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21 (b) Information provided by enterprise zone development
22 agencies under s. 290.0056 and an analysis of the activities and
23 accomplishments of each enterprise zone.

24 (c) Information from the report on the use of loan funds
25 awarded pursuant to the Economic Gardening Business Loan Pilot
26 Program required under s. 288.1081(8) and from the report on the
27 progress of the Economic Gardening Technical Assistance Pilot
28 Program required under s. 288.1082(8).

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

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

34 (f) Information provided by the Department of Revenue
35 under s. 290.014.

36 Section 2. Paragraph (c) of subsection (1) of section
37 201.15, Florida Statutes, is amended to read:

38 201.15 Distribution of taxes collected.—All taxes collected
39 under this chapter are subject to the service charge imposed in
40 s. 215.20(1). Prior to distribution under this section, the
41 Department of Revenue shall deduct amounts necessary to pay the
42 costs of the collection and enforcement of the tax levied by
43 this chapter. Such costs and the service charge may not be
44 levied against any portion of taxes pledged to debt service on
45 bonds to the extent that the costs and service charge are
46 required to pay any amounts relating to the bonds. After
47 distributions are made pursuant to subsection (1), all of the
48 costs of the collection and enforcement of the tax levied by

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49 | this chapter and the service charge shall be available and
50 | transferred to the extent necessary to pay debt service and any
51 | other amounts payable with respect to bonds authorized before
52 | January 1, 2013, secured by revenues distributed pursuant to
53 | subsection (1). All taxes remaining after deduction of costs and
54 | the service charge shall be distributed as follows:

55 | (1) Sixty-three and thirty-one hundredths percent of the
56 | remaining taxes shall be used for the following purposes:

57 | (c) After the required payments under paragraphs (a) and
58 | (b), the remainder shall be paid into the State Treasury to the
59 | credit of:

60 | 1. The State Transportation Trust Fund in the Department of
61 | Transportation in the amount of the lesser of 38.2 percent of
62 | the remainder or \$541.75 million in each fiscal year. Out of
63 | such funds, the first \$50 million for the 2012-2013 fiscal year;
64 | \$65 million for the 2013-2014 fiscal year; and \$75 million for
65 | the 2014-2015 fiscal year and all subsequent years, shall be
66 | transferred to the State Economic Enhancement and Development
67 | Trust Fund within the Department of Economic Opportunity. The
68 | remainder is to be used for the following specified purposes,
69 | notwithstanding any other law to the contrary:

70 | a. For the purposes of capital funding for the New Starts
71 | Transit Program, authorized by Title 49, U.S.C. s. 5309 and
72 | specified in s. 341.051, 10 percent of these funds;

73 | b. For the purposes of the Small County Outreach Program
74 | specified in s. 339.2818, 5 percent of these funds. Effective
75 | July 1, 2014, the percentage allocated under this sub-
76 | subparagraph shall be increased to 10 percent;

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77 c. For the purposes of the Strategic Intermodal System
78 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent
79 of these funds after allocating for the New Starts Transit
80 Program described in sub-subparagraph a. and the Small County
81 Outreach Program described in sub-subparagraph b.; and

82 d. For the purposes of the Transportation Regional
83 Incentive Program specified in s. 339.2819, 25 percent of these
84 funds after allocating for the New Starts Transit Program
85 described in sub-subparagraph a. and the Small County Outreach
86 Program described in sub-subparagraph b. Effective July 1, 2014,
87 the first \$60 million of the funds allocated pursuant to this
88 sub-subparagraph shall be allocated annually to the Florida Rail
89 Enterprise for the purposes established in s. 341.303(5).

90 2. The Grants and Donations Trust Fund in the Department of
91 Economic Opportunity in the amount of the lesser of .23 percent
92 of the remainder or \$3.25 million in each fiscal year to fund
93 technical assistance to local governments ~~and school boards on~~
94 ~~the requirements and implementation of this act.~~

95 3. The Ecosystem Management and Restoration Trust Fund in
96 the amount of the lesser of 2.12 percent of the remainder or \$30
97 million in each fiscal year, to be used for the preservation and
98 repair of the state's beaches as provided in ss. 161.091-
99 161.212.

100 4. General Inspection Trust Fund in the amount of the
101 lesser of .02 percent of the remainder or \$300,000 in each
102 fiscal year to be used to fund oyster management and restoration
103 programs as provided in s. 379.362(3).

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105 Moneys distributed pursuant to this paragraph may not be pledged
106 for debt service unless such pledge is approved by referendum of
107 the voters.

108 Section 3. Paragraph (o) of subsection (5) of section
109 212.08, Florida Statutes, is amended to read:

110 212.08 Sales, rental, use, consumption, distribution, and
111 storage tax; specified exemptions.-The sale at retail, the
112 rental, the use, the consumption, the distribution, and the
113 storage to be used or consumed in this state of the following
114 are hereby specifically exempt from the tax imposed by this
115 chapter.

116 (5) EXEMPTIONS; ACCOUNT OF USE.-

117 (o) Building materials in redevelopment projects.-

118 1. As used in this paragraph, the term:

119 a. "Building materials" means tangible personal property
120 that becomes a component part of a housing project or a mixed-
121 use project.

122 b. "Housing project" means the conversion of an existing
123 manufacturing or industrial building to a housing unit which is
124 units in an urban high-crime area, an enterprise zone, an
125 empowerment zone, a Front Porch Community, a designated
126 brownfield site for which a rehabilitation agreement with the
127 Department of Environmental Protection or a local government
128 delegated by the Department of Environmental Protection has been
129 executed under s. 376.80 and any abutting real property parcel
130 within a brownfield area, or an urban infill area; and in which
131 the developer agrees to set aside at least 20 percent of the
132 housing units in the project for low-income and moderate-income

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133 persons or the construction in a designated brownfield area of
134 affordable housing for persons described in s. 420.0004(9),
135 (11), (12), or (17) or in s. 159.603(7).

136 c. "Mixed-use project" means the conversion of an existing
137 manufacturing or industrial building to mixed-use units that
138 include artists' studios, art and entertainment services, or
139 other compatible uses. A mixed-use project must be located in an
140 urban high-crime area, an enterprise zone, an empowerment zone,
141 a Front Porch Community, a designated brownfield site for which
142 a rehabilitation agreement with the Department of Environmental
143 Protection or a local government delegated by the Department of
144 Environmental Protection has been executed under s. 376.80 and
145 any abutting real property parcel within a brownfield area, or
146 an urban infill area; and the developer must agree to set aside
147 at least 20 percent of the square footage of the project for
148 low-income and moderate-income housing.

149 d. "Substantially completed" has the same meaning as
150 provided in s. 192.042(1).

151 2. Building materials used in the construction of a
152 housing project or mixed-use project are exempt from the tax
153 imposed by this chapter upon an affirmative showing to the
154 satisfaction of the department that the requirements of this
155 paragraph have been met. This exemption inures to the owner
156 through a refund of previously paid taxes. To receive this
157 refund, the owner must file an application under oath with the
158 department which includes:

159 a. The name and address of the owner.

160 b. The address and assessment roll parcel number of the

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161 project for which a refund is sought.

162 c. A copy of the building permit issued for the project.

163 d. A certification by the local building code inspector
164 that the project is substantially completed.

165 e. A sworn statement, under penalty of perjury, from the
166 general contractor licensed in this state with whom the owner
167 contracted to construct the project, which statement lists the
168 building materials used in the construction of the project and
169 the actual cost thereof, and the amount of sales tax paid on
170 these materials. If a general contractor was not used, the owner
171 shall provide this information in a sworn statement, under
172 penalty of perjury. Copies of invoices evidencing payment of
173 sales tax must be attached to the sworn statement.

174 3. An application for a refund under this paragraph must
175 be submitted to the department within 6 months after the date
176 the project is deemed to be substantially completed by the local
177 building code inspector. Within 30 working days after receipt of
178 the application, the department shall determine if it meets the
179 requirements of this paragraph. A refund approved pursuant to
180 this paragraph shall be made within 30 days after formal
181 approval of the application by the department.

182 4. The department shall establish by rule an application
183 form and criteria for establishing eligibility for exemption
184 under this paragraph.

185 5. The exemption shall apply to purchases of materials on
186 or after July 1, 2000.

187 Section 4. Paragraph (bb) is added to subsection (8) of
188 section 213.053, Florida Statutes, to read:

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189 213.053 Confidentiality and information sharing.—

190 (8) Notwithstanding any other provision of this section,
191 the department may provide:

192 (bb) Information to the director of the Office of Program
193 Policy Analysis and Government Accountability or his or her
194 authorized agent, and to the coordinator of the Office of
195 Economic and Demographic Research or his or her authorized
196 agent, for purposes of completing the Economic Development
197 Programs Evaluation. Information obtained from the department
198 pursuant to this paragraph may be shared by the director and the
199 coordinator, or the director's or coordinator's authorized
200 agent, for purposes of completing the Economic Development
201 Programs Evaluation.

202
203 Disclosure of information under this subsection shall be
204 pursuant to a written agreement between the executive director
205 and the agency. Such agencies, governmental or nongovernmental,
206 shall be bound by the same requirements of confidentiality as
207 the Department of Revenue. Breach of confidentiality is a
208 misdemeanor of the first degree, punishable as provided by s.
209 775.082 or s. 775.083.

210 Section 5. Subsection (9) of section 220.194, Florida
211 Statutes, is amended to read:

212 220.194 Corporate income tax credits for spaceflight
213 projects.—

214 (9) ANNUAL REPORT.—Beginning in 2014, the Department of
215 Economic Opportunity, in cooperation with Space Florida and the
216 department, shall include in the ~~submit an~~ annual incentives

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217 report required under s. 288.907 a summary of ~~summarizing~~
218 activities relating to the Florida Space Business Incentives Act
219 established under this section ~~to the Governor, the President of~~
220 ~~the Senate, and the Speaker of the House of Representatives by~~
221 ~~each November 30.~~

222 Section 6. Section 288.001, Florida Statutes, is amended
223 to read:

224 288.001 The Florida Small Business Development Center
225 Network; ~~purpose.~~

226 (1) PURPOSE.—The Florida Small Business Development Center
227 Network is the principal business assistance organization for
228 small businesses in the state. The purpose of the network is to
229 serve emerging and established for-profit, privately held
230 businesses that maintain a place of business in the state.

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

232 (a) "Board of Governors" is the Board of Governors of the
233 State University System.

234 (b) "Host institution" is the university designated by the
235 Board of Governors to be the recipient organization in
236 accordance with 13 C.F.R. s. 130.200.

237 (c) "Network" means the Florida Small Business Development
238 Center Network.

239 (3) OPERATION; POLICIES AND PROGRAMS.—

240 (a) The network's statewide director shall operate the
241 network in compliance with the federal laws and regulations
242 governing the network and the Board of Governors Regulation
243 10.015.

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244 (b) The network's statewide director shall consult with
245 the Board of Governors, the department, and the network's
246 statewide advisory board to ensure that the network's policies
247 and programs align with the statewide goals of the State
248 University System and the statewide strategic economic
249 development plan as provided under s. 20.60.

250 (4) STATEWIDE ADVISORY BOARD.—

251 (a) The network shall maintain a statewide advisory board
252 to advise, counsel, and confer with the statewide director on
253 matters pertaining to the operation of the network.

254 (b) The statewide advisory board shall consist of 19
255 members from across the state. At least 12 members must be
256 representatives of the private sector who are knowledgeable of
257 the needs and challenges of small businesses. The members must
258 represent various segments and industries of the economy in this
259 state and must bring knowledge and skills to the statewide
260 advisory board which would enhance the board's collective
261 knowledge of small business assistance needs and challenges.
262 Minority and gender representation must be considered when
263 making appointments to the board. The board must include the
264 following members:

265 1. Three members appointed from the private sector by the
266 President of the Senate.

267 2. Three members appointed from the private sector by the
268 Speaker of the House of Representatives.

269 3. Three members appointed from the private sector by the
270 Governor.

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271 4. Three members appointed from the private sector by the
272 network's statewide director.

273 5. One member appointed by the host institution.

274 6. The President of Enterprise Florida, Inc., or his or
275 her designee.

276 7. The Chief Financial Officer or his or her designee.

277 8. The President of the Florida Chamber of Commerce or his
278 or her designee.

279 9. The Small Business Development Center Project Officer
280 from the U.S. Small Business Administration at the South Florida
281 District Office or his or her designee.

282 10. The executive director of the National Federation of
283 Independent Businesses, Florida, or his or her designee.

284 11. The executive director of the Florida United Business
285 Association or his or her designee.

286 (c) The term of an appointed member shall be for 4 years,
287 beginning August 1, 2013, except that at the time of initial
288 appointments, two members appointed by the Governor, one member
289 appointed by the President of the Senate, one member appointed
290 by the Speaker of the House of Representatives, and one member
291 appointed by the network's statewide director shall be appointed
292 for 2 years. An appointed member may be reappointed to a
293 subsequent term. Members of the statewide advisory board may not
294 receive compensation but may be reimbursed for per diem and
295 travel expenses in accordance with s. 112.061.

