 including any improvements or structures, conveyed or provided
1188 at a discount through a sale or lease to that applicant. The
1189 amount of any tax refund for an applicant approved under this

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1190 section shall be reduced by the amount of any such tax abatement
1191 granted or the value of the land granted, including the value of
1192 any improvements or structures; and the limitations in
1193 subsection (2) shall be reduced by the amount of any such tax
1194 abatement or the value of the land granted, including any
1195 improvements or structures. A report listing all sources of the
1196 local financial support shall be provided to the department
1197 ~~office~~ when such support is paid to the Economic Development
1198 Trust Fund.

1199 Section 34. Paragraph (f) of subsection (4) and paragraphs
1200 (c), (d), and (e) of subsection (6) of section 288.106, Florida
1201 Statutes, are amended to read:

1202 288.106 Tax refund program for qualified target industry
1203 businesses.—

1204 (4) APPLICATION AND APPROVAL PROCESS.—

1205 (f) ~~Effective July 1, 2011,~~ Notwithstanding paragraph
1206 (2)(j) ~~(2)(k)~~, the department ~~office~~ may reduce the local
1207 financial support requirements of this section by one-half for a
1208 qualified target industry business located in Bay County,
1209 Escambia County, Franklin County, Gadsden County, Gulf County,
1210 Jefferson County, Leon County, Okaloosa County, Santa Rosa
1211 County, Wakulla County, or Walton County, if the department
1212 ~~office~~ determines that such reduction of the local financial
1213 support requirements is in the best interest of the state and
1214 facilitates economic development, growth, or new employment
1215 opportunities in such county. This paragraph expires June 30,
1216 2014.

1217 (6) ANNUAL CLAIM FOR REFUND.—

1218 (c) The department may waive the requirement for proof of

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1219 taxes paid in future years for a qualified target industry
1220 business that provides the department ~~office~~ with proof that, in
1221 a single year, the business has paid an amount of state taxes
1222 from the categories in paragraph (3) (d) which ~~that~~ is at least
1223 equal to the total amount of tax refunds that the business may
1224 receive through successful completion of its tax refund
1225 agreement.

1226 (d) A tax refund may not be approved for a qualified target
1227 industry business unless the required local financial support
1228 has been paid into the account for that refund. If the local
1229 financial support provided is less than 20 percent of the
1230 approved tax refund, the tax refund must be reduced. In no event
1231 may the tax refund exceed an amount that is equal to 5 times the
1232 amount of the local financial support received. Further, funding
1233 from local sources includes any tax abatement granted to that
1234 business under s. 196.1995 or the appraised market value of
1235 municipal or county land conveyed or provided at a discount to
1236 that business. The amount of any tax refund for such business
1237 approved under this section must be reduced by the amount of any
1238 such tax abatement granted or the value of the land granted, and
1239 the limitations in subsection (3) and paragraph (4) (e) must be
1240 reduced by the amount of any such tax abatement or the value of
1241 the land granted. A report listing all sources of the local
1242 financial support shall be provided to the department ~~office~~
1243 when such support is paid to the account.

1244 (e) A prorated tax refund, less a 5 percent ~~5-percent~~
1245 penalty, shall be approved for a qualified target industry
1246 business if all other applicable requirements have been
1247 satisfied and the business proves to the satisfaction of the

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1248 department ~~office~~ that:

1249 1. It has achieved at least 80 percent of its projected
1250 employment; and

1251 2. The average wage paid by the business is at least 90
1252 percent of the average wage specified in the tax refund
1253 agreement, but in no case less than 115 percent of the average
1254 private sector wage in the area available at the time of
1255 certification, or 150 percent or 200 percent of the average
1256 private sector wage if the business requested the additional
1257 per-job tax refund authorized in paragraph (3) (b) for wages
1258 above those levels. The prorated tax refund shall be calculated
1259 by multiplying the tax refund amount for which the qualified
1260 target industry business would have been eligible, if all
1261 applicable requirements had been satisfied, by the percentage of
1262 the average employment specified in the tax refund agreement
1263 which was achieved, and by the percentage of the average wages
1264 specified in the tax refund agreement which was achieved.

1265 Section 35. Paragraph (a) of subsection (3) of section
1266 288.108, Florida Statutes, is amended to read:

1267 288.108 High-impact business.—

1268 (3) HIGH-IMPACT SECTOR PERFORMANCE GRANTS; ELIGIBLE
1269 AMOUNTS.—

1270 (a) Upon commencement of operations, a qualified high-
1271 impact business is eligible to receive a high-impact business
1272 performance grant in the amount as determined by the department
1273 ~~office~~ under subsection (5), consistent with eligible amounts as
1274 provided in paragraph (b), and specified in the qualified high-
1275 impact business agreement. The precise conditions that are
1276 considered commencement of operations must be specified in the

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1277 qualified high-impact business agreement.

1278 Section 36. Subsection (3) of section 288.1083, Florida
1279 Statutes, is amended to read:

1280 288.1083 Manufacturing and Spaceport Investment Incentive
1281 Program.—

1282 (3) Beginning July 1, 2010, and ending June 30, 2011, and
1283 beginning July 1, 2011, and ending June 30, 2012, sales and use
1284 tax paid in this state on eligible equipment purchases may
1285 qualify for a refund as provided in this section. The total
1286 amount of refunds that may be allocated by the department ~~office~~
1287 to all applicants during the period beginning July 1, 2010, and
1288 ending June 30, 2011, is \$19 million. The total amount of tax
1289 refunds that may be allocated to all applicants during the
1290 period beginning July 1, 2011, and ending June 30, 2012, is \$24
1291 million. An applicant may not be allocated more than \$50,000 in
1292 refunds under this section for a single year. Preliminary refund
1293 allocations that are revoked or voluntarily surrendered shall be
1294 immediately available for reallocation.

1295 Section 37. Paragraph (1) of subsection (2) of section
1296 288.1089, Florida Statutes, is amended to read:

1297 288.1089 Innovation Incentive Program.—

1298 (2) As used in this section, the term:

1299 (1) "Match" means funding from local sources, public or
1300 private, which will be paid to the applicant and which is equal
1301 to 100 percent of an award. Eligible match funding may include
1302 any tax abatement granted to the applicant under s. 196.1995 or
1303 the appraised market value of land, buildings, infrastructure,
1304 or equipment conveyed or provided at a discount to the
1305 applicant. Complete documentation of a match payment or other

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1306 conveyance must be presented to and verified by the department
1307 ~~office~~ prior to transfer of state funds to an applicant. An
1308 applicant may not provide, directly or indirectly, more than 5
1309 percent of match funding in any fiscal year. The sources of such
1310 funding may not include, directly or indirectly, state funds
1311 appropriated from the General Revenue Fund or any state trust
1312 fund, excluding tax revenues shared with local governments
1313 pursuant to law.

1314 Section 38. Subsection (2) of section 288.1097, Florida
1315 Statutes, is amended to read:

1316 288.1097 Qualified job training organizations;
1317 certification; duties.-

1318 (2) To be eligible for funding, an organization must be
1319 certified by the department ~~Office of Tourism, Trade, and~~
1320 ~~Economic Development~~ as meeting the criteria in subsection (1).
1321 After certification, the department ~~Office of Tourism, Trade,~~
1322 ~~and Economic Development~~ may release funds to the qualified job
1323 training organization pursuant to a contract with the
1324 organization. The contract must include the performance
1325 conditions that must be met in order to obtain the award or
1326 portions of the award, including, but not limited to, net new
1327 employment in the state, the methodology for validating
1328 performance, the schedule of payments, and sanctions for failure
1329 to meet the performance requirements including any provisions
1330 for repayment of awards. The contract must also require that
1331 salaries paid to officers and employees of the qualified job
1332 training organization comply with s. 4958 of the Internal
1333 Revenue Code of 1986, as amended.

1334 Section 39. Paragraph (c) of subsection (3) of section

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1335 288.11621, Florida Statutes, is amended to read:

1336 288.11621 Spring training baseball franchises.—

1337 (3) USE OF FUNDS.—

1338 (c) The Department of Revenue may not distribute funds to
 1339 an applicant certified on or after July 1, 2010, until it
 1340 receives notice from the department ~~office~~ that the certified
 1341 applicant has encumbered funds under subparagraph (a)2.

1342 Section 40. Subsection (6) of section 288.1168, Florida
 1343 Statutes, is amended to read:

1344 288.1168 Professional golf hall of fame facility.—

1345 (6) The department ~~Office of Tourism, Trade, and Economic~~
 1346 ~~Development~~ must recertify every 10 years that the facility is
 1347 open, continues to be the only professional golf hall of fame in
 1348 the United States recognized by the PGA Tour, Inc., and is
 1349 meeting the minimum projections for attendance or sales tax
 1350 revenue as required at the time of original certification. If
 1351 the facility is not certified as meeting the minimum
 1352 projections, the PGA Tour, Inc., shall increase its required
 1353 advertising contribution of \$2 million annually to \$2.5 million
 1354 annually in lieu of reduction of any funds as provided by s.
 1355 212.20. The additional \$500,000 must be allocated in its
 1356 entirety for the use and promotion of generic Florida
 1357 advertising as determined by the department ~~Office of Tourism,~~
 1358 ~~Trade, and Economic Development~~. If the facility is not open to
 1359 the public or is no longer in use as the only professional golf
 1360 hall of fame in the United States recognized by the PGA Tour,
 1361 Inc., the entire \$2.5 million for advertising must be used for
 1362 generic Florida advertising as determined by the department
 1363 ~~Office of Tourism, Trade, and Economic Development~~.

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1364 Section 41. Subsection (4) of section 288.1171, Florida
1365 Statutes, is amended to read:

1366 288.1171 Motorsports entertainment complex; definitions;
1367 certification; duties.—

1368 (4) Upon determining that an applicant meets the
1369 requirements of subsection (3), the department ~~office~~ shall
1370 notify the applicant and the executive director of the
1371 Department of Revenue of such certification by means of an
1372 official letter granting certification. If the applicant fails
1373 to meet the certification requirements of subsection (3), the
1374 department ~~office~~ shall notify the applicant not later than 10
1375 days following such determination.

1376 Section 42. Paragraph (a) of subsection (8) of section
1377 288.1254, Florida Statutes, is amended to read:

1378 288.1254 Entertainment industry financial incentive
1379 program.—

1380 (8) RULES, POLICIES, AND PROCEDURES.—

1381 (a) The department ~~Office of Tourism, Trade, and Economic~~
1382 ~~Development~~ may adopt rules pursuant to ss. 120.536(1) and
1383 120.54 and develop policies and procedures to implement and
1384 administer this section, including, but not limited to, rules
1385 specifying requirements for the application and approval
1386 process, records required for substantiation for tax credits,
1387 procedures for making the election in paragraph (4)(d), the
1388 manner and form of documentation required to claim tax credits
1389 awarded or transferred under this section, and marketing
1390 requirements for tax credit recipients.

1391 Section 43. Subsection (2) of section 288.714, Florida
1392 Statutes, is amended to read:

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1393 288.714 Quarterly and annual reports.-

1394 (2) The department must compile a summary of all quarterly
1395 reports ~~and provide a copy of the summary to the board~~ within 30
1396 days after the end of each calendar quarter which ~~that~~ includes
1397 a detailed summary of the recipient's performance of the duties
1398 imposed by s. 288.7102.

1399 Section 44. Subsection (7) of section 288.7102, Florida
1400 Statutes, is amended to read:

1401 288.7102 Black Business Loan Program.-

1402 (7) The department, ~~in consultation with the board,~~ shall
1403 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
1404 this section.

1405 Section 45. Subsections (5) and (7) of section 288.987,
1406 Florida Statutes, are amended to read:

1407 288.987 Florida Defense Support Task Force.-

1408 (5) The executive director of the Department of Economic
1409 Opportunity Office of Tourism, Trade, and Economic Development
1410 ~~within the Executive Office of the Governor,~~ or his or her
1411 designee, shall serve as the ex officio, nonvoting executive
1412 director of the task force.

1413 (7) The department ~~Office of Tourism, Trade, and Economic~~
1414 ~~Development~~ shall contract with the task force for expenditure
1415 of appropriated funds, which may be used by the task force for
1416 economic and product research and development, joint planning
1417 with host communities to accommodate military missions and
1418 prevent base encroachment, advocacy on the state's behalf with
1419 federal civilian and military officials, assistance to school
1420 districts in providing a smooth transition for large numbers of
1421 additional military-related students, job training and placement

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1422 for military spouses in communities with high proportions of
1423 active duty military personnel, and promotion of the state to
1424 military and related contractors and employers. The task force
1425 may annually spend up to \$200,000 of funds appropriated to the
1426 department ~~Executive Office of the Governor, Office of Tourism,~~
1427 ~~Trade, and Economic Development,~~ for the task force for staffing
1428 and administrative expenses of the task force, including travel
1429 and per diem costs incurred by task force members who are not
1430 otherwise eligible for state reimbursement.

1431 Section 46. Paragraph (d) of subsection (6) of section
1432 290.0055, Florida Statutes, is amended to read:

1433 290.0055 Local nominating procedure.—

1434 (6)

1435 (d)1. The governing body of a jurisdiction which has
1436 nominated an application for an enterprise zone that is no
1437 larger than 12 square miles and includes a portion of the state
1438 designated as a rural area of critical economic concern under s.
1439 288.0656(7) may apply to the department ~~Office of Tourism,~~
1440 ~~Trade, and Economic Development~~ to expand the boundary of the
1441 enterprise zone by not more than 3 square miles. An application
1442 to expand the boundary of an enterprise zone under this
1443 paragraph must be submitted by December 31, 2012.

1444 2. Notwithstanding the area limitations specified in
1445 subsection (4), the department ~~Office of Tourism, Trade, and~~
1446 ~~Economic Development~~ may approve the request for a boundary
1447 amendment if the area continues to satisfy the remaining
1448 requirements of this section.

1449 3. The department ~~Office of Tourism, Trade, and Economic~~
1450 ~~Development~~ shall establish the initial effective date of an

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1451 enterprise zone designated under this paragraph.

1452 Section 47. Paragraph (a) of subsection (4) of section
1453 290.0065, Florida Statutes, is amended to read:

1454 290.0065 State designation of enterprise zones.—

1455 (4) (a) Notwithstanding s. 290.0055, the department may
1456 redesignate any state enterprise zone having an effective date
1457 on or before January 1, 2005, as a state enterprise zone upon
1458 completion and submittal to the department ~~office~~ by the
1459 governing body for an enterprise zone of the following:

1460 1. An updated zone profile for the enterprise zone based on
1461 the most recent census data that complies with s. 290.0055,
1462 except that pervasive poverty criteria may be set aside for
1463 rural enterprise zones.

1464 2. A resolution passed by the governing body for that
1465 enterprise zone requesting redesignation and explaining the
1466 reasons the conditions of the zone merit redesignation.

1467 3. Measurable goals for the enterprise zone developed by
1468 the enterprise zone development agency, which may be the goals
1469 established in the enterprise zone's strategic plan.

1470
1471 The governing body may also submit a request for a boundary
1472 change in an enterprise zone in the same application to the
1473 department as long as the new area complies with the
1474 requirements of s. 290.0055, except that pervasive poverty
1475 criteria may be set aside for rural enterprise zones.

1476 Section 48. Section 290.00726, Florida Statutes, is amended
1477 to read:

1478 290.00726 Enterprise zone designation for Martin County.—
1479 Martin County may apply to the department ~~Office of Tourism,~~

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1480 ~~Trade, and Economic Development~~ for designation of one
1481 enterprise zone for an area within Martin County, which zone
1482 shall encompass an area of up to 10 square miles consisting of
1483 land within the primary urban services boundary and focusing on
1484 Indiantown, but excluding property owned by Florida Power and
1485 Light to the west, two areas to the north designated as estate
1486 residential, and the county-owned Timer Powers Recreational
1487 Area. Within the designated enterprise zone, Martin County shall
1488 exempt residential condominiums from benefiting from state
1489 enterprise zone incentives, unless prohibited by law. The
1490 application must have been submitted by December 31, 2011, and
1491 must comply with the requirements of s. 290.0055.
1492 Notwithstanding s. 290.0065 limiting the total number of
1493 enterprise zones designated and the number of enterprise zones
1494 within a population category, the department ~~Office of Tourism,~~
1495 ~~Trade, and Economic Development~~ may designate one enterprise
1496 zone under this section. The department ~~Office of Tourism,~~
1497 ~~Trade, and Economic Development~~ shall establish the initial
1498 effective date of the enterprise zone designated under this
1499 section.

1500 Section 49. Section 290.00727, Florida Statutes, is amended
1501 to read:

1502 290.00727 Enterprise zone designation for the City of Palm
1503 Bay.—The City of Palm Bay may apply to the department ~~Office of~~
1504 ~~Tourism, Trade, and Economic Development~~ for designation of one
1505 enterprise zone for an area within the northeast portion of the
1506 city, which zone shall encompass an area of up to 5 square
1507 miles. The application must have been submitted by December 31,
1508 2011, and must comply with the requirements of s. 290.0055.

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1509 Notwithstanding s. 290.0065 limiting the total number of
1510 enterprise zones designated and the number of enterprise zones
1511 within a population category, the department ~~Office of Tourism,~~
1512 ~~Trade, and Economic Development~~ may designate one enterprise
1513 zone under this section. The department ~~Office of Tourism,~~
1514 ~~Trade, and Economic Development~~ shall establish the initial
1515 effective date of the enterprise zone designated under this
1516 section.

1517 Section 50. Section 290.00728, Florida Statutes, is amended
1518 to read:

1519 290.00728 Enterprise zone designation for Lake County.—Lake
1520 County may apply to the department ~~Office of Tourism, Trade, and~~
1521 ~~Economic Development~~ for designation of one enterprise zone,
1522 which zone shall encompass an area of up to 10 square miles
1523 within Lake County. The application must have been submitted by
1524 December 31, 2011, and must comply with the requirements of s.
1525 290.0055. Notwithstanding s. 290.0065 limiting the total number
1526 of enterprise zones designated and the number of enterprise
1527 zones within a population category, the department ~~Office of~~
1528 ~~Tourism, Trade, and Economic Development~~ may designate one
1529 enterprise zone under this section. The department ~~Office of~~
1530 ~~Tourism, Trade, and Economic Development~~ shall establish the
1531 initial effective date of the enterprise zone designated under
1532 this section.

1533 Section 51. Subsections (1) and (6) of section 311.09,
1534 Florida Statutes, are amended to read:

1535 311.09 Florida Seaport Transportation and Economic
1536 Development Council.—

1537 (1) The Florida Seaport Transportation and Economic

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1538 Development Council is created within the Department of
 1539 Transportation. The council consists of the following 17 ~~18~~
 1540 members: the port director, or the port director's designee, of
 1541 each of the ports of Jacksonville, Port Canaveral, Port Citrus,
 1542 Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee,
 1543 St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key
 1544 West, and Fernandina; the secretary of the Department of
 1545 Transportation or his or her designee; and the director of the
 1546 Department of Economic Opportunity or his or her designee.

1547 (6) The Department of Economic Opportunity Community
 1548 ~~Affairs~~ shall review the list of projects approved by the
 1549 council to determine consistency with approved local government
 1550 comprehensive plans of the units of local government in which
 1551 the port is located and consistency with the port master plan.
 1552 The Department of Economic Opportunity Community ~~Affairs~~ shall
 1553 identify and notify the council of those projects that ~~which~~ are
 1554 not consistent, to the maximum extent feasible, with such
 1555 comprehensive plans and port master plans.