296 (5) SMALL BUSINESS SUPPORT SERVICES; AGREEMENT.—

297 (a) The statewide director, in consultation with the
298 advisory board, shall develop support services that are

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299 delivered through regional small business development centers.

300 Support services must target the needs of businesses that employ

301 fewer than 100 persons and demonstrate an assessed capacity to

302 grow in employment or revenue.

303 (b) Support services must include, but need not be limited

304 to, providing information or research, consulting, educating, or

305 assisting businesses in the following activities:

306 1. Planning related to the start-up, operation, or

307 expansion of a small business enterprise in this state. Such

308 activities include providing guidance on business formation,

309 structure, management, registration, regulation, and taxes.

310 2. Developing and implementing strategic or business

311 plans. Such activities include analyzing a business's mission,

312 vision, strategies, and goals; critiquing the overall plan; and

313 creating performance measures.

314 3. Developing the financial literacy of existing

315 businesses related to their business cash flow and financial

316 management plans. Such activities include conducting financial

317 analysis health checks, assessing cost control management

318 techniques, and building financial management strategies and

319 solutions.

320 4. Developing and implementing plans for existing

321 businesses to access or expand to new or existing markets. Such

322 activities include conducting market research, researching and

323 identifying expansion opportunities in international markets,

324 and identifying opportunities in selling to units of government.

325 5. Supporting access to capital for business investment

326 and expansion. Such activities include providing technical

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327 assistance relating to obtaining surety bonds; identifying and
328 assessing potential debt or equity investors or other financing
329 opportunities; assisting in the preparation of applications,
330 projections, or pro forma or other support documentation for
331 surety bond, loan, financing, or investment requests; and
332 facilitating conferences with lenders or investors.

333 6. Assisting existing businesses to plan for a natural or
334 man-made disaster, and assisting businesses when such an event
335 occurs. Such activities include creating business continuity and
336 disaster plans, preparing disaster and bridge loan applications,
337 and carrying out other emergency support functions.

338 (c) A business receiving support services must agree to
339 participate in assessments of such services. The agreement, at a
340 minimum, must request the business to report demographic
341 characteristics, changes in employment and sales, debt and
342 equity capital attained, and government contracts acquired. The
343 host institution may require additional reporting requirements
344 for funding described in subsection (7).

345 (6) REQUIRED MATCH.—The network must provide a match equal
346 to the total amount of any direct legislative appropriation
347 which is received directly by the host institution and is
348 specifically designated for the network. The match may include
349 funds from federal or other nonstate funding sources designated
350 for the network. At least 50 percent of the match must be cash.
351 The remaining 50 percent may be provided through any allowable
352 combination of additional cash, in-kind contributions, or
353 indirect costs.

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354 (7) ADDITIONAL STATE FUNDS; USES; PAY-PER-PERFORMANCE
355 INCENTIVES; STATEWIDE SERVICE; SERVICE ENHANCEMENTS; BEST
356 PRACTICES; ELIGIBILITY.-

357 (a) The statewide director, in coordination with the host
358 institution, shall establish a pay-per-performance incentive for
359 regional small business development centers. Such incentive
360 shall be funded from half of any state appropriation received
361 directly by the host institution, which appropriation is
362 specifically designated for the network. These funds shall be
363 distributed to the regional small business development centers
364 based upon data collected from the businesses as provided under
365 paragraph (5)(c). The distribution formula must provide for the
366 distribution of funds in part on the gross number of jobs
367 created annually by each center and in part on the number of
368 jobs created per support service hour. The pay-per-performance
369 incentive must supplement the operations and support services of
370 each regional small business development center.

371 (b) Half of any state funds received directly by the host
372 institution which are specifically designated for the network
373 shall be distributed by the statewide director, in coordination
374 with the advisory board, for the following purposes:

375 1. Ensuring that support services are available statewide,
376 especially in underserved and rural areas of the state, to
377 assist eligible businesses;

378 2. Enhancing participation in the network among state
379 universities and colleges; and

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380 3. Facilitating the adoption of innovative small business
381 assistance best practices by the regional small business
382 development centers.

383 (c) The statewide director, in coordination with the
384 advisory board, shall develop annual programs to distribute
385 funds for each of the purposes described in paragraph (b). The
386 network shall announce the annual amount of available funds for
387 each program, performance expectations, and other requirements.
388 For each program, the statewide director shall present
389 applications and recommendations to the advisory board. The
390 advisory board shall make the final approval of applications.
391 Approved applications must be publicly posted. At a minimum,
392 programs must include:

393 1. New regional small business development centers; and
394 2. Awards for the top six regional small business
395 development centers that adopt best practices, as determined by
396 the advisory board. Detailed information about best practices
397 must be made available to regional small business development
398 centers for voluntary implementation.

399 (d) A regional small business development center that has
400 been found by the statewide director to perform poorly, to
401 engage in improper activity affecting the operation and
402 integrity of the network, or to fail to follow the rules and
403 procedures set forth in the laws, regulations, and policies
404 governing the network, is not eligible for funds under this
405 subsection.

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406 (e) Funds awarded under this subsection may not reduce
407 matching funds dedicated to the regional small business
408 development centers.

409 (8) REPORTING.—

410 (a) The statewide director shall quarterly update the Board
411 of Governors, the department, and the advisory board on the
412 network's progress and outcomes, including aggregate information
413 on businesses assisted by the network.

414 (b) The statewide director, in coordination with the
415 advisory board, shall annually report, on October 1, to the
416 President of the Senate and the Speaker of the House of
417 Representatives on the network's progress and outcomes for the
418 previous fiscal year. The report must include aggregate
419 information on businesses assisted by the network; network
420 services and programs; the use of all federal, state, local, and
421 private funds received by the network and the regional small
422 business development centers, including any additional funds
423 specifically appropriated by the Legislature for the purposes
424 described in subsection (7); and the network's economic benefit
425 to the state.

426 Section 7. Subsection (4) is added to section 288.005,
427 Florida Statutes, to read:

428 288.005 Definitions.—As used in this chapter, the term:

429 (4) "Jobs" means full-time equivalent positions,
430 including, but not limited to, positions obtained from a
431 temporary employment agency or employee leasing company or
432 through a union agreement or coemployment under a professional
433 employer organization agreement, which result directly from a

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434 project in this state. This number does not include temporary
435 construction jobs involved with the construction of facilities
436 for the project.

437 Section 8. Subsection (3) of section 288.012, Florida
438 Statutes, is amended to read:

439 288.012 State of Florida international offices; state
440 protocol officer; protocol manual.—The Legislature finds that
441 the expansion of international trade and tourism is vital to the
442 overall health and growth of the economy of this state. This
443 expansion is hampered by the lack of technical and business
444 assistance, financial assistance, and information services for
445 businesses in this state. The Legislature finds that these
446 businesses could be assisted by providing these services at
447 State of Florida international offices. The Legislature further
448 finds that the accessibility and provision of services at these
449 offices can be enhanced through cooperative agreements or
450 strategic alliances between private businesses and state, local,
451 and international governmental entities.

452 (3) ~~By October 1 of each year,~~ Each international office
453 shall annually submit to Enterprise Florida, Inc., the
454 ~~department~~ a complete and detailed report on its activities and
455 accomplishments during the previous ~~preceding~~ fiscal year for
456 inclusion in the annual report required under s. 288.906. In the
457 ~~a format and by the annual date prescribed~~ provided by
458 Enterprise Florida, Inc., the report must set forth information
459 on:

460 (a) The number of Florida companies assisted.

461 (b) The number of inquiries received about investment

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462 opportunities in this state.

463 (c) The number of trade leads generated.

464 (d) The number of investment projects announced.

465 (e) The estimated U.S. dollar value of sales

466 confirmations.

467 (f) The number of representation agreements.

468 (g) The number of company consultations.

469 (h) Barriers or other issues affecting the effective
470 operation of the office.

471 (i) Changes in office operations which are planned for the
472 current fiscal year.

473 (j) Marketing activities conducted.

474 (k) Strategic alliances formed with organizations in the
475 country in which the office is located.

476 (l) Activities conducted with Florida's other
477 international offices.

478 (m) Any other information that the office believes would
479 contribute to an understanding of its activities.

480 Section 9. Present subsection (2) of section 288.061,
481 Florida Statutes, is amended and redesignated as subsection (3),
482 present subsection (3) of that section is redesignated as
483 subsection (6), and new subsections (2), (4), (5) and (7) are
484 added to that section, to read:

485 288.061 Economic development incentive application
486 process.—

487 (2) Beginning July 1, 2013, the department shall review
488 and evaluate each economic development incentive application for
489 the economic benefits of the proposed award of state incentives

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490 proposed for the project. The term "economic benefits" has the
491 same meaning as in s. 288.005. The Office of Economic and
492 Demographic Research shall review and evaluate the methodology
493 and model used to calculate the economic benefits. For purposes
494 of this requirement, an amended definition of economic benefits
495 may be developed in conjunction with the Office of Economic and
496 Demographic Research. The Office of Economic and Demographic
497 Research shall report on the methodology and model by September
498 1, 2013, and every third year thereafter, to the President of
499 the Senate and the Speaker of the House of Representatives.

500 (3)~~(2)~~ Within 10 business days after the department
501 receives the submitted economic development incentive
502 application, the executive director shall approve or disapprove
503 the application and issue a letter of certification to the
504 applicant which includes a justification of that decision,
505 unless the business requests an extension of that time.

506 (a) The contract or agreement with the applicant must
507 ~~shall~~ specify the total amount of the award, the performance
508 conditions that must be met to obtain the award, the schedule
509 for payment, and sanctions that would apply for failure to meet
510 performance conditions. The department may enter into one
511 agreement or contract covering all of the state incentives that
512 are being provided to the applicant. The contract must provide
513 that release of funds is contingent upon sufficient
514 appropriation of funds by the Legislature.

515 (b) The release of funds for the incentive or incentives
516 awarded to the applicant depends upon the statutory requirements

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517 of the particular incentive program, except as provided in
518 subsection (4).

519 (4) (a) In order to receive an incentive under s. 288.1088
520 or s. 288.1089, an applicant must provide the department with a
521 surety bond, issued by an insurer authorized to do business in
522 this state, for the amount of the award under the incentive
523 contract or agreement. Funds may not be paid to an applicant
524 until the department certifies compliance with this subsection.

525 1. The contract or agreement must provide that the bond
526 remain in effect until all performance conditions in the
527 contract or agreement have been satisfied. The department may
528 require the bond to cover the entire amount of the contract or
529 agreement or allow for a bond to be renewed upon the completion
530 of scheduled performance measurements specified in the contract
531 or agreement. The contract or agreement must provide that the
532 release of any funds is contingent upon receipt by the
533 department of the surety bond.

534 2. The contract or agreement must provide that up to half
535 of the premium payment on the surety bond may be paid from the
536 award amount, not to exceed 3 percent of the award.

537 3. The applicant shall notify the department at least 10
538 days before each premium payment is due.

539 4. Any notice of cancellation or nonrenewal issued by an
540 insurer must comply with the notice requirements of s. 626.9201.
541 If the applicant receives a notice of cancellation or
542 nonrenewal, the applicant must immediately notify the
543 department.

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544 5. The cancellation of the surety bond is a violation of
545 the contract or agreement between the applicant and the
546 department. The department is released from any obligation to
547 make future scheduled payments unless the applicant is able to
548 secure a new surety bond or comply with the requirements of
549 paragraphs (b) and (c) within 90 days before the effective date
550 of the cancellation.

551 (b) If an applicant is unable to secure a surety bond or
552 can demonstrate that obtaining a bond is unreasonable in cost,
553 the department may waive the requirements specified in paragraph
554 (a) by certifying in writing to the Governor, President of the
555 Senate, and Speaker of the House of Representatives the
556 following information:

557 1. An explanation stating the reasons why the applicant
558 could not obtain a bond, to the extent such information is not
559 confidential under s. 288.075;

560 2. A description of the economic benefits expected to be
561 generated by the incentive award which indicates that the
562 project warrants waiver of the requirement; and

563 3. An evaluation of the quality and value of the applicant
564 which supports the selection of the alternative securitization
565 under paragraph (c). The department's evaluation must consider
566 the following information when determining the form for securing
567 the award amount:

568 a. A financial analysis of the company, including an
569 evaluation of the company's short-term liquidity ratio as
570 measured by its assets to liability, the company's profitability

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571 ratio, and the company's long-term solvency as measured by its
572 debt-to-equity ratio;

573 b. The historical market performance of the company;

574 c. Any independent evaluations of the company;

575 d. The latest audit of the company's financial statement
576 and the related auditor's management letter; and

577 e. Any other types of reports that are related to the
578 internal controls or management of the company.

579 (c)1. If the department grants a waiver under paragraph
580 (b), the incentives contract or agreement must provide for
581 securing the award amount in one of the following forms:

582 a. An irrevocable letter of credit issued by a financial
583 institution, as defined in s. 655.005;

584 b. Cash or securities held in trust by a financial
585 institution, as defined in s. 655.005, and subject to a control
586 agreement; or

587 c. A secured transaction in collateral under the control
588 or possession of the applicant for the value of the award
589 amount. The department is authorized to negotiate the terms and
590 conditions of the security agreement.

591 2. The contract or agreement must provide that the release
592 of any funds is contingent upon the receipt of documentation by
593 the department which satisfies all of the requirements found in
594 this paragraph. Funds may not be paid to the applicant until the
595 department certifies compliance with this subsection.

596 3. The irrevocable letter of credit, trust, or security
597 agreement must remain in effect until all performance conditions
598 specified in the contract or agreement have been satisfied.

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599 Failure to comply with this provision results in a violation of
600 the contract or agreement between the applicant and the
601 department and releases the department from any obligation to
602 make future scheduled payments.

603 (d) The department may waive the requirements of
604 paragraphs (a) through (c) by certifying to the Governor and the
605 chair and vice chair of the Legislative Budget Commission the
606 following information:

607 1. The applicant demonstrates the financial ability to
608 fulfill the requirements of the contract and has submitted an
609 independently audited financial statement for the previous 5
610 years;

611 2. If applicable, the applicant was previously a recipient
612 of an incentive under an economic development program, was
613 subject to clawback requirements, and timely complied with those
614 provisions; and

615 3. The department has determined that waiver of the
616 requirements of paragraphs (a) through (c) is in the best
617 interest of the state.

618 (e) For waivers granted under paragraph (d), the
619 department shall provide a written description and evaluation of
620 the waiver to the chair and vice chair of the Legislative Budget
621 Commission. Such information may be provided at the same time
622 that the information for the project consultation is provided to
623 the Legislative Budget Commission under s. 288.1088 or s.
624 288.1089. If the chair or vice chair of the Legislative Budget
625 Commission timely advises the department that such action or
626 proposed action exceeds delegated authority or is contrary to

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627 legislative policy or intent, the department shall void the
628 waiver until the Legislative Budget Commission or the
629 Legislature addresses the issue. A waiver granted by the
630 department for any project exceeding \$5 million must be approved
631 by the Legislative Budget Commission.

632 (f) The provisions of this subsection shall apply to any
633 contract entered into on or after July 1, 2013.

634 (5) In the event of default on the performance conditions
635 specified in the contract or agreement, or violation of any of
636 the provisions found in this section, the state may, in addition
637 to any other remedy provided by law, bring suit to enforce its
638 interest.

639 (6)(3) The department shall validate contractor
640 performance. Such validation shall be reported in the annual
641 incentive report required under s. 288.907.

642 (7) The department is authorized to adopt rules to
643 implement this section.

644 Section 10. Subsection (8) of section 288.0656, Florida
645 Statutes, is amended to read:

646 288.0656 Rural Economic Development Initiative.-

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

653 (a) A status report on all projects currently being
654 coordinated through REDI, the number of preferential awards and

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655 allowances made pursuant to this section, the dollar amount of
656 such awards, and the names of the recipients.

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

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

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

664 Section 11. Section 288.076, Florida Statutes, is created
665 to read:

666 288.076 Return on investment reporting for economic
667 development programs.-

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

669 (a) "Jobs" has the same meaning as provided in s.
670 288.106(2)(i).

671 (b) "Participant business" means an employing unit, as
672 defined in s. 443.036, that has entered into an agreement with
673 the department to receive a state investment.

674 (c) "Project" has the same meaning as provided in s.
675 288.106(2)(m).

676 (d) "Project award date" means the date a participant
677 business enters into an agreement with the department to receive
678 a state investment.

679 (e) "State investment" means any state grants, tax
680 exemptions, tax refunds, tax credits, or other state incentives
681 provided to a business under a program administered by the
682 department, including the capital investment tax credit under s.

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683 220.191.

684 (2) The department shall maintain a website for the
685 purpose of publishing the information described in this section.
686 The information required to be published under this section must
687 be provided in a format accessible to the public which enables
688 users to search for and sort specific data and to easily view
689 and retrieve all data at once.

690 (3) Within 48 hours after expiration of the period of
691 confidentiality for project information deemed confidential and
692 exempt pursuant to s. 288.075, the department shall publish the
693 following information pertaining to each project:

694 (a) Projected economic benefits.—The projected economic
695 benefits at the time of the initial project award date.

696 (b) Project information.—

697 1. The program or programs through which state investment
698 is being made.

699 2. The maximum potential cumulative state investment in
700 the project.

701 3. The target industry or industries, and any high impact
702 sectors implicated by the project.

703 4. The county or counties that will be impacted by the
704 project.

705 5. For a project that requires local commitment, the total
706 cumulative local financial commitment and in-kind support for
707 the project.

708 (c) Participant business information.—

709 1. The location of the headquarters of the participant
710 business or, if a subsidiary, the headquarters of the parent

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711 company.

712 2. The firm size class of the participant business, or
713 where owned by a parent company the firm size class of the
714 participant business's parent company, using the firm size
715 classes established by the United States Department of Labor
716 Bureau of Labor Statistics, and whether the participant business
717 qualifies as a small business as defined in s. 288.703.

718 3. The date of the project award.

719 4. The expected duration of the contract.

720 5. The anticipated dates when the participant business
721 will claim the last state investment.

722 (d) Project evaluation criteria.-

723 1. Economic benefits generated by the project.

724 2. The net indirect and induced incremental jobs to be
725 generated by the project.

726 3. The net indirect and induced incremental capital
727 investment to be generated by the project.

728 4. The net indirect and induced incremental tax revenue
729 paid to the state to be generated by the project.

730 (e) Project performance goals.-

731 1. The incremental direct jobs attributable to the
732 project, identifying the number of jobs generated and the number
733 of jobs retained.

734 2. The number of jobs generated and the number of jobs
735 retained by the project, and for projects commencing after
736 October 1, 2013, the median annual wage of persons holding such
737 jobs.

738 3. The incremental direct capital investment in the state

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739 generated by the project.

740 (f) Total state investment to date.—The total amount of
741 state investment disbursed to the participant business to date
742 under the terms of the contract, itemized by incentive program.

743 (4) The department shall use methodology and formulas
744 established by the Office of Economic and Demographic Research
745 to calculate the economic benefits of each project. The
746 department shall calculate and publish on its website the
747 economic benefits of each project within 48 hours after the
748 conclusion of the agreement between each participant business
749 and the department. The Office of Economic and Demographic
750 Research shall provide a description of the methodology used to
751 calculate the economic benefits of a project to the department,
752 and the department must publish the information on its website
753 within 48 hours after receiving such information.

754 (5) At least annually, from the project award date, the
755 department shall:

756 (a) Publish verified results to update the information
757 described in paragraphs (3)(b)-(f) to accurately reflect any
758 changes in the published information since the project award
759 date.

760 (b) Publish on its website the date on which the
761 information collected and published for each project was last
762 updated.

763 (6) Annually, the department shall publish information
764 relating to the progress of Quick Action Closing Fund projects,
765 including the average number of days between the date the
766 department receives a completed application and the date on

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767 which the application is approved.

768 (7) Publication of documents.-

769 (a) Within 48 hours after expiration of the period of
770 confidentiality provided under s. 288.075, the department shall
771 publish the contract or agreement described in s. 288.061,
772 redacted to protect the participant business from disclosure of
773 information that remains confidential or exempt by law.

774 (b) Within 48 hours after submitting any report of
775 findings and recommendations made pursuant to s. 288.106(7)(d)
776 concerning a business's failure to complete a tax refund
777 agreement pursuant to the tax refund program for qualified
778 target industry businesses, the department shall publish such
779 report.

780 (8) For projects completed before October 1, 2013, the
781 department shall compile and, by October 1, 2014, shall publish
782 the information described in subsections (3), (4), and (5), to
783 the extent such information is available and applicable.

784 (9) The provisions of this section that restrict the
785 department's publication of information are intended only to
786 limit the information that the department may publish on its
787 website and shall not be construed to create an exemption from
788 public records requirements under s. 119.07(1) or s. 24(a), Art.
789 I of the State Constitution.

790 (10) The department may adopt rules to administer this
791 section.

792 Section 12. Section 288.0761, Florida Statutes, is created
793 to read:

794 288.0761 Economic Development Programs Evaluation.- The

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795 Office of Economic and Demographic Research and the Office of
796 Program Policy Analysis and Government Accountability (OPPAGA)
797 shall develop and present to the Governor, the President of the
798 Senate, the Speaker of the House of Representatives, and the
799 chairs of the legislative appropriations committees the Economic
800 Development Programs Evaluation.

801 (1) The Office of Economic and Demographic Research and
802 OPPAGA shall coordinate the development of a work plan for
803 completing the Economic Development Programs Evaluation and
804 shall submit the work plan to the President of the Senate and
805 the Speaker of the House of Representatives by July 1, 2013.

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

809 (a) By January 1, 2014, and every 3 years thereafter, an
810 analysis of the following programs:

811 1. The Capital Investment Tax Credit established under s.
812 220.191, Florida Statutes.

813 2. The Qualified Target Industry Tax Refund established
814 under s. 288.106, Florida Statutes.

815 3. The Brownfield Redevelopment Bonus Tax Refund
816 established under s. 288.107, Florida Statutes.

817 4. High-Impact Sector Performance Grants established under
818 s. 288.108, Florida Statutes.

819 5. The Quick Action Closing Fund established under s.
820 288.1088, Florida Statutes.

821 6. The Innovation Incentive Program established under s.
822 288.1089, Florida Statutes.

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823 7. Enterprise Zone Program incentives established under
824 ss. 212.08(5), 212.08(15), 212.096, 220.181, and 220.182,
825 Florida Statutes.

826 (b) By January 1, 2015, and every 3 years thereafter, an
827 analysis of the following programs:

828 1. The Entertainment Industry Financial Incentive Program
829 established under s. 288.1254, Florida Statutes.

830 2. The Entertainment Industry Sales Tax Exemption Program
831 established under s. 288.1258, Florida Statutes.

832 3. VISIT Florida and its programs established or funded
833 under ss. 288.122, 288.1226, 288.12265, and 288.124, Florida
834 Statutes.

835 4. The Florida Sports Foundation and its programs
836 established under ss. 288.1162, 288.11621, 288.1166, 288.1167,
837 288.1168, 288.1169, and 288.1171, Florida Statutes.

838 (c) By January 1, 2016, and every 3 years thereafter, an
839 analysis of the following programs:

840 1. The qualified defense contractor and space flight
841 business tax refund program established under s. 288.1045,
842 Florida Statutes.

843 2. The tax exemption for semiconductor, defense, or space
844 technology sales established under s. 212.08(5)(j), Florida
845 Statutes.

846 3. The Military Base Protection Program established under
847 s. 288.980, Florida Statutes.

848 4. The Manufacturing and Spaceport Investment Incentive
849 Program established under s. 288.1083, Florida Statutes.

850 5. The Quick Response Training Program established under

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851 s. 288.047, Florida Statutes.

852 6. The Incumbent Worker Training Program established under
853 s. 445.003, Florida Statutes.

854 7. International trade and business development programs
855 established under s. 288.826, Florida Statutes.

856 (3) Pursuant to the schedule established in subsection
857 (2), the Office of Economic and Demographic Research shall
858 evaluate and determine the economic benefits, as defined in s.
859 288.005, Florida Statutes, of each program over the previous 3
860 years. The analysis must also evaluate the number of jobs
861 created, the increase or decrease in personal income, and the
862 impact on state gross domestic product from the direct,
863 indirect, and induced effects of the state's investment in each
864 program over the previous 3 years.

865 (a) For the purpose of evaluating tax credits, tax
866 refunds, sales tax exemptions, cash grants, and similar
867 programs, the Office of Economic and Demographic Research shall
868 evaluate data only from those projects in which businesses
869 received state funds during the evaluation period. Such projects
870 may be either fully complete, partially completed with future
871 fund disbursal possible pending performance measures, or
872 partially completed with no future fund disbursal possible as a
873 result of a business's inability to meet performance measures.

874 (b) The analysis must use the model developed by the
875 Office of Economic and Demographic Research, as required in s.
876 216.138, Florida Statutes, to evaluate each program. The office
877 shall provide a written explanation of the key assumptions of
878 the model and how it is used. If the office finds that another

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879 evaluation model is more appropriate to evaluate a program, it
880 may use another model, but it must provide an explanation as to
881 why the selected model was more appropriate.

882 (4) Pursuant to the schedule established in subsection
883 (2), OPPAGA shall evaluate each program over the previous 3
884 years for its effectiveness and value to the taxpayers of this
885 state and include recommendations on each program for
886 consideration by the Legislature. The analysis may include
887 relevant economic development reports or analyses prepared by
888 the Department of Economic Opportunity, Enterprise Florida,
889 Inc., or local or regional economic development organizations;
890 interviews with the parties involved; or any other relevant
891 data.

892 (5) The Office of Economic and Demographic Research and
893 OPPAGA must be given access to all data necessary to complete
894 the Economic Development Programs Evaluation, including any
895 confidential data. The offices may collaborate on data
896 collection and analysis.