1556 Section 52. Paragraph (b) of subsection (9), paragraph (a)
 1557 of subsection (35), and paragraph (b) of subsection (62) of
 1558 section 320.08058, Florida Statutes, are amended to read:

1559 320.08058 Specialty license plates.—

1560 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

1561 (b) The license plate annual use fees are to be annually
 1562 distributed as follows:

1563 1. Fifty-five percent of the proceeds from the Florida
 1564 Professional Sports Team plate must be deposited into the
 1565 Professional Sports Development Trust Fund within the Department
 1566 of Economic Opportunity. These funds must be used solely to

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1567 attract and support major sports events in this state. As used
1568 in this subparagraph, the term "major sports events" means, but
1569 is not limited to, championship or all-star contests of Major
1570 League Baseball, the National Basketball Association, the
1571 National Football League, the National Hockey League, the men's
1572 and women's National Collegiate Athletic Association Final Four
1573 basketball championship, or a horseracing or dogracing Breeders'
1574 Cup. All funds must be used to support and promote major
1575 sporting events, and the uses must be approved by the Department
1576 of Economic Opportunity ~~Florida Sports Foundation~~.

1577 2. The remaining proceeds of the Florida Professional
1578 Sports Team license plate must be allocated to Enterprise
1579 Florida, Inc. These funds must be deposited into the
1580 Professional Sports Development Trust Fund within the Department
1581 of Economic Opportunity. These funds must be used by Enterprise
1582 Florida, Inc., to promote the economic development of the sports
1583 industry; to distribute licensing and royalty fees to
1584 participating professional sports teams; to promote education
1585 programs in Florida schools that provide an awareness of the
1586 benefits of physical activity and nutrition standards; to
1587 partner with the Department of Education and the Department of
1588 Health to develop a program that recognizes schools whose
1589 students demonstrate excellent physical fitness or fitness
1590 improvement; to institute a grant program for communities
1591 bidding on minor sporting events that create an economic impact
1592 for the state; to distribute funds to Florida-based charities
1593 designated by Enterprise Florida, Inc., and the participating
1594 professional sports teams; and to fulfill the sports promotion
1595 responsibilities of the Department of Economic Opportunity.

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1596 3. Enterprise Florida, Inc., shall provide an annual
1597 financial audit in accordance with s. 215.981 of its financial
1598 accounts and records by an independent certified public
1599 accountant pursuant to the contract established by the
1600 Department of Economic Opportunity. The auditor shall submit the
1601 audit report to the Department of Economic Opportunity for
1602 review and approval. If the audit report is approved, the
1603 Department of Economic Opportunity shall certify the audit
1604 report to the Auditor General for review.

1605 4. Notwithstanding the provisions of subparagraphs 1. and
1606 2., proceeds from the Professional Sports Development Trust Fund
1607 may also be used for operational expenses of Enterprise Florida,
1608 Inc., and financial support of the Sunshine State Games.

1609 (35) FLORIDA GOLF LICENSE PLATES.—

1610 (a) The Department of Highway Safety and Motor Vehicles
1611 shall develop a Florida Golf license plate as provided in this
1612 section. The word "Florida" must appear at the bottom of the
1613 plate. The Dade Amateur Golf Association, following consultation
1614 with the PGA TOUR, Enterprise Florida, Inc., ~~the Florida Sports~~
1615 ~~Foundation~~, the LPGA, and the PGA of America, may submit a
1616 revised sample plate for consideration by the department.

1617 (62) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

1618 (b) The annual use fees shall be distributed to the
1619 Wildlife Foundation of Florida, Inc., a citizen support
1620 organization created pursuant to s. 379.223, which shall
1621 administer the fees as follows:

1622 1. Wildlife Foundation of Florida, Inc., shall retain the
1623 first \$60,000 of the annual use fees as direct reimbursement for
1624 administrative costs, startup costs, and costs incurred in the

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1625 development and approval process.

1626 2. Thereafter, a maximum of 10 percent of the fees may be
1627 used for administrative costs directly associated with education
1628 programs, conservation, springs research, and grant
1629 administration of the foundation. A maximum of 15 percent of the
1630 fees may be used for continuing promotion and marketing of the
1631 license plate.

1632 3. At least 55 percent of the fees shall be available for
1633 competitive grants for targeted community-based springs research
1634 not currently available for state funding. The remaining 20
1635 percent shall be directed toward community outreach programs
1636 aimed at implementing such research findings. The competitive
1637 grants shall be administered and approved by the board of
1638 directors of the Wildlife Foundation of Florida. The granting
1639 advisory committee shall be composed of nine members, including
1640 one representative from the Fish and Wildlife Conservation
1641 Commission, one representative from the Department of
1642 Environmental Protection, one representative from the Department
1643 of Health, one representative from the Department of Economic
1644 Opportunity ~~Community Affairs~~, three citizen representatives,
1645 and two representatives from nonprofit stakeholder groups.

1646 4. The remaining funds shall be distributed with the
1647 approval of and accountability to the board of directors of the
1648 Wildlife Foundation of Florida, and shall be used to support
1649 activities contributing to education, outreach, and springs
1650 conservation.

1651 Section 53. Paragraph (b) of subsection (5) of section
1652 339.135, Florida Statutes, is amended to read:

1653 339.135 Work program; legislative budget request;

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1654 definitions; preparation, adoption, execution, and amendment.—

1655 (5) ADOPTION OF THE WORK PROGRAM.—

1656 (b) Notwithstanding paragraph (a), and for the 2011-2012
 1657 fiscal year only, the Department of Transportation shall
 1658 transfer funds to the Department of Economic Opportunity ~~Office~~
 1659 ~~of Tourism, Trade, and Economic Development~~ in an amount equal
 1660 to \$15 million for the purpose of funding transportation-related
 1661 needs of economic development projects. This transfer does ~~shall~~
 1662 not reduce, delete, or defer any existing projects funded, as of
 1663 July 1, 2011, in the Department of Transportation's 5-year work
 1664 program. This paragraph expires July 1, 2012.

1665 Section 54. Subsection (1) of section 342.201, Florida
 1666 Statutes, is amended to read:

1667 342.201 Waterfronts Florida Program.—

1668 (1) There is established within the Department of Economic
 1669 Opportunity ~~Environmental Protection~~ the Waterfronts Florida
 1670 Program to provide technical assistance and support to
 1671 communities in revitalizing waterfront areas in this state.

1672 Section 55. Paragraph (h) of subsection (2) of section
 1673 377.703, Florida Statutes, is amended to read:

1674 377.703 Additional functions of the Department of
 1675 Agriculture and Consumer Services.—

1676 (2) DUTIES.—The department shall perform the following
 1677 functions, unless as otherwise provided, consistent with the
 1678 development of a state energy policy:

1679 (h) The department shall promote the development and use of
 1680 renewable energy resources, in conformance with ~~the provisions~~
 1681 ~~of~~ chapter 187 and s. 377.601, by:

1682 1. Establishing goals and strategies for increasing the use

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1683 of solar energy in this state.

1684 2. Aiding and promoting the commercialization of solar
1685 energy technology, in cooperation with the Florida Solar Energy
1686 Center, Enterprise Florida, Inc., and any other federal, state,
1687 or local governmental agency which may seek to promote research,
1688 development, and demonstration of solar energy equipment and
1689 technology.

1690 3. Identifying barriers to greater use of solar energy
1691 systems in this state, and developing specific recommendations
1692 for overcoming identified barriers, with findings and
1693 recommendations to be submitted annually in the report to the
1694 Governor and Legislature required under paragraph (f).

1695 4. In cooperation with the Department of Environmental
1696 Protection, the Department of Transportation, the Department of
1697 Economic Opportunity ~~Community Affairs~~, Enterprise Florida,
1698 Inc., the Florida Solar Energy Center, and the Florida Solar
1699 Energy Industries Association, investigating opportunities,
1700 pursuant to the National Energy Policy Act of 1992, the Housing
1701 and Community Development Act of 1992, and any subsequent
1702 federal legislation, for solar electric vehicles and other solar
1703 energy manufacturing, distribution, installation, and financing
1704 efforts which will enhance this state's position as the leader
1705 in solar energy research, development, and use.

1706 5. Undertaking other initiatives to advance the development
1707 and use of renewable energy resources in this state.

1708
1709 In the exercise of its responsibilities under this paragraph,
1710 the department shall seek the assistance of the solar energy
1711 industry in this state and other interested parties and is

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1712 authorized to enter into contracts, retain professional
1713 consulting services, and expend funds appropriated by the
1714 Legislature for such purposes.

1715 Section 56. Paragraphs (c) and (d) of subsection (4) of
1716 section 377.809, Florida Statutes, are amended to read:

1717 377.809 Energy Economic Zone Pilot Program.—

1718 (4)

1719 (c) Upon approving an incentive for an eligible business,
1720 the governing body that has jurisdiction over the energy
1721 economic zone shall provide the taxpayer with a certificate
1722 indicating the name and federal identification number of the
1723 eligible business, the date the incentive is provided, the name
1724 of the energy economic zone, the incentive type, and the
1725 incentive amount. The local governing body shall certify to the
1726 Department of Revenue or the Department of Economic Opportunity
1727 ~~Office of Tourism, Trade, and Economic Development~~, whichever is
1728 applicable, which businesses or properties are eligible to
1729 receive any or all of the state incentives according to their
1730 statutory requirements. The governing body that has jurisdiction
1731 over the energy economic zone shall provide a copy of the
1732 certificate to the Department of Revenue and the Department of
1733 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~
1734 ~~Development~~ as notification that such incentives were approved
1735 for the specific eligible business or property. For incentives
1736 to be claimed against the sales and use tax under chapter 212,
1737 the Department of Revenue shall send, within 14 days after
1738 receipt, written instructions to an eligible business on how to
1739 claim the credit on a sales and use tax return initiated through
1740 an electronic data interchange. Any credit against the sales and

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1741 use tax shall be deducted from any sales and use tax remitted by
1742 the dealer to the Department of Revenue by electronic funds
1743 transfer and may be deducted only on a sales and use tax return
1744 initiated through an electronic data interchange. The dealer
1745 shall separately state the credit on the electronic return. The
1746 net amount of tax due and payable must be remitted by electronic
1747 funds transfer. If the credit exceeds the amount owed on the
1748 sales and use tax return, such excess amount may be carried
1749 forward for a period not to exceed 12 months after the date that
1750 the credit is initially claimed.

1751 (d) If all conditions are deemed met, the Department of
1752 Economic Opportunity ~~Office of Tourism, Trade, and Economic~~
1753 ~~Development~~ and the Department of Revenue may adopt emergency
1754 rules pursuant to ss. 120.536(1) and 120.54 to administer ~~the~~
1755 ~~provisions of~~ this subsection. The emergency rules shall remain
1756 in effect for 6 months after the rules are adopted, and the
1757 rules may be renewed while the procedures to adopt permanent
1758 rules addressing the subject of the emergency rules are pending.

1759 Section 57. Paragraph (b) of subsection (6), paragraph (b)
1760 of subsection (19), paragraphs (l) and (q) of subsection (24),
1761 and paragraphs (b) and (c) of subsection (29) of section 380.06,
1762 Florida Statutes, are amended to read:

1763 380.06 Developments of regional impact.—

1764 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT
1765 PLAN AMENDMENTS.—

1766 (b) Any local government comprehensive plan amendments
1767 related to a proposed development of regional impact, including
1768 any changes proposed under subsection (19), may be initiated by
1769 a local planning agency or the developer and must be considered

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1770 by the local governing body at the same time as the application
1771 for development approval using the procedures provided for local
1772 plan amendment in s. 163.3187 and applicable local ordinances,
1773 without regard to local limits on the frequency of consideration
1774 of amendments to the local comprehensive plan. This paragraph
1775 does not require favorable consideration of a plan amendment
1776 solely because it is related to a development of regional
1777 impact. The procedure for processing such comprehensive plan
1778 amendments is as follows:

1779 1. If a developer seeks a comprehensive plan amendment
1780 related to a development of regional impact, the developer must
1781 so notify in writing the regional planning agency, the
1782 applicable local government, and the state land planning agency
1783 no later than the date of preapplication conference or the
1784 submission of the proposed change under subsection (19).

1785 2. When filing the application for development approval or
1786 the proposed change, the developer must include a written
1787 request for comprehensive plan amendments that would be
1788 necessitated by the development-of-regional-impact approvals
1789 sought. That request must include data and analysis upon which
1790 the applicable local government can determine whether to
1791 transmit the comprehensive plan amendment pursuant to s.
1792 163.3184.

1793 3. The local government must advertise a public hearing on
1794 the transmittal within 30 days after filing the application for
1795 development approval or the proposed change and must make a
1796 determination on the transmittal within 60 days after the
1797 initial filing unless that time is extended by the developer.

1798 4. If the local government approves the transmittal,

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1799 procedures set forth in s. 163.3184(3)(b) and (c)
 1800 ~~163.3184(4)(b)-(d)~~ must be followed.

1801 5. Notwithstanding subsection (11) or subsection (19), the
 1802 local government may not hold a public hearing on the
 1803 application for development approval or the proposed change or
 1804 on the comprehensive plan amendments sooner than 30 days after
 1805 ~~from~~ receipt of the response from the state land planning agency
 1806 pursuant to s. 163.3184(3)(c)1. ~~163.3184(4)(d).~~

1807 6. The local government must hear both the application for
 1808 development approval or the proposed change and the
 1809 comprehensive plan amendments at the same hearing. However, the
 1810 local government must take action separately on the application
 1811 for development approval or the proposed change and on the
 1812 comprehensive plan amendments.

1813 7. Thereafter, the appeal process for the local government
 1814 development order must follow the provisions of s. 380.07, and
 1815 the compliance process for the comprehensive plan amendments
 1816 must follow the provisions of s. 163.3184.

1817 (19) SUBSTANTIAL DEVIATIONS.—

1818 (b) Any proposed change to a previously approved
 1819 development of regional impact or development order condition
 1820 which, either individually or cumulatively with other changes,
 1821 exceeds any of the following criteria shall constitute a
 1822 substantial deviation and shall cause the development to be
 1823 subject to further development-of-regional-impact review without
 1824 the necessity for a finding of same by the local government:

1825 1. An increase in the number of parking spaces at an
 1826 attraction or recreational facility by 15 percent or 500 spaces,
 1827 whichever is greater, or an increase in the number of spectators

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1828 that may be accommodated at such a facility by 15 percent or
1829 1,500 spectators, whichever is greater.

1830 2. A new runway, a new terminal facility, a 25 percent ~~25-~~
1831 ~~percent~~ lengthening of an existing runway, or a 25 percent ~~25-~~
1832 ~~percent~~ increase in the number of gates of an existing terminal,
1833 but only if the increase adds at least three additional gates.

1834 3. An increase in land area for office development by 15
1835 percent or an increase of gross floor area of office development
1836 by 15 percent or 100,000 gross square feet, whichever is
1837 greater.

1838 4. An increase in the number of dwelling units by 10
1839 percent or 55 dwelling units, whichever is greater.

1840 5. An increase in the number of dwelling units by 50
1841 percent or 200 units, whichever is greater, provided that 15
1842 percent of the proposed additional dwelling units are dedicated
1843 to affordable workforce housing, subject to a recorded land use
1844 restriction that shall be for a period of not less than 20 years
1845 and that includes resale provisions to ensure long-term
1846 affordability for income-eligible homeowners and renters and
1847 provisions for the workforce housing to be commenced prior to
1848 the completion of 50 percent of the market rate dwelling. For
1849 purposes of this subparagraph, the term "affordable workforce
1850 housing" means housing that is affordable to a person who earns
1851 less than 120 percent of the area median income, or less than
1852 140 percent of the area median income if located in a county in
1853 which the median purchase price for a single-family existing
1854 home exceeds the statewide median purchase price of a single-
1855 family existing home. For purposes of this subparagraph, the
1856 term "statewide median purchase price of a single-family

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1857 existing home" means the statewide purchase price as determined
1858 in the Florida Sales Report, Single-Family Existing Homes,
1859 released each January by the Florida Association of Realtors and
1860 the University of Florida Real Estate Research Center.

1861 6. An increase in commercial development by 60,000 square
1862 feet of gross floor area or of parking spaces provided for
1863 customers for 425 cars or a 10 percent ~~10-percent~~ increase,
1864 whichever is greater.

1865 7. An increase in a recreational vehicle park area by 10
1866 percent or 110 vehicle spaces, whichever is less.

1867 8. A decrease in the area set aside for open space of 5
1868 percent or 20 acres, whichever is less.

1869 9. A proposed increase to an approved multiuse development
1870 of regional impact where the sum of the increases of each land
1871 use as a percentage of the applicable substantial deviation
1872 criteria is equal to or exceeds 110 percent. The percentage of
1873 any decrease in the amount of open space shall be treated as an
1874 increase for purposes of determining when 110 percent has been
1875 reached or exceeded.

1876 10. A 15 percent ~~15-percent~~ increase in the number of
1877 external vehicle trips generated by the development above that
1878 which was projected during the original development-of-regional-
1879 impact review.

1880 11. Any change that ~~which~~ would result in development of
1881 any area which was specifically set aside in the application for
1882 development approval or in the development order for
1883 preservation or special protection of endangered or threatened
1884 plants or animals designated as endangered, threatened, or
1885 species of special concern and their habitat, any species

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1886 protected by 16 U.S.C. ss. 668a-668d, primary dunes, or
1887 archaeological and historical sites designated as significant by
1888 the Division of Historical Resources of the Department of State.
1889 The refinement of the boundaries and configuration of such areas
1890 shall be considered under sub-subparagraph (e)2.j.

1891
1892 The substantial deviation numerical standards in subparagraphs
1893 3., 6., and 9., excluding residential uses, and in subparagraph
1894 10., are increased by 100 percent for a project certified under
1895 s. 403.973 which creates jobs and meets criteria established by
1896 the Department of Economic Opportunity ~~Office of Tourism, Trade,~~
1897 ~~and Economic Development~~ as to its impact on an area's economy,
1898 employment, and prevailing wage and skill levels. The
1899 substantial deviation numerical standards in subparagraphs 3.,
1900 4., 5., 6., 9., and 10. are increased by 50 percent for a
1901 project located wholly within an urban infill and redevelopment
1902 area designated on the applicable adopted local comprehensive
1903 plan future land use map and not located within the coastal high
1904 hazard area.

1905 (24) STATUTORY EXEMPTIONS.—

1906 (1) Any proposed development within an urban service
1907 boundary established under s. 163.3177(14), Florida Statutes
1908 (2010), which is not otherwise exempt pursuant to subsection
1909 (29), is exempt from this section if the local government having
1910 jurisdiction over the area where the development is proposed has
1911 adopted the urban service boundary and has entered into a
1912 binding agreement with jurisdictions that would be impacted and
1913 with the Department of Transportation regarding the mitigation
1914 of impacts on state and regional transportation facilities.

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1915 (q) Any development identified in an airport master plan
 1916 and adopted into the comprehensive plan pursuant to s.
 1917 163.3177(6) (k), Florida Statutes (2010) is exempt from this
 1918 section.