897 Section 13. Paragraph (c) of subsection (3) of section
898 288.095, Florida Statutes, is repealed.

899 Section 14. Paragraph (c) of subsection (4) and paragraph
900 (d) of subsection (7) of section 288.106, Florida Statutes, is
901 amended to read:

902 288.106 Tax refund program for qualified target industry
903 businesses.—

904 (4) APPLICATION AND APPROVAL PROCESS.—

905 (c) Each application meeting the requirements of paragraph
906 (b) must be submitted to the department for determination of

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907 eligibility. The department shall review and evaluate each
908 application based on, but not limited to, the following
909 criteria:

910 1. Expected contributions to the state's economy,
911 consistent with the state strategic economic development plan
912 prepared by the department.

913 2. The economic benefits of the proposed award of tax
914 refunds under this section ~~and the economic benefits of state~~
915 ~~incentives proposed for the project. The term "economic~~
916 ~~benefits" has the same meaning as in s. 288.005. The Office of~~
917 ~~Economic and Demographic Research shall review and evaluate the~~
918 ~~methodology and model used to calculate the economic benefits~~
919 ~~and shall report its findings by September 1 of every 3rd year,~~
920 ~~to the President of the Senate and the Speaker of the House of~~
921 ~~Representatives.~~

922 3. The amount of capital investment to be made by the
923 applicant in this state.

924 4. The local financial commitment and support for the
925 project.

926 5. The expected effect of the project on the unemployed and
927 underemployed ~~unemployment rate~~ in the county where the project
928 will be located.

929 6. The expected effect of the award on the viability of the
930 project and the probability that the project would be undertaken
931 in this state if such tax refunds are granted to the applicant.

932 ~~7. The expected long-term commitment of the applicant to~~
933 ~~economic growth and employment in this state resulting from the~~
934 ~~project.~~

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935 ~~7.8.~~ A review of the business's past activities in this
936 state or other states, including whether the ~~such~~ business has
937 been subjected to criminal or civil fines and penalties and
938 whether the business received economic development incentives in
939 other states and the results of such incentive agreements. This
940 subparagraph does not require the disclosure of confidential
941 information.

942 (7) ADMINISTRATION.—

943 (d) Beginning with tax refund agreements signed after July 1,
944 2010, the department shall attempt to ascertain the causes for
945 any business's failure to complete its agreement and ~~shall~~
946 ~~report~~ its findings and recommendations must be included in the
947 annual incentives report under s. 288.907 to the Governor, the
948 President of the Senate, and the Speaker of the House of
949 Representatives. The report shall be submitted by December 1 of
950 each year beginning in 2011.

951 Section 15. Paragraphs (c) and (d) of subsection (1),
952 subsections (2) and (3), and paragraphs (a), (b), and (f) of
953 subsection (4) of section 288.107, Florida Statutes, are amended
954 to read:

955 288.107 Brownfield redevelopment bonus refunds.—

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

957 (c) "Brownfield area eligible for bonus refunds" means a
958 brownfield site for which a rehabilitation agreement with the
959 Department of Environmental Protection or a local government
960 delegated by the Department of Environmental Protection has been
961 executed under s. 376.80 and any abutting real property parcel
962 within a brownfield ~~contiguous area of one or more brownfield~~

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963 ~~sites, some of which may not be contaminated, and~~ which has been
964 designated by a local government by resolution under s. 376.80.
965 ~~Such areas may include all or portions of community~~
966 ~~redevelopment areas, enterprise zones, empowerment zones, other~~
967 ~~such designated economically deprived communities and areas, and~~
968 ~~Environmental Protection Agency-designated brownfield pilot~~
969 ~~projects.~~

970 (d) "Eligible business" means:

971 1. A qualified target industry business as defined in s.
972 288.106(2); or

973 2. A business that can demonstrate a fixed capital
974 investment of at least \$2 million in mixed-use business
975 activities, including multiunit housing, commercial, retail, and
976 industrial in brownfield areas eligible for bonus refunds, ~~or at~~
977 ~~least \$500,000 in brownfield areas that do not require site~~
978 ~~cleanup~~, and that provides benefits to its employees.

979 (2) BROWNFIELD REDEVELOPMENT BONUS REFUND.-Bonus refunds
980 shall be approved by the department as specified in the final
981 order and allowed from the account as follows:

982 (a) A bonus refund of \$2,500 shall be allowed to any
983 qualified target industry business as defined in s. 288.106 for
984 each new Florida job created in a brownfield area eligible for
985 bonus refunds which ~~that~~ is claimed on the qualified target
986 industry business's annual refund claim authorized in s.
987 288.106(6).

988 (b) A bonus refund of up to \$2,500 shall be allowed to any
989 other eligible business as defined in subparagraph (1)(d)2. For
990 each new Florida job created in a brownfield area eligible for

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991 bonus refunds which ~~that~~ is claimed under an annual claim
992 procedure similar to the annual refund claim authorized in s.
993 288.106(6). The amount of the refund shall be equal to 20
994 percent of the average annual wage for the jobs created.

995 (3) CRITERIA.-The minimum criteria for participation in
996 the brownfield redevelopment bonus refund are:

997 (a) The creation of at least 10 new full-time permanent
998 jobs. Such jobs shall not include construction or site
999 rehabilitation jobs associated with the implementation of a
1000 brownfield site agreement as described in s. 376.80(5).

1001 (b) The completion of a fixed capital investment of at
1002 least \$2 million in mixed-use business activities, including
1003 multiunit housing, commercial, retail, and industrial in
1004 brownfield areas eligible for bonus refunds, ~~or at least~~
1005 ~~\$500,000 in brownfield areas that do not require site cleanup,~~
1006 by an eligible business applying for a refund under paragraph
1007 (2)(b) which provides benefits to its employees.

1008 ~~(c) That the designation as a brownfield will diversify~~
1009 ~~and strengthen the economy of the area surrounding the site.~~

1010 ~~(d) That the designation as a brownfield will promote~~
1011 ~~capital investment in the area beyond that contemplated for the~~
1012 ~~rehabilitation of the site.~~

1013 ~~(e) A resolution adopted by the governing board of the~~
1014 ~~county or municipality in which the project will be located that~~
1015 ~~recommends that certain types of businesses be approved.~~

1016 (4) PAYMENT OF BROWNFIELD REDEVELOPMENT BONUS REFUNDS.-

1017 (a) To be eligible to receive a bonus refund for new
1018 Florida jobs created in a brownfield area eligible for bonus

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1019 refunds, a business must have been certified as a qualified
1020 target industry business under s. 288.106 or eligible business
1021 as defined in paragraph (1) (d) and must have indicated on the
1022 qualified target industry business tax refund application form
1023 submitted in accordance with s. 288.106(4) or other similar
1024 agreement for other eligible business as defined in paragraph
1025 (1) (d) that the project for which the application is submitted
1026 is or will be located in a brownfield area eligible for bonus
1027 refunds and that the business is applying for certification as a
1028 qualified brownfield business under this section, and must have
1029 signed a qualified target industry business tax refund agreement
1030 with the department that indicates that the business has been
1031 certified as a qualified target industry business located in a
1032 brownfield area eligible for bonus refunds and specifies the
1033 schedule of brownfield redevelopment bonus refunds that the
1034 business may be eligible to receive in each fiscal year.

1035 (b) To be considered to receive an eligible brownfield
1036 redevelopment bonus refund payment, the business meeting the
1037 requirements of paragraph (a) must submit a claim once each
1038 fiscal year on a claim form approved by the department which
1039 indicates the location of the brownfield site for which a
1040 rehabilitation agreement with the Department of Environmental
1041 Protection or a local government delegated by the Department of
1042 Environmental Protection has been executed under s. 376.80, the
1043 address of the business facility's brownfield location, the name
1044 of the brownfield in which it is located, the number of jobs
1045 created, and the average wage of the jobs created by the
1046 business within the brownfield as defined in s. 288.106 or other

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1047 eligible business as defined in paragraph (1)(d) and the
1048 administrative rules and policies for that section.

1049 (f) Applications shall be reviewed and certified pursuant
1050 to s. 288.061. The department shall review all applications
1051 submitted under s. 288.106 or other similar application forms
1052 for other eligible businesses as defined in paragraph (1)(d)
1053 which indicate that the proposed project will be located in a
1054 brownfield area eligible for bonus refunds and determine, with
1055 the assistance of the Department of Environmental Protection,
1056 that the project location is within a brownfield area eligible
1057 for bonus refunds as provided in this act.

1058 Section 16. Subsection (8) of section 288.1081, Florida
1059 Statutes, is amended to read:

1060 288.1081 Economic Gardening Business Loan Pilot Program.—

1061 (8) The annual report required under s. 20.60 must describe
1062 ~~On June 30 and December 31 of each year, the department shall~~
1063 ~~submit a report to the Governor, the President of the Senate,~~
1064 ~~and the Speaker of the House of Representatives which describes~~
1065 in detail the use of the loan funds. The report must include, at
1066 a minimum, the number of businesses receiving loans, the number
1067 of full-time equivalent jobs created as a result of the loans,
1068 the amount of wages paid to employees in the newly created jobs,
1069 the locations and types of economic activity undertaken by the
1070 borrowers, the amounts of loan repayments made to date, and the
1071 default rate of borrowers.

1072 Section 17. Subsection (8) of section 288.1082, Florida
1073 Statutes, is amended to read:

1074 288.1082 Economic Gardening Technical Assistance Pilot

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Program.—

1075
1076 (8) The annual report required under s. 20.60 must describe
1077 ~~On December 31 of each year, the department shall submit a~~
1078 ~~report to the Governor, the President of the Senate, and the~~
1079 ~~Speaker of the House of Representatives which describes in~~
1080 detail the progress of the pilot program. The report must
1081 include, at a minimum, the number of businesses receiving
1082 assistance, the number of full-time equivalent jobs created as a
1083 result of the assistance, if any, the amount of wages paid to
1084 employees in the newly created jobs, and the locations and types
1085 of economic activity undertaken by the businesses.

1086 Section 18. Paragraph (e) of subsection (3) of section
1087 288.1088, Florida Statutes, is amended to read:

1088 288.1088 Quick Action Closing Fund.—

1089 (3)

1090 (e) The department ~~Enterprise Florida, Inc.,~~ shall
1091 validate contractor performance and report— such validation in
1092 the annual incentives report required under s. 288.907 shall be
1093 ~~reported within 6 months after completion of the contract to the~~
1094 ~~Governor, President of the Senate, and the Speaker of the House~~
1095 ~~of Representatives.~~

1096 Section 19. Paragraphs (b) and (d) of subsection (4), and
1097 subsections (9) and (11) of section 288.1089, Florida Statutes,
1098 are amended to read:

1099 288.1089 Innovation Incentive Program.—

1100 (4) To qualify for review by the department, the applicant
1101 must, at a minimum, establish the following to the satisfaction
1102 of the department:

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(b) A research and development project must:

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

2. Demonstrate a plan for significant higher education collaboration.

3. Provide the state, at a minimum, a cumulative break-even economic benefit ~~return on investment~~ within a 20-year period.

4. Be provided with a one-to-one match from the local community. The match requirement may be reduced or waived in rural areas of critical economic concern or reduced in rural areas, brownfield areas, and enterprise zones.

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

1. Demonstrate a plan for significant collaboration with an institution of higher education;

2. Provide the state, at a minimum, a cumulative break-even economic benefit ~~return on investment~~ within a 20-year period;

3. Include matching funds provided by the applicant or other available sources. The match requirement may be reduced or waived in rural areas of critical economic concern or reduced in rural areas, brownfield areas, and enterprise zones;

4. Be located in this state; and

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

(9) The department shall validate the performance of an

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1131 innovation business, a research and development facility, or an
1132 alternative and renewable energy business that has received an
1133 award. At the conclusion of the innovation incentive award
1134 agreement, or its earlier termination, the department shall
1135 include in the annual incentives report required under s.
1136 288.907 a detailed description of, ~~within 90 days, submit a~~
1137 ~~report to the Governor, the President of the Senate, and the~~
1138 ~~Speaker of the House of Representatives detailing~~ whether the
1139 recipient of the innovation incentive grant achieved its
1140 specified outcomes.

1141 (11) ~~(a)~~ The department shall include in ~~submit to the~~
1142 ~~Governor, the President of the Senate, and the Speaker of the~~
1143 ~~House of Representatives, as part of the annual~~ incentives
1144 report required under s. 288.907, a report summarizing the
1145 activities and accomplishments of the recipients of grants from
1146 the Innovation Incentive Program during the previous 12 months
1147 and an evaluation of whether the recipients are catalysts for
1148 additional direct and indirect economic development in Florida.