1919
 1920 If a use is exempt from review as a development of regional
 1921 impact under paragraphs (a)-(u), but will be part of a larger
 1922 project that is subject to review as a development of regional
 1923 impact, the impact of the exempt use must be included in the
 1924 review of the larger project, unless such exempt use involves a
 1925 development of regional impact that includes a landowner,
 1926 tenant, or user that has entered into a funding agreement with
 1927 the Department of Economic Opportunity under the Innovation
 1928 Incentive Program and the agreement contemplates a state award
 1929 of at least \$50 million.

1930 (29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.—

1931 (b) If a municipality that does not qualify as a dense
 1932 urban land area ~~pursuant to s. 163.3164~~ designates any of the
 1933 following areas in its comprehensive plan, any proposed
 1934 development within the designated area is exempt from the
 1935 development-of-regional-impact process:

- 1936 1. Urban infill as defined in s. 163.3164;
- 1937 2. Community redevelopment areas as defined in s. 163.340;
- 1938 3. Downtown revitalization areas as defined in s. 163.3164;
- 1939 4. Urban infill and redevelopment under s. 163.2517; or
- 1940 5. Urban service areas as defined in s. 163.3164 or areas
 1941 within a designated urban service boundary under s.
 1942 163.3177(14).

1943 (c) If a county that does not qualify as a dense urban land

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1944 area ~~pursuant to s. 163.3164~~ designates any of the following
 1945 areas in its comprehensive plan, any proposed development within
 1946 the designated area is exempt from the development-of-regional-
 1947 impact process:

- 1948 1. Urban infill as defined in s. 163.3164;
- 1949 2. Urban infill and redevelopment under s. 163.2517; or
- 1950 3. Urban service areas as defined in s. 163.3164.

1951 Section 58. Paragraph (a) of subsection (4) of section
 1952 402.56, Florida Statutes, is amended to read:

1953 402.56 Children's cabinet; organization; responsibilities;
 1954 annual report.—

1955 (4) MEMBERS.—The cabinet shall consist of 14 members
 1956 including the Governor and the following persons:

- 1957 (a)1. The Secretary of Children and Family Services;
- 1958 2. The Secretary of Juvenile Justice;
- 1959 3. The director of the Agency for Persons with
 1960 Disabilities;
- 1961 4. The director of the Office ~~Division~~ of Early Learning;
- 1962 5. The State Surgeon General;
- 1963 6. The Secretary of Health Care Administration;
- 1964 7. The Commissioner of Education;
- 1965 8. The director of the Statewide Guardian Ad Litem Office;
- 1966 9. The director of the Office of Child Abuse Prevention;

1967 and

- 1968 10. Five members representing children and youth advocacy
 1969 organizations, who are not service providers and who are
 1970 appointed by the Governor.

1971 Section 59. Subsection (6) of section 403.0891, Florida
 1972 Statutes, is amended to read:

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1973 403.0891 State, regional, and local stormwater management
1974 plans and programs.—The department, the water management
1975 districts, and local governments shall have the responsibility
1976 for the development of mutually compatible stormwater management
1977 programs.

1978 (6) The department and the Department of Economic
1979 Opportunity Community Affairs, in cooperation with local
1980 governments in the coastal zone, shall develop a model
1981 stormwater management program that could be adopted by local
1982 governments. The model program shall contain dedicated funding
1983 options, including a stormwater utility fee system based upon an
1984 equitable unit cost approach. Funding options shall be designed
1985 to generate capital to retrofit existing stormwater management
1986 systems, build new treatment systems, operate facilities, and
1987 maintain and service debt.

1988 Section 60. Subsection (8) of section 420.503, Florida
1989 Statutes, is amended to read:

1990 420.503 Definitions.—As used in this part, the term:

1991 (8) "Contract" means the contract between the executive
1992 director ~~secretary~~ of the department and the corporation for
1993 provision of housing services referenced in s. 420.0006.

1994 Section 61. Subsection (30) of section 420.507, Florida
1995 Statutes, is amended to read:

1996 420.507 Powers of the corporation.—The corporation shall
1997 have all the powers necessary or convenient to carry out and
1998 effectuate the purposes and provisions of this part, including
1999 the following powers which are in addition to all other powers
2000 granted by other provisions of this part:

2001 (30) To prepare and submit to the executive director

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2002 ~~secretary~~ of the department a budget request for purposes of the
2003 corporation, which request shall, notwithstanding the provisions
2004 of chapter 216 and in accordance with s. 216.351, contain a
2005 request for operational expenditures and separate requests for
2006 other authorized corporation programs. The request need ~~shall~~
2007 ~~not be required to~~ contain information on the number of
2008 employees, salaries, or any classification thereof, and the
2009 approved operating budget therefor need not comply with s.
2010 216.181(8)-(10). The executive director may ~~secretary is~~
2011 ~~authorized to~~ include within the department's budget request the
2012 corporation's budget request in the form as authorized by this
2013 section.

2014 Section 62. Paragraph (d) of subsection (1) of section
2015 420.101, Florida Statutes, is amended to read:

2016 420.101 Housing Development Corporation of Florida;
2017 creation, membership, and purposes.—

2018 (1) Twenty-five or more persons, a majority of whom shall
2019 be residents of this state, who may desire to create a housing
2020 development corporation under the provisions of this part for
2021 the purpose of promoting and developing housing and advancing
2022 the prosperity and economic welfare of the state and, to that
2023 end, to exercise the powers and privileges hereinafter provided,
2024 may be incorporated by filing in the Department of State, as
2025 hereinafter provided, articles of incorporation. The articles of
2026 incorporation shall contain:

2027 (d) The names and post office addresses of the members of
2028 the first board of directors. The first board of directors shall
2029 be elected by and from the stockholders of the corporation and
2030 shall consist of 21 members. However, five of such members shall

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2031 consist of the following persons, who shall be nonvoting
2032 members: the executive director ~~secretary~~ of the Department of
2033 Economic Opportunity or her or his designee; the head of the
2034 Department of Financial Services or her or his designee with
2035 expertise in banking matters; a designee of the head of the
2036 Department of Financial Services with expertise in insurance
2037 matters; one state senator appointed by the President of the
2038 Senate; and one representative appointed by the Speaker of the
2039 House of Representatives.

2040 Section 63. Section 420.0005, Florida Statutes, is amended
2041 to read:

2042 420.0005 State Housing Trust Fund; State Housing Fund.—
2043 There is ~~hereby~~ established in the State Treasury a separate
2044 trust fund to be named the "State Housing Trust Fund." There
2045 shall be deposited in the fund all moneys appropriated by the
2046 Legislature, or moneys received from any other source, for the
2047 purpose of this chapter, and all proceeds derived from the use
2048 of such moneys. The fund shall be administered by the Florida
2049 Housing Finance Corporation on behalf of the department, as
2050 specified in this chapter. Money deposited to the fund and
2051 appropriated by the Legislature must, notwithstanding the
2052 provisions of chapter 216 or s. 420.504(3), be transferred
2053 quarterly in advance, to the extent available, or, if not so
2054 available, as soon as received into the State Housing Trust
2055 Fund, and subject to the provisions of s. 420.5092(6)(a) and (b)
2056 by the Chief Financial Officer to the corporation upon
2057 certification by the executive director of the Department of
2058 Economic Opportunity that the corporation is in compliance with
2059 the requirements of s. 420.0006. The certification made by the

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2060 executive director ~~secretary~~ shall also include the split of
2061 funds among programs administered by the corporation and the
2062 department as specified in chapter 92-317, Laws of Florida, as
2063 amended. Moneys advanced by the Chief Financial Officer must be
2064 deposited by the corporation into a separate fund established
2065 with a qualified public depository meeting the requirements of
2066 chapter 280 to be named the "State Housing Fund" and used for
2067 the purposes of this chapter. Administrative and personnel costs
2068 incurred in implementing this chapter may be paid from the State
2069 Housing Fund, but such costs may not exceed 5 percent of the
2070 moneys deposited into such fund. To the State Housing Fund shall
2071 be credited all loan repayments, penalties, and other fees and
2072 charges accruing to such fund under this chapter. It is the
2073 intent of this chapter that all loan repayments, penalties, and
2074 other fees and charges collected be credited in full to the
2075 program account from which the loan originated. Moneys in the
2076 State Housing Fund which are not currently needed for the
2077 purposes of this chapter shall be invested in such manner as is
2078 provided for by statute. The interest received on any such
2079 investment shall be credited to the State Housing Fund.

2080 Section 64. Section 420.0006, Florida Statutes, is amended
2081 to read:

2082 420.0006 Authority to contract with corporation; contract
2083 requirements; nonperformance.—The executive director ~~secretary~~
2084 of the department shall contract, notwithstanding ~~the provisions~~
2085 ~~of~~ part I of chapter 287, with the Florida Housing Finance
2086 Corporation on a multiyear basis to stimulate, provide, and
2087 foster affordable housing in the state. The contract must
2088 incorporate the performance measures required by s. 420.511 and

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2089 must be consistent with the provisions of the corporation's
2090 strategic plan prepared in accordance with s. 420.511. The
2091 contract must provide that, in the event the corporation fails
2092 to comply with any of the performance measures required by s.
2093 420.511, the executive director ~~secretary~~ shall notify the
2094 Governor and shall refer the nonperformance to the department's
2095 inspector general for review and determination as to whether
2096 such failure is due to forces beyond the corporation's control
2097 or whether such failure is due to inadequate management of the
2098 corporation's resources. Advances shall continue to be made
2099 pursuant to s. 420.0005 during the pendency of the review by the
2100 department's inspector general. If such failure is due to
2101 outside forces, it shall not be deemed a violation of the
2102 contract. If such failure is due to inadequate management, the
2103 department's inspector general shall provide recommendations
2104 regarding solutions. The Governor is authorized to resolve any
2105 differences of opinion with respect to performance under the
2106 contract and may request that advances continue in the event of
2107 a failure under the contract due to inadequate management. The
2108 Chief Financial Officer shall approve the request absent a
2109 finding by the Chief Financial Officer that continuing such
2110 advances would adversely impact the state; however, in any event
2111 the Chief Financial Officer shall provide advances sufficient to
2112 meet the debt service requirements of the corporation and
2113 sufficient to fund contracts committing funds from the State
2114 Housing Trust Fund so long as such contracts are in accordance
2115 with the laws of this state.