1149 ~~(b) Beginning March 1, 2010, and every third year~~
1150 ~~thereafter, the Office of Program Policy Analysis and Government~~
1151 ~~Accountability, in consultation with the Auditor General's~~
1152 ~~Office, shall release a report evaluating the Innovation~~
1153 ~~Incentive Program's progress toward creating clusters of high-~~
1154 ~~wage, high-skilled, complementary industries that serve as~~
1155 ~~eatalysts for economic growth specifically in the regions in~~
1156 ~~which they are located, and generally for the state as a whole.~~
1157 ~~Such report should include critical analyses of quarterly and~~
1158 ~~annual reports, annual audits, and other documents prepared by~~

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1159 ~~the Innovation Incentive Program awardees; relevant economic~~
1160 ~~development reports prepared by the department, Enterprise~~
1161 ~~Florida, Inc., and local or regional economic development~~
1162 ~~organizations; interviews with the parties involved; and any~~
1163 ~~other relevant data. Such report should also include legislative~~
1164 ~~recommendations, if necessary, on how to improve the Innovation~~
1165 ~~Incentive Program so that the program reaches its anticipated~~
1166 ~~potential as a catalyst for direct and indirect economic~~
1167 ~~development in this state.~~

1168 Section 20. Subsection (3) of section 288.1253, Florida
1169 Statutes, is amended to read:

1170 288.1253 Travel and entertainment expenses.—

1171 (3) The Office of Film and Entertainment ~~department~~ shall
1172 include in the annual report for the entertainment industry
1173 financial incentive program required under s. 288.1254(10) a
1174 ~~prepare an annual~~ report of the office's expenditures ~~of the~~
1175 ~~Office of Film and Entertainment and provide such report to the~~
1176 ~~Legislature no later than December 30 of each year for the~~
1177 ~~expenditures of~~ the previous fiscal year. The report shall
1178 consist of a summary of all travel, entertainment, and
1179 incidental expenses incurred within the United States and all
1180 travel, entertainment, and incidental expenses incurred outside
1181 the United States, as well as a summary of all successful
1182 projects that developed from such travel.

1183 Section 21. Subsection (10) of section 288.1254, Florida
1184 Statutes, is amended to read:

1185 288.1254 Entertainment industry financial incentive
1186 program.—

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1187 (10) ANNUAL REPORT.—Each November 1 ~~October 1~~, the Office
1188 of Film and Entertainment shall submit ~~provide~~ an annual report
1189 for the previous fiscal year to the Governor, the President of
1190 the Senate, and the Speaker of the House of Representatives
1191 which outlines the incentive program's return on investment and
1192 economic benefits to the state. The report shall also include an
1193 estimate of the full-time equivalent positions created by each
1194 production that received tax credits under this section and
1195 information relating to the distribution of productions
1196 receiving credits by geographic region and type of production.
1197 The report shall also include the expenditures report required
1198 under s. 288.1253(3) and the information describing the
1199 relationship between tax exemptions and incentives to industry
1200 growth required under s. 288.1258(5).

1201 Section 22. Subsection (5) of section 288.1258, Florida
1202 Statutes, is amended to read:

1203 288.1258 Entertainment industry qualified production
1204 companies; application procedure; categories; duties of the
1205 Department of Revenue; records and reports.—

1206 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO
1207 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The Office of Film
1208 and Entertainment shall keep annual records from the information
1209 provided on taxpayer applications for tax exemption certificates
1210 beginning January 1, 2001. These records also shall reflect a
1211 ratio of the annual amount of sales and use tax exemptions under
1212 this section, plus the incentives awarded pursuant to s.
1213 288.1254 to the estimated amount of funds expended by certified
1214 productions. In addition, the office shall maintain data showing

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1215 annual growth in Florida-based entertainment industry companies
1216 and entertainment industry employment and wages. The employment
1217 information shall include an estimate of the full-time
1218 equivalent positions created by each production that received
1219 tax credits pursuant to s. 288.1254. The Office of Film and
1220 Entertainment shall include ~~report~~ this information in the
1221 annual report for the entertainment industry financial incentive
1222 program required under s. 288.1254(10) to the Legislature no
1223 later than December 1 of each year.

1224 Section 23. Subsection (3) of section 288.714, Florida
1225 Statutes, is amended to read:

1226 288.714 Quarterly and annual reports.-

1227 (3) ~~By August 31 of each year,~~ The department shall
1228 include in its annual report required under s. 20.60 ~~provide to~~
1229 ~~the Governor, the President of the Senate, and the Speaker of~~
1230 ~~the House of Representatives~~ a detailed report of the
1231 performance of the Black Business Loan Program. The report must
1232 include a cumulative summary of the quarterly report data
1233 compiled pursuant to ~~required by~~ subsection (2) ~~(1)~~.

1234 Section 24. Section 288.7771, Florida Statutes, is amended
1235 to read:

1236 288.7771 Annual report of Florida Export Finance
1237 Corporation.-The corporation shall annually prepare and submit
1238 to Enterprise Florida, Inc., ~~the department~~ for inclusion in its
1239 annual report required under s. 288.906 ~~by s. 288.095~~ a complete
1240 and detailed report setting forth:

1241 (1) The report required in s. 288.776(3).

1242 (2) Its assets and liabilities at the end of its most

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1243 recent fiscal year.

1244 Section 25. Subsections (3), (4), and (5) of section
1245 288.903, Florida Statutes, are amended to read:

1246 288.903 Duties of Enterprise Florida, Inc.—Enterprise
1247 Florida, Inc., shall have the following duties:

1248 (3) Prepare an annual report pursuant to s. 288.906.

1249 (4) Prepare, in conjunction with the department, and an
1250 annual incentives report pursuant to s. 288.907.

1251 (5)~~(4)~~ Assist the department with the development of an
1252 annual and a long-range strategic business blueprint for
1253 economic development required in s. 20.60.

1254 (6)~~(5)~~ In coordination with Workforce Florida, Inc.,
1255 identify education and training programs that will ensure
1256 Florida businesses have access to a skilled and competent
1257 workforce necessary to compete successfully in the domestic and
1258 global marketplace.

1259 Section 26. Subsection (6) of section 288.904, Florida
1260 Statutes, is repealed.

1261 Section 27. Subsection (3) is added to section 288.906,
1262 Florida Statutes, to read:

1263 288.906 Annual report of Enterprise Florida, Inc., and its
1264 divisions; audits.—

1265 (3) The following reports must be included as supplements
1266 to the detailed report required by this section:

1267 (a) The annual report of the Florida Export Finance
1268 Corporation required under s. 288.7771.

1269 (b) The report on international offices required under s.
1270 288.012.

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1271 Section 28. Section 288.907, Florida Statutes, is amended
1272 to read:

1273 288.907 Annual incentives report.—

1274 (1) ~~In addition to the annual report required under s.~~
1275 ~~288.906,~~ Enterprise Florida, Inc., in conjunction with the
1276 department, shall, by December 30 of each year, submit an annual
1277 incentives report to ~~shall provide~~ the Governor, the President
1278 of the Senate, and the Speaker of the House of Representatives
1279 which details and quantifies a detailed incentives report
1280 ~~quantifying~~ the economic benefits for all of the economic
1281 development incentive programs marketed by Enterprise Florida,
1282 Inc.

1283 (a) The annual incentives report must include for each
1284 incentive program:

1285 1. A brief description of the incentive program.

1286 2. The amount of awards granted, by year, since inception
1287 and the annual amount actually transferred from the state
1288 treasury to businesses or for the benefit of businesses for each
1289 of the previous 3 years.

1290 ~~3. The economic benefits, as defined in s. 288.005, based~~
1291 ~~on the actual amount of private capital invested, actual number~~
1292 ~~of jobs created, and actual wages paid for incentive agreements~~
1293 ~~completed during the previous 3 years.~~

1294 ~~3.4. The report shall also include~~ The actual amount of
1295 private capital invested, actual number of jobs created, and
1296 actual wages paid for incentive agreements completed during the
1297 previous 3 years for each target industry sector.

1298 (b) For projects completed during the previous state

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1299 fiscal year, ~~the report must include:~~

1300 1. The number of economic development incentive
1301 applications received.

1302 2. The number of recommendations made to the department by
1303 Enterprise Florida, Inc., including the number recommended for
1304 approval and the number recommended for denial.

1305 3. The number of final decisions issued by the department
1306 for approval and for denial.

1307 4. The projects for which a tax refund, tax credit, or
1308 cash grant agreement was executed and identifying for each
1309 project:

1310 a. The number of jobs committed to be created.

1311 b. The amount of capital investments committed to be made.

1312 c. The annual average wage committed to be paid.

1313 d. The amount of state economic development incentives
1314 committed to the project from each incentive program under the
1315 project's terms of agreement with the Department of Economic
1316 Opportunity.

1317 e. The amount and type of local matching funds committed
1318 to the project.

1319 5. Tax refunds paid or other payments made funded out of
1320 the Economic Development Incentives Account for each project.

1321 6. The types of projects supported.

1322 (c) For economic development projects that received tax
1323 refunds, tax credits, or cash grants under the terms of an
1324 agreement for incentives, ~~the report must identify:~~

1325 1. The number of jobs actually created.

1326 2. The amount of capital investments actually made.

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1327 3. The annual average wage paid.

1328 (d) For a project receiving economic development
1329 incentives approved by the department and receiving federal or
1330 local incentives, ~~the report must include~~ a description of the
1331 federal or local incentives, if available.

1332 (e) ~~The report must state~~ the number of withdrawn or
1333 terminated projects that did not fulfill the terms of their
1334 agreements with the department and consequently are not
1335 receiving incentives.

1336 (f) ~~The amount report must include an analysis of the~~
1337 ~~economic benefits, as defined in s. 288.005,~~ of tax refunds, tax
1338 credits, or other payments made to projects locating or
1339 expanding in state enterprise zones, rural communities,
1340 brownfield areas, or distressed urban communities.

1341 (g) The report must also include a separate analysis of
1342 the impact of tax refunds on rural communities, brownfield
1343 areas, distressed urban communities, and state enterprise zones
1344 designated pursuant to s. 290.0065.

1345 (h) The report must list the name of each business that
1346 received a tax refund during the previous fiscal year, and the
1347 amount of the tax refund, pursuant to the qualified defense
1348 contractor and space flight business tax refund program under s.
1349 288.1045 or the tax refund program for qualified target industry
1350 businesses under s. 288.106.

1351 (i)(g) An identification of ~~The report must identify the~~
1352 target industry businesses and high-impact businesses.

1353 (j)(h) A description of ~~The report must describe the~~
1354 trends relating to business interest in, and usage of, the

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1355 various incentives, and the number of minority-owned or woman-
1356 owned businesses receiving incentives.

1357 ~~(k)(i)~~ The report must identify incentive programs not
1358 used and include recommendations for changes utilized.

1359 (l) The report must include information related to the
1360 validation of contractor performance required under s. 288.061.

1361 (m) Beginning in 2014, the report must summarize the
1362 activities related to the Florida Space Business Incentives Act,
1363 s. 220.194.

1364 Section 29. Subsection (3) of section 288.92, Florida
1365 Statutes, is amended to read:

1366 288.92 Divisions of Enterprise Florida, Inc.—

1367 (3) ~~By October 15 each year,~~ Each division shall draft and
1368 submit an annual report for inclusion in the report required
1369 under 288.906 which details the division's activities during the
1370 previous prior fiscal year and includes ~~any~~ recommendations for
1371 improving current statutes related to the division's ~~related~~
1372 area of responsibility.

1373 Section 30. Subsection (5) of section 288.95155, Florida
1374 Statutes, is amended to read:

1375 288.95155 Florida Small Business Technology Growth
1376 Program.—

1377 (5) Enterprise Florida, Inc., shall include in the annual
1378 incentives report required under s. 288.907 ~~prepare for~~
1379 ~~inclusion in the annual report of the department required by s.~~
1380 ~~288.095~~ a report on the financial status of the program. The
1381 report must specify the assets and liabilities of the program
1382 within the current fiscal year and must include a portfolio

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1383 update that lists all of the businesses assisted, the private
1384 dollars leveraged by each business assisted, and the growth in
1385 sales and ~~in~~ employment of each business assisted.

1386 Section 31. Section 288.9918, Florida Statutes, is amended
1387 to read:

1388 288.9918 Annual reporting by a community development
1389 entity. -

1390 (1) A community development entity that has issued a
1391 qualified investment shall submit an annual report to the
1392 department by January 31 ~~April 30~~ after the end of each year
1393 which includes a credit allowance date. ~~By April 30 after the~~
1394 ~~end of each year which includes a credit allowance date, a~~
1395 ~~community development entity shall submit annual financial~~
1396 ~~statements for the preceding tax year, audited by an independent~~
1397 ~~certified public accountant. The report shall include~~
1398 ~~information on investments made in the preceding calendar year~~
1399 ~~to include but not limited to the following:~~

1400 ~~(1) The entity's annual financial statements for the~~
1401 ~~preceding tax year, audited by an independent certified public~~
1402 ~~accountant.~~

1403 (a) ~~(2)~~ The identity of the types of industries, identified
1404 by the North American Industry Classification System Code, in
1405 which qualified low-income community investments were made.

1406 (b) ~~(3)~~ The names of the counties in which the qualified
1407 active low-income businesses are located which received
1408 qualified low-income community investments.

1409 (c) ~~(4)~~ The number of jobs created and retained by qualified
1410 active low-income community businesses receiving qualified low-

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1411 income community investments, including verification that the
1412 average wages paid meet or exceed 115 percent of the federal
1413 poverty income guidelines for a family of four.