2116 Section 65. Subsection (26) of section 443.036, Florida
2117 Statutes, is amended to read:

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2118 443.036 Definitions.—As used in this chapter, the term:
2119 (26) "Initial skills review" means an online education or
2120 training program, such as that established under s. 1004.99,
2121 which that is approved by the Department of Economic Opportunity
2122 Agency for Workforce Innovation and designed to measure an
2123 individual's mastery level of workplace skills.

2124 Section 66. Paragraphs (c) and (d) of subsection (1) of
2125 section 443.091, Florida Statutes, are amended to read:

2126 443.091 Benefit eligibility conditions.—

2127 (1) An unemployed individual is eligible to receive
2128 benefits for any week only if the Department of Economic
2129 Opportunity finds that:

2130 (c) To make continued claims for benefits, she or he is
2131 reporting to the department in accordance with this paragraph
2132 and department agency rules, and participating in an initial
2133 skills review as directed by the department agency. Department
2134 Agency rules may not conflict with s. 443.111(1)(b), which
2135 requires that each claimant continue to report regardless of any
2136 pending appeal relating to her or his eligibility or
2137 disqualification for benefits.

2138 1. For each week of unemployment claimed, each report must,
2139 at a minimum, include the name, address, and telephone number of
2140 each prospective employer contacted, or the date the claimant
2141 reported to a one-stop career center, pursuant to paragraph (d).

2142 2. The administrator or operator of the initial skills
2143 review shall notify the department agency when the individual
2144 completes the initial skills review and report the results of
2145 the review to the regional workforce board or the one-stop
2146 career center as directed by the workforce board. The workforce

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2147 board shall use the initial skills review to develop a plan for
2148 referring individuals to training and employment opportunities.
2149 The failure of the individual to comply with this requirement
2150 will result in the individual being determined ineligible for
2151 benefits for the week in which the noncompliance occurred and
2152 for any subsequent week of unemployment until the requirement is
2153 satisfied. However, this requirement does not apply if the
2154 individual is able to affirmatively attest to being unable to
2155 complete such review due to illiteracy or a language impediment.

2156 (d) She or he is able to work and is available for work. In
2157 order to assess eligibility for a claimed week of unemployment,
2158 the department shall develop criteria to determine a claimant's
2159 ability to work and availability for work. A claimant must be
2160 actively seeking work in order to be considered available for
2161 work. This means engaging in systematic and sustained efforts to
2162 find work, including contacting at least five prospective
2163 employers for each week of unemployment claimed. The department
2164 ~~agency~~ may require the claimant to provide proof of such efforts
2165 to the one-stop career center as part of reemployment services.
2166 The department ~~agency~~ shall conduct random reviews of work
2167 search information provided by claimants. As an alternative to
2168 contacting at least five prospective employers for any week of
2169 unemployment claimed, a claimant may, for that same week, report
2170 in person to a one-stop career center to meet with a
2171 representative of the center and access reemployment services of
2172 the center. The center shall keep a record of the services or
2173 information provided to the claimant and shall provide the
2174 records to the department ~~agency~~ upon request by the department
2175 ~~agency~~. However:

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2176 1. Notwithstanding any other provision of this paragraph or
2177 paragraphs (b) and (e), an otherwise eligible individual may not
2178 be denied benefits for any week because she or he is in training
2179 with the approval of the department, or by reason of s.
2180 443.101(2) relating to failure to apply for, or refusal to
2181 accept, suitable work. Training may be approved by the
2182 department in accordance with criteria prescribed by rule. A
2183 claimant's eligibility during approved training is contingent
2184 upon satisfying eligibility conditions prescribed by rule.

2185 2. Notwithstanding any other provision of this chapter, an
2186 otherwise eligible individual who is in training approved under
2187 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be
2188 determined ineligible or disqualified for benefits due to
2189 enrollment in such training or because of leaving work that is
2190 not suitable employment to enter such training. As used in this
2191 subparagraph, the term "suitable employment" means work of a
2192 substantially equal or higher skill level than the worker's past
2193 adversely affected employment, as defined for purposes of the
2194 Trade Act of 1974, as amended, the wages for which are at least
2195 80 percent of the worker's average weekly wage as determined for
2196 purposes of the Trade Act of 1974, as amended.

2197 3. Notwithstanding any other provision of this section, an
2198 otherwise eligible individual may not be denied benefits for any
2199 week because she or he is before any state or federal court
2200 pursuant to a lawfully issued summons to appear for jury duty.

2201 Section 67. Paragraph (a) of subsection (5) of section
2202 443.111, Florida Statutes, is amended to read:

2203 443.111 Payment of benefits.—

2204 (5) DURATION OF BENEFITS.—

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2205 (a) As used in this section, the term "Florida average
 2206 unemployment rate" means the average of the 3 months for the
 2207 most recent third calendar year quarter of the seasonally
 2208 adjusted statewide unemployment rates as published by the
 2209 Department of Economic Opportunity Agency for Workforce
 2210 Innovation.

2211 Section 68. Paragraph (b) of subsection (1) of section
 2212 443.141, Florida Statutes, is amended to read:

2213 443.141 Collection of contributions and reimbursements.—

2214 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,
 2215 ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

2216 (b) *Penalty for delinquent, erroneous, incomplete, or*
 2217 *insufficient reports.*—

2218 1. An employing unit that fails to file any report required
 2219 by the Department of Economic Opportunity or its tax collection
 2220 service provider, in accordance with rules for administering
 2221 this chapter, shall pay to the service provider for each
 2222 delinquent report the sum of \$25 for each 30 days or fraction
 2223 thereof that the employing unit is delinquent, unless the
 2224 department agency or its service provider, whichever required
 2225 the report, finds that the employing unit has good reason for
 2226 failing to file the report. The department or its service
 2227 provider may assess penalties only through the date of the
 2228 issuance of the final assessment notice. However, additional
 2229 penalties accrue if the delinquent report is subsequently filed.

2230 2.a. An employing unit that files an erroneous, incomplete,
 2231 or insufficient report with the department or its tax collection
 2232 service provider shall pay a penalty. The amount of the penalty
 2233 is \$50 or 10 percent of any tax due, whichever is greater, but

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2234 no more than \$300 per report. The penalty shall be added to any
2235 tax, penalty, or interest otherwise due.

2236 b. The department or its tax collection service provider
2237 shall waive the penalty if the employing unit files an accurate,
2238 complete, and sufficient report within 30 days after a penalty
2239 notice is issued to the employing unit. The penalty may not be
2240 waived pursuant to this subparagraph more than one time during a
2241 12-month period.

2242 c. As used in this subsection, the term "erroneous,
2243 incomplete, or insufficient report" means a report so lacking in
2244 information, completeness, or arrangement that the report cannot
2245 be readily understood, verified, or reviewed. Such reports
2246 include, but are not limited to, reports having missing wage or
2247 employee information, missing or incorrect social security
2248 numbers, or illegible entries; reports submitted in a format
2249 that is not approved by the department or its tax collection
2250 service provider; and reports showing gross wages that do not
2251 equal the total of the wages of each employee. However, the term
2252 does not include a report that merely contains inaccurate data
2253 that was supplied to the employer by the employee, if the
2254 employer was unaware of the inaccuracy.

2255 3. Penalties imposed pursuant to this paragraph shall be
2256 deposited in the Special Employment Security Administration
2257 Trust Fund.

2258 4. The penalty and interest for a delinquent, erroneous,
2259 incomplete, or insufficient report may be waived if the penalty
2260 or interest is inequitable. The provisions of s. 213.24(1) apply
2261 to any penalty or interest that is imposed under this section.

2262 Section 69. Paragraph (b) of subsection (2) of section

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2263 443.1715, Florida Statutes, is amended to read:

2264 443.1715 Disclosure of information; confidentiality.—

2265 (2) DISCLOSURE OF INFORMATION.—

2266 (b) The employer or the employer's workers' compensation
2267 carrier against whom a claim for benefits under chapter 440 has
2268 been made, or a representative of either, may request from the
2269 department records of wages of the employee reported to the
2270 department by any employer for the quarter that includes the
2271 date of the accident that is the subject of such claim and for
2272 subsequent quarters.

2273 1. The request must be made with the authorization or
2274 consent of the employee or any employer who paid wages to the
2275 employee after the date of the accident.

2276 2. The employer or carrier shall make the request on a form
2277 prescribed by rule for such purpose by the department ~~agency~~.
2278 Such form shall contain a certification by the requesting party
2279 that it is a party entitled to the information requested.

2280 3. The department shall provide the most current
2281 information readily available within 15 days after receiving the
2282 request.

2283 Section 70. Subsections (1), (2), (4), (5), (6), and (7) of
2284 section 443.17161, Florida Statutes, are amended to read:

2285 443.17161 Authorized electronic access to employer
2286 information.—

2287 (1) Notwithstanding any other provision of this chapter,
2288 the Department of Economic Opportunity ~~Agency for Workforce~~
2289 ~~Innovation~~ shall contract with one or more consumer reporting
2290 agencies to provide users with secured electronic access to
2291 employer-provided information relating to the quarterly wages

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2292 report submitted in accordance with the state's unemployment
2293 compensation law. The access is limited to the wage reports for
2294 the appropriate amount of time for the purpose the information
2295 is requested.