1414 (d)~~(5)~~ A description of the relationships that the entity
1415 has established with community-based organizations and local
1416 community development offices and organizations and a summary of
1417 the outcomes resulting from those relationships.

1418 (e)~~(6)~~ Other information and documentation required by the
1419 department to verify continued certification as a qualified
1420 community development entity under 26 U.S.C. s. 45D.

1421 (2) By April 30 after the end of each year which includes
1422 a credit allowance date, a community development entity shall
1423 submit annual financial statements for the preceding tax year,
1424 audited by an independent certified public accountant.

1425 Section 32. Subsection (6) of section 290.0055, Florida
1426 Statutes, is amended to read:

1427 290.0055 Local nominating procedure.—

1428 (6) (a) The department may approve a change in the boundary
1429 of any enterprise zone which was designated pursuant to s.
1430 290.0065. A boundary change must continue to satisfy the
1431 requirements of subsections (3), (4), and (5).

1432 (b) Upon a recommendation by the enterprise zone
1433 development agency, the governing body of the jurisdiction which
1434 authorized the application for an enterprise zone may apply to
1435 the department for a change in boundary once every 3 years by
1436 adopting a resolution that:

1437 1. States with particularity the reasons for the change;
1438 and

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1439 2. Describes specifically and, to the extent required by
1440 the department, the boundary change to be made.

1441 (c) At least 90 days before adopting a resolution seeking
1442 a change in the boundary of an enterprise zone, the governing
1443 body shall include in a notice of the meeting at which the
1444 resolution will be considered an explanation that a change in
1445 the boundary of an enterprise zone will be considered and that
1446 the change may result in loss of enterprise zone eligibility for
1447 the area affected by the boundary change.

1448 (d)1. The governing body of a jurisdiction which has
1449 nominated an application for an enterprise zone that is at least
1450 15 square miles and less than 20 square miles ~~no larger than 12~~
1451 ~~square miles~~ and includes a portion of the state designated as a
1452 rural area of critical economic concern under s. 288.0656(7) may
1453 apply to the department to expand the boundary of the existing
1454 enterprise zone by not more than 3 square miles. ~~An application~~
1455 ~~to expand the boundary of an enterprise zone under this~~
1456 ~~paragraph must be submitted by December 31, 2012.~~

1457 2. The governing body of a jurisdiction which has
1458 nominated an application for an enterprise zone that is at least
1459 20 square miles and includes a portion of the state designated
1460 as a rural area of critical economic concern under s.
1461 288.0656(7) may apply to the department to expand the boundary
1462 of the existing enterprise zone by not more than 5 square miles.

1463 3. An application to expand the boundary of an enterprise
1464 zone under this paragraph must be submitted by December 31,
1465 2013.

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1466 ~~4.2.~~ Notwithstanding the area limitations specified in
1467 subsection (4), the department may approve the request for a
1468 boundary amendment if the area continues to satisfy the
1469 remaining requirements of this section.

1470 ~~5.3.~~ The department shall establish the initial effective
1471 date of an enterprise zone designated under this paragraph.

1472 Section 33. Subsection (11) of section 290.0056, Florida
1473 Statutes, is amended to read:

1474 290.0056 Enterprise zone development agency.—

1475 (11) Before October 1 ~~December 1~~ of each year, the agency
1476 shall submit to the department for inclusion in the department's
1477 annual report required under s. 20.60 a complete and detailed
1478 written report setting forth:

1479 (a) Its operations and accomplishments during the fiscal
1480 year.

1481 (b) The accomplishments and progress concerning the
1482 implementation of the strategic plan or measurable goals, and
1483 any updates to the strategic plan or measurable goals.

1484 (c) The number and type of businesses assisted by the
1485 agency during the fiscal year.

1486 (d) The number of jobs created within the enterprise zone
1487 during the fiscal year.

1488 (e) The usage and revenue impact of state and local
1489 incentives granted during the calendar year.

1490 (f) Any other information required by the department.

1491 Section 34. Section 290.014, Florida Statutes, is amended
1492 to read:

1493 290.014 Annual reports on enterprise zones.—

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1494 ~~(1) By October 1 February 1~~ of each year, the Department
1495 of Revenue shall submit a ~~an annual~~ report to the department for
1496 inclusion in the department's annual report required under s.
1497 20.60 which details detailing the usage and revenue impact by
1498 county of the state incentives listed in s. 290.007.

1499 ~~(2) By March 1 of each year, the department shall submit~~
1500 ~~an annual report to the Governor, the Speaker of the House of~~
1501 ~~Representatives, and the President of the Senate.~~ The report
1502 shall also include ~~the information provided by the department of~~
1503 ~~Revenue pursuant to subsection (1) and the information provided~~
1504 by the enterprise zone development agencies pursuant to s.
1505 290.0056(11) 290.0056. In addition, the report shall include an
1506 analysis of the activities and accomplishments of each
1507 enterprise zone.

1508 Section 35. Section 290.0455, Florida Statutes, is amended
1509 to read:

1510 290.0455 Small Cities Community Development Block Grant
1511 Loan Guarantee Program; Section 108 loan guarantees.-

1512 (1) The Small Cities Community Development Block Grant
1513 Loan Guarantee Program is created. The department shall
1514 administer the loan guarantee program pursuant to Section 108 s.
1515 ~~108~~ of Title I of the Housing and Community Development Act of
1516 1974, as amended, and as further amended by s. 910 of the
1517 Cranston-Gonzalez National Affordable Housing Act. The purpose
1518 of the Small Cities Community Development Block Grant Loan
1519 Guarantee Program is to guarantee, or to make commitments to
1520 guarantee, notes or other obligations issued by public entities

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1521 for the purposes of financing activities enumerated in 24 C.F.R.
1522 s. 570.703.

1523 (2) Activities assisted under the loan guarantee program
1524 must meet the requirements contained in 24 C.F.R. ss. 570.700-
1525 570.710 and may not otherwise be financed in whole or in part
1526 from the Florida Small Cities Community Development Block Grant
1527 Program.

1528 (3) The department may pledge existing revenues on deposit
1529 or future revenues projected to be available for deposit in the
1530 Florida Small Cities Community Development Block Grant Program
1531 in order to guarantee, ~~in whole or in part,~~ the payment of
1532 principal and interest on a Section 108 loan ~~made under the loan~~
1533 ~~guarantee program.~~

1534 (4) An applicant approved by the United States Department
1535 of Housing and Urban Development to receive a Section 108 loan
1536 shall enter into an agreement with the Department of Economic
1537 Opportunity which requires the applicant to pledge half of the
1538 amount necessary to guarantee the loan in the event of default.

1539 (5) The department shall review all Section 108 loan
1540 applications that it receives from local governments. The
1541 department shall review the applications ~~must submit all~~
1542 ~~applications it receives to the United States Department of~~
1543 ~~Housing and Urban Development for loan approval,~~ in the order
1544 received, subject to a determination by the department
1545 ~~determining~~ that each ~~the~~ application meets all eligibility
1546 requirements contained in 24 C.F.R. ss. 570.700-570.710, ~~and has~~
1547 been deemed financially feasible by a loan underwriter approved
1548 by the department. If the statewide maximum available for loan

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1549 guarantee commitments established in subsection (6) has not been
1550 committed, the department may submit the Section 108 loan
1551 application to the United States Department of Housing and Urban
1552 Development with a recommendation that the loan be approved,
1553 with or without conditions, or be denied ~~provided that the~~
1554 ~~applicant has submitted the proposed activity to a loan~~
1555 ~~underwriter to document its financial feasibility.~~

1556 (6)-(5) The maximum amount of an individual loan guarantee
1557 commitment that an ~~commitments that any~~ eligible local
1558 government may receive is ~~may be~~ limited to \$5 ~~\$7~~ million
1559 ~~pursuant to 24 C.F.R. s. 570.705,~~ and the maximum amount of loan
1560 guarantee commitments statewide may not exceed an amount equal
1561 to two ~~five~~ times the amount of the most recent grant received
1562 by the department under the Florida Small Cities Community
1563 Development Block Grant Program. The \$5 million loan guarantee
1564 limit does not apply to loans guaranteed prior to July 1, 2013,
1565 that may be refinanced.

1566 (7)-(6) Section 108 loans guaranteed by the Small Cities
1567 Community Development Block Grant Program ~~loan guarantee program~~
1568 must be repaid within 20 years.

1569 (8)-(7) Section 108 loan applicants must demonstrate
1570 ~~guarantees may be used for an activity only if the local~~
1571 ~~government provides evidence to the department that the~~
1572 applicant investigated alternative financing services ~~were~~
1573 ~~investigated~~ and the services were unavailable or insufficient
1574 to meet the financing needs of the proposed activity.

1575 (9) If a local government defaults on a Section 108 loan
1576 received from the United States Department of Housing and Urban

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1577 Development and guaranteed through the Florida Small Cities
1578 Community Development Block Grant Program, thereby requiring the
1579 department to reduce its annual grant award in order to pay the
1580 annual debt service on the loan, any future community
1581 development block grants that the local government receives must
1582 be reduced in an amount equal to the amount of the state's grant
1583 award used in payment of debt service on the loan.

1584 (10) If a local government receives a Section 108 loan
1585 guaranteed through the Florida Small Cities Community
1586 Development Block Grant Program and is granted entitlement
1587 community status as defined in subpart D of 24 C.F.R. part 570
1588 by the United States Department of Housing and Urban Development
1589 before paying the loan in full, the local government must pledge
1590 its community development block grant entitlement allocation as
1591 a guarantee of its previous loan and request that the United
1592 States Department of Housing and Urban Development release the
1593 department as guarantor of the loan.

1594 ~~(8) The department must, before approving an application~~
1595 ~~for a loan, evaluate the applicant's prior administration of~~
1596 ~~block grant funds for community development. The evaluation of~~
1597 ~~past performance must take into account the procedural aspects~~
1598 ~~of previous grants or loans as well as substantive results. If~~
1599 ~~the department finds that any applicant has failed to~~
1600 ~~substantially accomplish the results proposed in the applicant's~~
1601 ~~last previously funded application, the department may prohibit~~
1602 ~~the applicant from receiving a loan or may penalize the~~
1603 ~~applicant in the rating of the current application.~~

1604 Section 36. Subsection (11) of section 331.3051, Florida

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1605 Statutes, is amended to read:

1606 331.3051 Duties of Space Florida.—Space Florida shall:

1607 (11) Annually report on its performance with respect to
1608 its business plan, to include finance, spaceport operations,
1609 research and development, workforce development, and education.
1610 The report shall be submitted to the Governor, the President of
1611 the Senate, and the Speaker of the House of Representatives by
1612 November 30 ~~no later than September 1~~ for the previous ~~prior~~
1613 fiscal year. The annual report shall include operations
1614 information as required under s. 331.310(2)(e).

1615 Section 37. Paragraph (e) of subsection (2) of section
1616 331.310, Florida Statutes, is amended to read:

1617 331.310 Powers and duties of the board of directors.—

1618 (2) The board of directors shall:

1619 (e) Prepare an annual report of operations as a supplement
1620 to the annual report required under s. 331.3051(11). The report
1621 shall include, but not be limited to, a balance sheet, an income
1622 statement, a statement of changes in financial position, a
1623 reconciliation of changes in equity accounts, a summary of
1624 significant accounting principles, the auditor's report, a
1625 summary of the status of existing and proposed bonding projects,
1626 comments from management about the year's business, and
1627 prospects for the next year, ~~which shall be submitted each year~~
1628 ~~by November 30 to the Governor, the President of the Senate, the~~
1629 ~~Speaker of the House of Representatives, the minority leader of~~
1630 ~~the Senate, and the minority leader of the House of~~
1631 ~~Representatives.~~

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1632 Section 38. Paragraphs (a) and (e) of subsection (30) of
1633 section 443.036, Florida Statutes, is amended to read:

1634 443.036 Definitions.—As used in this chapter, the term:

1635 (30) "Misconduct," irrespective of whether the misconduct
1636 occurs at the workplace or during working hours, includes, but
1637 is not limited to, the following, which may not be construed in
1638 pari materia with each other:

1639 (a) Conduct demonstrating conscious disregard of an
1640 employer's interests and found to be a deliberate violation or
1641 disregard of the reasonable standards of behavior which the
1642 employer expects of his or her employee. Such conduct may
1643 include, but is not limited to, willful damage to an employer's
1644 property that results in damage of more than \$50; or theft of
1645 employer property or property of a customer or invitee of the
1646 employer.

1647 (e)1. A violation of an employer's rule, unless the
1648 claimant can demonstrate that:

1649 a.1. He or she did not know, and could not reasonably
1650 know, of the rule's requirements;

1651 b.2. The rule is not lawful or not reasonably related to
1652 the job environment and performance; or

1653 c.3. The rule is not fairly or consistently enforced.

1654 2. Such conduct may include, but is not limited to,
1655 committing criminal assault or battery on another employee, or
1656 on a customer or invitee of the employer; or committing abuse or
1657 neglect of a patient, resident, disabled person, elderly person,
1658 or child in her or his professional care.