2296 (2) Users must obtain consent in writing or by electronic
2297 signature from an applicant for credit, employment, or other
2298 permitted purposes. Any written or electronic signature consent
2299 from an applicant must be signed and must include the following:

2300 (a) Specific notice that information concerning the
2301 applicant's wage and employment history will be released to a
2302 consumer reporting agency;

2303 (b) Notice that the release is made for the sole purpose of
2304 reviewing the specific application for credit, employment, or
2305 other permitted purpose made by the applicant;

2306 (c) Notice that the files of the Department of Economic
2307 Opportunity Agency ~~for Workforce Innovation~~ or its tax
2308 collection service provider containing information concerning
2309 wage and employment history which is submitted by the applicant
2310 or his or her employers may be accessed; and

2311 (d) A listing of the parties authorized to receive the
2312 released information.

2313 (4) If a consumer reporting agency or user violates this
2314 section, the Department of Economic Opportunity Agency ~~for~~
2315 ~~Workforce Innovation~~ shall, upon 30 days' written notice to the
2316 consumer reporting agency, terminate the contract established
2317 between the Department of Economic Opportunity Agency ~~for~~
2318 ~~Workforce Innovation~~ and the consumer reporting agency or
2319 require the consumer reporting agency to terminate the contract
2320 established between the consumer reporting agency and the user

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2321 under this section.

2322 (5) The Department of Economic Opportunity Agency ~~for~~
2323 ~~Workforce Innovation~~ shall establish minimum audit, security,
2324 net worth, and liability insurance standards, technical
2325 requirements, and any other terms and conditions considered
2326 necessary in the discretion of the state agency to safeguard the
2327 confidentiality of the information released under this section
2328 and to otherwise serve the public interest. The Department of
2329 Economic Opportunity Agency ~~for Workforce Innovation~~ shall also
2330 include, in coordination with any necessary state agencies,
2331 necessary audit procedures to ensure that these rules are
2332 followed.

2333 (6) In contracting with one or more consumer reporting
2334 agencies under this section, any revenues generated by the
2335 contract must be used to pay the entire cost of providing access
2336 to the information. Further, in accordance with federal
2337 regulations, any additional revenues generated by the Department
2338 of Economic Opportunity Agency ~~for Workforce Innovation~~ or the
2339 state under this section must be paid into the Administrative
2340 Trust Fund of the Department of Economic Opportunity Agency ~~for~~
2341 ~~Workforce Innovation~~ for the administration of the unemployment
2342 compensation system or be used as program income.

2343 (7) The Department of Economic Opportunity Agency ~~for~~
2344 ~~Workforce Innovation~~ may not provide wage and employment history
2345 information to any consumer reporting agency before the consumer
2346 reporting agency or agencies under contract with the Department
2347 of Economic Opportunity Agency ~~for Workforce Innovation~~ pay all
2348 development and other startup costs incurred by the state in
2349 connection with the design, installation, and administration of

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2350 technological systems and procedures for the electronic access
2351 program.

2352 Section 71. Subsection (2) of section 446.50, Florida
2353 Statutes, is amended to read:

2354 446.50 Displaced homemakers; multiservice programs; report
2355 to the Legislature; Displaced Homemaker Trust Fund created.—

2356 (2) DEFINITION.—For the purposes of this section, the term
2357 “displaced homemaker” means an individual who:

2358 (a) Is 35 years of age or older;

2359 (b) Has worked in the home, providing unpaid household
2360 services for family members;

2361 (c) Is not adequately employed, as defined by rule of the
2362 department ~~agency~~;

2363 (d) Has had, or would have, difficulty in securing adequate
2364 employment; and

2365 (e) Has been dependent on the income of another family
2366 member but is no longer supported by such income, or has been
2367 dependent on federal assistance.

2368 Section 72. Section 450.261, Florida Statutes, is amended
2369 to read:

2370 450.261 Interstate Migrant Labor Commission; Florida
2371 membership.—In selecting the Florida membership of the
2372 Interstate Migrant Labor Commission, the Governor may designate
2373 the executive director ~~secretary~~ of the Department of Economic
2374 Opportunity as his or her representative.

2375 Section 73. Paragraph (c) of subsection (7) of section
2376 509.032, Florida Statutes, is amended to read:

2377 509.032 Duties.—

2378 (7) PREEMPTION AUTHORITY.—

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2379 (c) Paragraph (b) does not apply to any local law,
2380 ordinance, or regulation exclusively relating to property
2381 valuation as a criterion for vacation rental if the local law,
2382 ordinance, or regulation is required to be approved by the state
2383 land planning agency ~~Department of Community Affairs~~ pursuant to
2384 an area of critical state concern designation.

2385 Section 74. Subsection (3) of section 624.5105, Florida
2386 Statutes, is amended to read:

2387 624.5105 Community contribution tax credit; authorization;
2388 limitations; eligibility and application requirements;
2389 administration; definitions; expiration.—

2390 (3) APPLICATION REQUIREMENTS.—

2391 (a) Any eligible sponsor wishing to participate in this
2392 program must submit a proposal to the Department of Economic
2393 Opportunity ~~Office of Tourism, Trade, and Economic Development~~
2394 which sets forth the sponsor, the project, the area in which the
2395 project is located, and such supporting information as may be
2396 prescribed by rule. The proposal shall also contain a resolution
2397 from the local governmental unit in which the proposed project
2398 is located certifying that the project is consistent with local
2399 plans and regulations.

2400 (b)1. Any insurer wishing to participate in this program
2401 must submit an application for tax credit to the Department of
2402 Economic Opportunity ~~office~~ which sets forth the sponsor; the
2403 project; and the type, value, and purpose of the contribution.
2404 The sponsor must verify, in writing, the terms of the
2405 application and indicate its willingness to receive the
2406 contribution, which verification must accompany the application
2407 for tax credit.

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2408 2. The insurer must submit a separate application for tax
2409 credit for each individual contribution which it proposes to
2410 contribute to each individual project.

2411 Section 75. Subsection (4) of section 1002.75, Florida
2412 Statutes, is amended to read:

2413 1002.75 Office of Early Learning; powers and duties;
2414 operational requirements.—

2415 (4) The Office of Early Learning shall also adopt
2416 procedures for the ~~agency's~~ distribution of funds to early
2417 learning coalitions under s. 1002.71.

2418 Section 76. Subsection (2) of section 1002.79, Florida
2419 Statutes, is amended to read:

2420 1002.79 Rulemaking authority.—

2421 (2) The Office of Early Learning shall adopt rules under
2422 ss. 120.536(1) and 120.54 to administer the provisions of this
2423 part conferring duties upon the office ~~agency~~.

2424 Section 77. Paragraph (a) of subsection (1) of section
2425 259.035, Florida Statutes, is amended to read:

2426 259.035 Acquisition and Restoration Council.—

2427 (1) There is created the Acquisition and Restoration
2428 Council.

2429 (a) The council shall be composed of 10 ~~eleven~~ voting
2430 members, four of whom shall be appointed by the Governor. Of
2431 these four appointees, three shall be from scientific
2432 disciplines related to land, water, or environmental sciences
2433 and the fourth shall have at least 5 years of experience in
2434 managing lands for both active and passive types of recreation.
2435 They shall serve 4-year terms, except that, initially, to
2436 provide for staggered terms, two of the appointees shall serve

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2437 2-year terms. All subsequent appointments shall be for 4-year
 2438 terms. An ~~No~~ appointee may not ~~shall~~ serve more than 6 years.
 2439 The Governor may at any time fill a vacancy for the unexpired
 2440 term of a member appointed under this paragraph.

2441 Section 78. Subsection (2) of section 288.12265, Florida
 2442 Statutes, is amended to read:

2443 288.12265 Welcome centers.—

2444 (2) Enterprise Florida, Inc., shall administer and operate
 2445 the welcome centers. Pursuant to a contract with the Department
 2446 of Transportation, Enterprise Florida, Inc., shall be
 2447 responsible for routine repair, replacement, or improvement and
 2448 the day-to-day management of interior areas occupied by the
 2449 welcome centers. All other repairs, replacements, or
 2450 improvements to the welcome centers shall be the responsibility
 2451 of the Department of Transportation. Enterprise Florida, Inc.,
 2452 may contract with the Florida Tourism Industry Marketing
 2453 Corporation for the management and operation of the welcome
 2454 centers.

2455 Section 79. Paragraph (a) of subsection (5) of section
 2456 288.901, Florida Statutes, is amended to read:

2457 288.901 Enterprise Florida, Inc.—

2458 (5) APPOINTED MEMBERS OF THE BOARD OF DIRECTORS.—

2459 (a) In addition to the Governor or the Governor's designee,
 2460 the board of directors shall consist of the following appointed
 2461 members:

2462 1. The Commissioner of Education or the commissioner's
 2463 designee.

2464 2. The Chief Financial Officer or his or her designee.

2465 3. The chairperson of the board of directors of Workforce

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2466 Florida, Inc.

2467 4. The Secretary of State or the secretary's designee.

2468 5. Twelve members from the private sector, six of whom
 2469 shall be appointed by the Governor, three of whom shall be
 2470 appointed by the President of the Senate, and three of whom
 2471 shall be appointed by the Speaker of the House of
 2472 Representatives. Members appointed by the Governor ~~All~~
 2473 ~~appointees~~ are subject to Senate confirmation.

2474 Section 80. Paragraph (d) of subsection (2) and subsection
 2475 (3) of section 288.980, Florida Statutes, are amended to read:

2476 288.980 Military base retention; legislative intent; grants
 2477 program.—

2478 (2)

2479 (d) In making grant awards the department ~~office~~ shall
 2480 consider, at a minimum, the following factors:

2481 1. The relative value of the particular military
 2482 installation in terms of its importance to the local and state
 2483 economy relative to other military installations vulnerable to
 2484 closure.

2485 2. The potential job displacement within the local
 2486 community should the military installation be closed.

2487 3. The potential adverse impact on industries and
 2488 technologies which service the military installation.