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1659 Section 39. Paragraphs (b), (c), and (d) of subsection (1)
1660 of section 443.091, Florida Statutes, are amended to read:

1661 443.091 Benefit eligibility conditions.—

1662 (1) An unemployed individual is eligible to receive
1663 benefits for any week only if the Department of Economic
1664 Opportunity finds that:

1665 (b) She or he has completed the department's online work
1666 registration ~~registered with the department for work~~ and
1667 subsequently reports to the one-stop career center as directed
1668 by the regional workforce board for reemployment services. This
1669 requirement does not apply to persons who are:

- 1670 1. Non-Florida residents;
1671 2. On a temporary layoff;
1672 3. Union members who customarily obtain employment through
1673 a union hiring hall; or
1674 4. Claiming benefits under an approved short-time
1675 compensation plan as provided in s. 443.1116.

1676 5. Unable to complete the online work registration due to
1677 illiteracy, physical or mental impairment, a legal prohibition
1678 from using a computer, or a language impediment. If a person is
1679 exempted from the online work registration under this
1680 subparagraph, then the filing of his or her claim constitutes
1681 registration for work.

1682 (c) To make continued claims for benefits, she or he is
1683 reporting to the department in accordance with this paragraph
1684 and department rules, and participating in an initial skills
1685 review, as directed by the department. Department rules may not
1686 conflict with s. 443.111(1)(b), which requires that each

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1687 claimant continue to report regardless of any pending appeal
1688 relating to her or his eligibility or disqualification for
1689 benefits.

1690 1. For each week of unemployment claimed, each report
1691 must, at a minimum, include the name, address, and telephone
1692 number of each prospective employer contacted, or the date the
1693 claimant reported to a one-stop career center, pursuant to
1694 paragraph (d).

1695 2. The administrator or operator of the initial skills
1696 review shall notify the department when the individual completes
1697 the initial skills review and report the results of the review
1698 to the regional workforce board or the one-stop career center as
1699 directed by the workforce board. The department shall prescribe
1700 a numeric score on the initial skills review that demonstrates a
1701 minimal proficiency in workforce skills. The department,
1702 workforce board, or one-stop career center shall use the initial
1703 skills review to develop a plan for referring individuals to
1704 training and employment opportunities. The failure of the
1705 individual to comply with this requirement will result in the
1706 individual being determined ineligible for benefits for the week
1707 in which the noncompliance occurred and for any subsequent week
1708 of unemployment until the requirement is satisfied. However,
1709 this requirement does not apply if the individual ~~is able to~~
1710 ~~affirmatively attest to being unable to complete such review due~~
1711 ~~to illiteracy or a language impediment or~~ is exempt from the
1712 work registration requirement as set forth in paragraph (b).

1713 3. Any individual who falls below the minimal proficiency
1714 score prescribed by the department in subparagraph 2. on the

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1715 initial skills review shall be offered training opportunities
1716 and encouraged to participate in such training at no cost to the
1717 individual in order to improve his or her workforce skills to
1718 the minimal proficiency level.

1719 4. The department shall coordinate with Workforce Florida,
1720 Inc., the workforce boards, and the one-stop career centers to
1721 identify, develop, and utilize best practices for improving the
1722 skills of individuals who choose to participate in training
1723 opportunities and who have a minimal proficiency score below the
1724 score prescribed in subparagraph 2.

1725 5. The department, in coordination with Workforce Florida,
1726 Inc., the workforce boards, and the one-stop career centers,
1727 shall evaluate the use, effectiveness, and costs associated with
1728 the training prescribed in subparagraph 3. and report its
1729 findings and recommendations for training and the use of best
1730 practices to the Governor, the President of the Senate, and the
1731 Speaker of the House of Representatives by January 1, 2013.

1732 (d) She or he is able to work and is available for work.
1733 In order to assess eligibility for a claimed week of
1734 unemployment, the department shall develop criteria to determine
1735 a claimant's ability to work and availability for work. A
1736 claimant must be actively seeking work in order to be considered
1737 available for work. This means engaging in systematic and
1738 sustained efforts to find work, including contacting at least
1739 five prospective employers for each week of unemployment
1740 claimed. The department may require the claimant to provide
1741 proof of such efforts to the one-stop career center as part of
1742 reemployment services. A claimant's proof of work search efforts

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1743 may not include the same prospective employer at the same
1744 location in three consecutive claimed weeks, unless the employer
1745 has indicated since the time of the initial contact that the
1746 employer is hiring. The department shall conduct random reviews
1747 of work search information provided by claimants. As an
1748 alternative to contacting at least five prospective employers
1749 for any week of unemployment claimed, a claimant may, for that
1750 same week, report in person to a one-stop career center to meet
1751 with a representative of the center and access reemployment
1752 services of the center. The center shall keep a record of the
1753 services or information provided to the claimant and shall
1754 provide the records to the department upon request by the
1755 department. However:

1756 1. Notwithstanding any other provision of this paragraph
1757 or paragraphs (b) and (e), an otherwise eligible individual may
1758 not be denied benefits for any week because she or he is in
1759 training with the approval of the department, or by reason of s.
1760 443.101(2) relating to failure to apply for, or refusal to
1761 accept, suitable work. Training may be approved by the
1762 department in accordance with criteria prescribed by rule. A
1763 claimant's eligibility during approved training is contingent
1764 upon satisfying eligibility conditions prescribed by rule.

1765 2. Notwithstanding any other provision of this chapter, an
1766 otherwise eligible individual who is in training approved under
1767 s. 236(a)(1) of the Trade Act of 1974, as amended, may not be
1768 determined ineligible or disqualified for benefits due to
1769 enrollment in such training or because of leaving work that is
1770 not suitable employment to enter such training. As used in this

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1771 subparagraph, the term "suitable employment" means work of a
1772 substantially equal or higher skill level than the worker's past
1773 adversely affected employment, as defined for purposes of the
1774 Trade Act of 1974, as amended, the wages for which are at least
1775 80 percent of the worker's average weekly wage as determined for
1776 purposes of the Trade Act of 1974, as amended.

1777 3. Notwithstanding any other provision of this section, an
1778 otherwise eligible individual may not be denied benefits for any
1779 week because she or he is before any state or federal court
1780 pursuant to a lawfully issued summons to appear for jury duty.

1781 4. Union members who customarily obtain employment through
1782 a union hiring hall may satisfy the work search requirements of
1783 this paragraph by reporting daily to their union hall.

1784 5. The work search requirements of this paragraph do not
1785 apply to persons who are unemployed as a result of a temporary
1786 layoff or who are claiming benefits under an approved short-time
1787 compensation plan as provided in s. 443.1116.

1788 6. In small counties as defined in s. 120.52(19), a
1789 claimant engaging in systematic and sustained efforts to find
1790 work must contact at least three prospective employers for each
1791 week of unemployment claimed.

1792 7. The work search requirements of this paragraph do not
1793 apply to persons required to participate in reemployment
1794 services under paragraph (e).

1795 Section 40. Subsection (13) is added to section 443.101,
1796 Florida Statutes, to read:

1797 443.101 Disqualification for benefits.—An individual shall
1798 be disqualified for benefits:

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1799 (13) For any week with respect to which the department
1800 finds that his or her unemployment is due to a discharge from
1801 employment for failure without good cause to maintain a license,
1802 registration, or certification required by applicable law
1803 necessary for the employee to perform her or his assigned job
1804 duties. For purposes of this paragraph, the term "good cause"
1805 includes, but is not limited to, failure of the employer to
1806 submit information required for a license, registration, or
1807 certification; short-term physical injury which prevents the
1808 employee from completing or taking a required test; and
1809 inability to take or complete a required test that is outside
1810 the employee's control.

1811 Section 41. Paragraph (b) of subsection (4) of section
1812 443.1113, Florida Statutes, is amended to read:

1813 443.1113 Reemployment Assistance Claims and Benefits
1814 Information System.—

1815 (4) The project to implement the Reemployment Assistance
1816 Claims and Benefits Information System shall be comprised of the
1817 following phases and corresponding implementation timeframes:

1818 (b) The Reemployment Assistance Claims and Benefits
1819 Internet portal that replaces the Florida Unemployment Internet
1820 Direct and the Florida Continued Claims Internet Directory
1821 systems, the Call Center Interactive Voice Response System, the
1822 Benefit Overpayment Screening System, the Internet and Intranet
1823 Appeals System, and the Claims and Benefits Mainframe System
1824 shall be deployed to full operational status no later than the
1825 end of fiscal year 2013-2014 ~~2012-2013~~.

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1826 Section 42. Subsection (5) of section 443.131, Florida
1827 Statutes, is amended to read:

1828 443.131 Contributions.—

1829 (5) ADDITIONAL RATE FOR INTEREST ON FEDERAL ADVANCES.—

1830 (a) When the Unemployment Compensation Trust Fund has
1831 received advances from the Federal Government under the
1832 provisions of 42 U.S.C. s. 1321, each contributing employer
1833 shall be assessed an additional rate solely for the purpose of
1834 paying interest due on such federal advances. The additional
1835 rate shall be assessed no later than February 1 in each calendar
1836 year in which an interest payment is due.

1837 (b) The Revenue Estimating Conference shall estimate the
1838 amount of ~~such~~ interest due on federal advances by no later than
1839 December 1 of the calendar year before preceding the calendar
1840 year in which an interest payment is due. The Revenue Estimating
1841 Conference shall, at a minimum, consider the following as the
1842 basis for the estimate:

- 1843 1. The amounts actually advanced to the trust fund.
- 1844 2. Amounts expected to be advanced to the trust fund based
1845 on current and projected unemployment patterns and employer
1846 contributions.
- 1847 3. The interest payment due date.
- 1848 4. The interest rate that will be applied by the Federal
1849 Government to any accrued outstanding balances.

1850 (c) ~~(b)~~ The tax collection service provider shall calculate
1851 the additional rate to be assessed against contributing
1852 employers. The additional rate assessed for a calendar year
1853 shall be determined by dividing the estimated amount of interest

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1854 to be paid in that year by 95 percent of the taxable wages as
1855 described in s. 443.1217 paid by all employers for the year
1856 ending June 30 of the previous ~~immediately preceding~~ calendar
1857 year. The amount to be paid by each employer shall be the
1858 product obtained by multiplying such employer's taxable wages as
1859 described in s. 443.1217 for the year ending June 30 of the
1860 previous ~~immediately preceding~~ calendar year by the rate as
1861 determined by this subsection. An assessment may not be made if
1862 the amount of assessments on deposit from previous years, plus
1863 any earned interest, is at least 80 percent of the estimated
1864 amount of interest.

1865 (d) The tax collection service provider shall make a
1866 separate collection of such assessment, which may be collected
1867 at the time of employer contributions and subject to the same
1868 penalties for failure to file a report, imposition of the
1869 standard rate pursuant to paragraph (3) (h), and interest if the
1870 assessment is not received on or before June 30. Section
1871 443.141(1) (d) and (e) does not apply to this separately
1872 collected assessment. The tax collection service provider shall
1873 maintain those funds in the tax collection service provider's
1874 Audit and Warrant Clearing Trust Fund until the provider is
1875 directed by the Governor or the Governor's designee to make the
1876 interest payment to the Federal Government. Assessments on
1877 deposit shall be available to pay the interest on advances
1878 received from the Federal Government under 42 U.S.C. s. 1321.
1879 Assessments on deposit may be invested and any interest earned
1880 shall be part of the balance available to pay the interest on

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1881 advances received from the Federal Government under 42 U.S.C. s.
1882 1321.

1883 (e) Four months after ~~In the calendar year that~~ all
1884 advances from the Federal Government under 42 U.S.C. s. 1321 and
1885 associated interest are repaid, ~~if there are assessment funds in~~
1886 ~~excess of the amount required to meet the final interest~~
1887 ~~payment,~~ any such excess assessed funds in the Audit and Warrant
1888 Clearing Trust Fund, including associated interest, shall be
1889 transferred to ~~credited to employer accounts in~~ the Unemployment
1890 Compensation Trust Fund. Any assessment amounts subsequently
1891 collected shall also be transferred to the Unemployment
1892 Compensation Trust Fund in an amount equal to the employer's
1893 ~~contribution to the assessment for that year divided by the~~
1894 ~~total amount of the assessment for that year, the result of~~
1895 ~~which is multiplied by the amount of excess assessed funds.~~

1896 (f) If ~~However,~~ if the state is permitted to defer
1897 interest payments due during a calendar year under 42 U.S.C. s.
1898 1322, payment of the interest assessment shall not be due. If a
1899 deferral of interest expires or is subsequently disallowed by
1900 the Federal Government, either prospectively or retroactively,
1901 the interest assessment shall be immediately due and payable.
1902 Notwithstanding any other provision of this section, if interest
1903 due during a calendar year on federal advances is forgiven or
1904 postponed under federal law and is no longer due during that
1905 calendar year, no interest assessment shall be assessed against
1906 an employer for that calendar year, and any assessment already
1907 assessed and collected against an employer before the
1908 forgiveness or postponement of the interest for that calendar

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1909 year shall be credited to such employer's account in the
1910 Unemployment Compensation Trust Fund. However, such funds may be
1911 used only to pay benefits or refunds of erroneous contributions.