2489 (3) The Florida Economic Reinvestment Initiative is
 2490 established to respond to the need for this state and defense-
 2491 dependent communities in this state to develop alternative
 2492 economic diversification strategies to lessen reliance on
 2493 national defense dollars in the wake of base closures and
 2494 reduced federal defense expenditures and the need to formulate

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2495 specific base reuse plans and identify any specific
2496 infrastructure needed to facilitate reuse. The initiative shall
2497 consist of the following three ~~two~~ distinct grant programs to be
2498 administered by the department:

2499 (a) The Florida Defense Planning Grant Program, through
2500 which funds shall be used to analyze the extent to which the
2501 state is dependent on defense dollars and defense infrastructure
2502 and prepare alternative economic development strategies. The
2503 state shall work in conjunction with defense-dependent
2504 communities in developing strategies and approaches that will
2505 help communities make the transition from a defense economy to a
2506 nondefense economy. Grant awards may not exceed \$250,000 per
2507 applicant and shall be available on a competitive basis.

2508 (b) The Florida Defense Implementation Grant Program,
2509 through which funds shall be made available to defense-dependent
2510 communities to implement the diversification strategies
2511 developed pursuant to paragraph (a). Eligible applicants include
2512 defense-dependent counties and cities, and local economic
2513 development councils located within such communities. Grant
2514 awards may not exceed \$100,000 per applicant and shall be
2515 available on a competitive basis. Awards shall be matched on a
2516 one-to-one basis.

2517 (c) The Florida Military Installation Reuse Planning and
2518 Marketing Grant Program, through which funds shall be used to
2519 help counties, cities, and local economic development councils
2520 develop and implement plans for the reuse of closed or realigned
2521 military installations, including any necessary infrastructure
2522 improvements needed to facilitate reuse and related marketing
2523 activities.

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2524
2525 Applications for grants under this subsection must include a
2526 coordinated program of work or plan of action delineating how
2527 the eligible project will be administered and accomplished,
2528 which must include a plan for ensuring close cooperation between
2529 civilian and military authorities in the conduct of the funded
2530 activities and a plan for public involvement.

2531 Section 81. Subsections (1), (3), and (5) of section
2532 331.3081, Florida Statutes, are amended to read:

2533 331.3081 Board of directors; advisory board.—

2534 (1) Space Florida shall be governed by a 13-member ~~12-~~
2535 ~~member~~ independent board of directors that consists of the
2536 members appointed to the board of directors of Enterprise
2537 Florida, Inc., by the Governor, the President of the Senate, and
2538 the Speaker of the House of Representatives pursuant to s.
2539 288.901(5)(a)5. The Governor or the Lieutenant Governor as the
2540 Governor's designee shall be an ex officio voting member and
2541 shall serve as the chair of the board.

2542 (3) The advisory council shall make recommendations to the
2543 board of directors ~~of Enterprise Florida, Inc.,~~ on the operation
2544 of Space Florida, including matters pertaining to ways to
2545 improve or enhance Florida's efforts to expand its existing
2546 space and aerospace industry, to improve management and use of
2547 Florida's state-owned real property assets related to space and
2548 aerospace, how best to retain and, if necessary, retrain
2549 Florida's highly skilled space and aerospace workforce, and how
2550 to strengthen bonds between this state, NASA, the Department of
2551 Defense, and private space and aerospace industries.

2552 (5) Advisory council members shall serve without

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2553 compensation but may be reimbursed for all reasonable,
 2554 necessary, and actual expenses as determined by the board of
 2555 directors of ~~Enterprise Florida, Inc.~~

2556 Section 82. Section 163.03, Florida Statutes, is repealed.

2557 Section 83. Subsection (5) of section 373.461, Florida
 2558 Statutes, is amended, and present subsections (6) and (7) of
 2559 that section are renumbered as subsections (5) and (6),
 2560 respectively, to read:

2561 373.461 Lake Apopka improvement and management.—

2562 ~~(5) PURCHASE OF AGRICULTURAL LANDS.—~~

2563 ~~(a) The Legislature finds that it is in the public interest~~
 2564 ~~of the state to acquire lands in agricultural production, along~~
 2565 ~~with their related facilities, which contribute, directly or~~
 2566 ~~indirectly, to phosphorus discharges to Lake Apopka, for the~~
 2567 ~~purpose of improving water quality in Lake Apopka. These lands~~
 2568 ~~consist of those farming entities on Lake Apopka having consent~~
 2569 ~~and settlement agreements with the district and those sand land~~
 2570 ~~farms discharging indirectly to Lake Apopka through Lake Level~~
 2571 ~~Canal, Apopka-Beauclair Canal, or McDonald Canal. The district~~
 2572 ~~is granted the power of eminent domain on those properties.~~

2573 ~~(b) In determining the fair market value of lands to be~~
 2574 ~~purchased from willing sellers, all appraisals of such lands may~~
 2575 ~~consider income from the use of the property for farming and,~~
 2576 ~~for this purpose, such income shall be deemed attributable to~~
 2577 ~~the real estate.~~

2578 ~~(c) The district shall explore the availability of funding~~
 2579 ~~from all sources, including any federal, state, regional, and~~
 2580 ~~local land acquisition funding programs, to purchase the~~
 2581 ~~agricultural lands described in paragraph (a). It is the~~

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2582 ~~Legislature's intent that, if such funding sources can be~~
2583 ~~identified, acquisition of the lands described in paragraph (a)~~
2584 ~~may be undertaken by the district to purchase these properties~~
2585 ~~from willing sellers. However, the purchase price paid for~~
2586 ~~acquisition of such lands that were in active cultivation during~~
2587 ~~1996 shall not exceed the highest appraisal obtained by the~~
2588 ~~district for these lands from a state-certified general~~
2589 ~~appraiser following the Uniform Standards of Professional~~
2590 ~~Appraisal Practice. This maximum purchase price limitation shall~~
2591 ~~not include, nor be applicable to, that portion of the purchase~~
2592 ~~price attributable to consideration of income described in~~
2593 ~~paragraph (b), or that portion attributable to related~~
2594 ~~facilities, or closing costs.~~

2595 ~~(d) In connection with successful acquisition of any of the~~
2596 ~~lands described in this section which are not needed for~~
2597 ~~stormwater management facilities, the district shall give the~~
2598 ~~seller the option to lease the land for a period not to exceed 5~~
2599 ~~years, at a fair market lease value for similar agricultural~~
2600 ~~lands. Proceeds derived from such leases shall be used to offset~~
2601 ~~the cost of acquiring the land.~~

2602 ~~(e) If all the lands within Zellwood are purchased in~~
2603 ~~accordance with this section prior to expiration of the consent~~
2604 ~~agreement between Zellwood and the district, Zellwood shall be~~
2605 ~~reimbursed for any costs described in subsection (4).~~

2606 ~~(f)1. Tangible personal property acquired by the district~~
2607 ~~as part of related facilities pursuant to this section, and~~
2608 ~~classified as surplus by the district, shall be sold by the~~
2609 ~~Department of Management Services. The Department of Management~~
2610 ~~Services shall deposit the proceeds of such sale in the Economic~~

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2611 ~~Development Trust Fund in the Executive Office of the Governor.~~
2612 ~~The proceeds shall be used for the purpose of providing economic~~
2613 ~~and infrastructure development in portions of northwestern~~
2614 ~~Orange County and east central Lake County which will be~~
2615 ~~adversely affected economically due to the acquisition of lands~~
2616 ~~pursuant to this subsection.~~

2617 ~~2. The Office of Tourism, Trade, and Economic Development~~
2618 ~~shall, upon presentation of the appropriate documentation~~
2619 ~~justifying expenditure of the funds deposited pursuant to this~~
2620 ~~paragraph, pay any obligation for which it has sufficient funds~~
2621 ~~from the proceeds of the sale of tangible personal property and~~
2622 ~~which meets the limitations specified in paragraph (g). The~~
2623 ~~authority of the Office of Tourism, Trade, and Economic~~
2624 ~~Development to expend such funds shall expire 5 years from the~~
2625 ~~effective date of this paragraph. Such expenditures may occur~~
2626 ~~without future appropriation from the Legislature.~~

2627 ~~3. Funds deposited under this paragraph may not be used for~~
2628 ~~any purpose other than those enumerated in paragraph (g).~~

2629 ~~(g)1. The proceeds of sale of tangible personal property~~
2630 ~~authorized by paragraph (f) shall be distributed as follows: 60~~
2631 ~~percent to Orange County; 25 percent to the City of Apopka; and~~
2632 ~~15 percent to Lake County.~~

2633 ~~2. Such proceeds shall be used to implement the~~
2634 ~~redevelopment plans adopted by the Orange County Board of County~~
2635 ~~Commissioners, Apopka City Commission, and Lake County Board of~~
2636 ~~County Commissioners.~~

2637 ~~3. Of the total proceeds, the Orange County Board of County~~
2638 ~~Commissioners, Apopka City Commission, and Lake County Board of~~
2639 ~~County Commissioners, may not expend more than:~~

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- 2640 ~~a. Twenty percent for labor force training related to the~~
2641 ~~redevelopment plan;~~
- 2642 ~~b. Thirty-three percent for financial or economic~~
2643 ~~incentives for business location or expansion in the~~
2644 ~~redevelopment area; and~~
- 2645 ~~e. Four percent for administration, planning, and marketing~~
2646 ~~the redevelopment plan.~~
- 2647 ~~4. The Orange County Board of County Commissioners, Apopka~~
2648 ~~City Commission, and Lake County Board of County Commissioners~~
2649 ~~must spend those revenues not expended under subparagraph 3. for~~
2650 ~~infrastructure needs necessary for the redevelopment plan.~~
- 2651 Section 84. Section 379.2353, Florida Statutes, is
2652 repealed.
- 2653 Section 85. This act shall take effect upon becoming a law.