1912 (g) This subsection expires July 1, 2014.

1913 Section 43. Paragraph (b) of subsection (2), paragraph (a)
1914 of subsection (3), and paragraph (a) of subsection (6) of
1915 section 443.151, Florida Statutes, is amended to read:

1916 443.151 Procedure concerning claims.—

1917 (2) FILING OF CLAIM INVESTIGATIONS; NOTIFICATION OF
1918 CLAIMANTS AND EMPLOYERS.—

1919 (b) Process.—When the Reemployment Assistance Claims and
1920 Benefits Information System described in s. 443.1113 is fully
1921 operational, the process for filing claims must incorporate the
1922 process for registering for work with the workforce information
1923 systems established pursuant to s. 445.011. Unless exempted
1924 under s. 443.091(1)(b)5., a claim for benefits may not be
1925 processed until the work registration requirement is satisfied.
1926 The department may adopt rules as necessary to administer the
1927 work registration requirement set forth in this paragraph.

1928 (3) DETERMINATION OF ELIGIBILITY.—

1929 (a) Notices of claim.—The Department of Economic
1930 Opportunity shall promptly provide a notice of claim to the
1931 claimant's most recent employing unit and all employers whose
1932 employment records are liable for benefits under the monetary
1933 determination. The employer must respond to the notice of claim
1934 within 20 days after the mailing date of the notice, or in lieu
1935 of mailing, within 20 days after the delivery of the notice. If
1936 a contributing employer or its agent fails to timely or

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1937 adequately respond to the notice of claim or request for
1938 information, the employer's account may not be relieved of
1939 benefit charges as provided in s. 443.131(3) (a), notwithstanding
1940 paragraph (5)(b). The department may adopt rules as necessary to
1941 implement the processes described in this paragraph relating to
1942 notices of claim.

1943 (6) RECOVERY AND RECOUPMENT.—

1944 (a) Any person who, by reason of her or his fraud,
1945 receives benefits under this chapter to which she or he is not
1946 entitled is liable for repaying those benefits to the Department
1947 of Economic Opportunity on behalf of the trust fund or, in the
1948 discretion of the department, to have those benefits deducted
1949 from future benefits payable to her or him under this chapter.
1950 In addition, the department shall impose upon the claimant a
1951 penalty equal to 15 percent of the amount overpaid. To enforce
1952 this paragraph, the department must find the existence of fraud
1953 through a redetermination or decision under this section within
1954 2 years after the fraud was committed. Any recovery or
1955 recoupment of benefits must be commenced within 7 years after
1956 the redetermination or decision.

1957 Section 44. Effective January 1, 2014, paragraph (a) of
1958 subsection (4) of section 443.151, Florida Statutes, is amended
1959 to read:

1960 (4) APPEALS.—

1961 (a) Appeals referees.—The Department of Economic
1962 Opportunity shall appoint one or more impartial salaried appeals
1963 referees in accordance with s. 443.171(3) to hear and decide
1964 appealed claims. An appeals referee must be an attorney in good

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1965 standing with the Florida Bar, or must be successfully admitted
1966 to the Florida Bar within 8 months of his or her date of
1967 employment. A person may not participate on behalf of the
1968 department as an appeals referee in any case in which she or he
1969 is an interested party. The department may designate alternates
1970 to serve in the absence or disqualification of any appeals
1971 referee on a temporary basis. These alternates must have the
1972 same qualifications required of appeals referees. The department
1973 shall provide the commission and the appeals referees with
1974 proper facilities and assistance for the execution of their
1975 functions.

1976 Section 45. Subsection (1) of section 443.1715, Florida
1977 Statutes, is amended to read:

1978 443.1715 Disclosure of information; confidentiality.—

1979 (1) RECORDS AND REPORTS.—Information revealing an
1980 employing unit's or individual's identity obtained from the
1981 employing unit or any individual under the administration of
1982 this chapter, and any determination revealing that information,
1983 is confidential and exempt from s. 119.07(1) and s. 24(a), Art.
1984 I of the State Constitution. This confidential information may
1985 be released in accordance with the provisions in 20 C.F.R. part
1986 603. A person receiving confidential information who violates
1987 this subsection commits a misdemeanor of the second degree,
1988 punishable as provided in s. 775.082 or s. 775.083. The
1989 Department of Economic Opportunity or its tax collection service
1990 provider may, however, furnish to any employer copies of any
1991 report submitted by that employer upon the request of the
1992 employer and may furnish to any claimant copies of any report

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1993 submitted by that claimant upon the request of the claimant. The
1994 department or its tax collection service provider may charge a
1995 reasonable fee for copies of these reports as prescribed by
1996 rule, which may not exceed the actual reasonable cost of the
1997 preparation of the copies. Fees received for copies under this
1998 subsection must be deposited in the Employment Security
1999 Administration Trust Fund.

2000 Section 46. Subsection (1) of section 443.191, Florida
2001 Statutes, is amended to read:

2002 443.191 Unemployment Compensation Trust Fund;
2003 establishment and control.—

2004 (1) There is established, as a separate trust fund apart
2005 from all other public funds of this state, an Unemployment
2006 Compensation Trust Fund, which shall be administered by the
2007 Department of Economic Opportunity exclusively for the purposes
2008 of this chapter. The fund shall consist of:

2009 (a) All contributions and reimbursements collected under
2010 this chapter;

2011 (b) Interest earned on any moneys in the fund;

2012 (c) Any property or securities acquired through the use of
2013 moneys belonging to the fund;

2014 (d) All earnings of these properties or securities;

2015 (e) All money credited to this state's account in the
2016 federal Unemployment Compensation Trust Fund under 42 U.S.C. s.
2017 1103; ~~and~~

2018 (f) All money collected for penalties imposed pursuant to
2019 s. 443.151(6)(a); and

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2020 (g) Advances on the amount in the federal Unemployment
2021 Compensation Trust Fund credited to the state under 42 U.S.C. s.
2022 1321, as requested by the Governor or the Governor's designee.

2023
2024 Except as otherwise provided in s. 443.1313(4), all moneys in
2025 the fund shall be mingled and undivided.

2026 Section 47. Paragraph (b) of subsection (3) and subsection
2027 (4) of section 446.50, Florida Statutes, is amended to read:

2028 446.50 Displaced homemakers; multiservice programs; report
2029 to the Legislature; Displaced Homemaker Trust Fund created.—

2030 (3) POWERS AND DUTIES OF THE DEPARTMENT OF ECONOMIC
2031 OPPORTUNITY.—

2032 (b)1. The department shall enter into contracts with, and
2033 make grants to, public and nonprofit private entities for
2034 purposes of establishing multipurpose service programs for
2035 displaced homemakers under this section. Such grants and
2036 contracts shall be awarded pursuant to chapter 287 and based on
2037 criteria established in the program state plan as provided in
2038 subsection (4) developed pursuant to this section. The
2039 department shall designate catchment areas that together, shall
2040 compose the entire state, and, to the extent possible from
2041 revenues in the Displaced Homemaker Trust Fund, the department
2042 shall contract with, and make grants to, entities that will
2043 serve entire catchment areas so that displaced homemaker service
2044 programs are available statewide. These catchment areas shall be
2045 coterminous with the state's workforce development regions. The
2046 department may give priority to existing displaced homemaker
2047 programs when evaluating bid responses to the request for

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proposals.

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

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

(4) DISPLACED HOMEWORKER PROGRAM STATE PLAN.—

~~(a)~~ The Department of Economic Opportunity shall include in its annual report required under s. 20.60 a develop a 3-year state plan for the displaced homemaker program which shall be updated annually. The plan must address, at a minimum, the need for programs specifically designed to serve displaced homemakers, any necessary service components for such programs in addition to those described ~~enumerated~~ in this section, goals of the displaced homemaker program with an analysis of the

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2076 extent to which those goals are being met, and recommendations
2077 for ways to address any unmet program goals. Any request for
2078 funds for program expansion must be based on the ~~state~~ plan.

2079 ~~(b) The annual review and report required under s. 20.60~~
2080 ~~Each annual update must address any changes in the components of~~
2081 ~~the 3-year state plan and a report that~~ must include, but need
2082 not be limited to, the following:

2083 (a)1. The scope of the incidence of displaced homemakers;

2084 (b)2. A compilation and report, by program, of data
2085 submitted to the department pursuant to subparagraph 3. by
2086 funded displaced homemaker service programs;

2087 (c)3. An identification and description of the programs in
2088 the state which receive funding from the department, including
2089 funding information; and

2090 (d)4. An assessment of the effectiveness of each displaced
2091 homemaker service program based on outcome criteria established
2092 by rule of the department.

2093 ~~(e) The 3-year state plan must be submitted to the~~
2094 ~~President of the Senate, the Speaker of the House of~~
2095 ~~Representatives, and the Governor on or before January 1, 2001,~~
2096 ~~and annual updates of the plan must be submitted by January 1 of~~
2097 ~~each subsequent year.~~

2098 Section 48. The amendments to paragraph (o) of subsection
2099 (5) of s. 212.08 and s. 288.107, Florida Statutes, made by this
2100 act do not apply to building materials purchased before the
2101 effective date of this act or to contracts for brownfield
2102 redevelopment bonus refunds executed by the Department of
2103 Economic Opportunity or Enterprise Florida, Inc., before the

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2104 effective date of this act.

2105 Section 49. After January 1, 2014, the department must,
2106 through attrition of staff, meet the requirements of Section 44
2107 of this bill.

2108 Section 50. Except as otherwise expressly provided in this
2109 act, this act shall take effect upon becoming a law.

2110

2111

2112

2113

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

2114

Remove everything before the enacting clause and insert:

2115

A bill to be entitled

2116

An act relating to economic development; amending s.

2117

20.60, F.S.; revising the date on which the Department

2118

of Economic Opportunity and Enterprise Florida, Inc.,

2119

are required to report on the business climate and

2120

economic development in the state; specifying reports

2121

and information that must be included; amending s.

2122

201.15, F.S.; revising the distribution of funds in

2123

the Grants and Donations Trust Fund, amending s.

2124

212.08, F.S.; revising definitions; amending s.

2125

213.053, F.S.; authorizing the Department of Revenue

2126

to make certain information available to the director

2127

of the Office of Program Policy Analysis and

2128

Government Accountability and the coordinator of the

2129

Office of Economic and Demographic Research;

2130

authorizing the offices to share certain information;

2131

amending s. 220.194, F.S.; requiring the annual report

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2132 for the Florida Space Business Incentives Act to be
2133 included in the annual incentives report; deleting
2134 certain reporting requirements; amending s. 288.001,
2135 F.S.; providing a network purpose; providing
2136 definitions; requiring the statewide director and the
2137 network to operate the program in compliance with
2138 federal laws and regulations and a Board of Governors
2139 regulation; requiring the statewide director to
2140 consult with the Board of Governors, the Department of
2141 Economic Opportunity, and the network's statewide
2142 advisory board to establish certain policies and
2143 goals; requiring the network to maintain a statewide
2144 advisory board; providing for advisory board
2145 membership; providing for terms of membership;
2146 providing for certain member reimbursement; requiring
2147 the director to develop support services; specifying
2148 support service requirements; requiring businesses
2149 that receive support services to participate in
2150 certain assessments; requiring the network to provide
2151 a match equal to certain state funding; providing
2152 criteria for the match; requiring the statewide
2153 director to coordinate with the host institution to
2154 establish a pay-per-performance incentive; providing
2155 for pay-per-performance incentive funding and
2156 distribution; providing a distribution formula
2157 requirement; requiring the statewide director to
2158 coordinate with the advisory board to distribute funds
2159 for certain purposes and develop programs to

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2160 distribute funds for those purposes; requiring the
2161 network to announce available funding, performance
2162 expectations, and other requirements; requiring the
2163 statewide director to present applications and
2164 recommendations to the advisory board; requiring
2165 applications approved by the advisory board to be
2166 publicly posted; providing minimum requirements for a
2167 program; prohibiting certain regional small business
2168 development centers from receiving funds; providing
2169 that match funding may not be reduced for regional
2170 small business development centers receiving
2171 additional funds; requiring the statewide director to
2172 regularly update the Board of Governors, the
2173 department, and the advisory board with certain
2174 information; requiring the statewide director, in
2175 coordination with the advisory board, to annually
2176 report certain information to the President of the
2177 Senate and the Speaker of the House of
2178 Representatives; amending s. 288.005, F.S.; revising
2179 definitions; amending s. 288.012, F.S.; requiring each
2180 State of Florida international office to submit a
2181 report to Enterprise Florida, Inc., for inclusion in
2182 its annual report; deleting a reporting date; amending
2183 s. 288.0656, F.S.; requiring the Rural Economic
2184 Development Initiative to submit a report to
2185 supplement the Department of Economic Opportunity's
2186 annual report; deleting certain reporting
2187 requirements; amending s. 288.061, F.S.; providing for

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2188 the evaluation of economic development incentive
2189 applications; requiring an applicant to provide a
2190 surety bond to the Department of Economic Opportunity
2191 before the applicant receives incentive awards through
2192 the Quick Action Closing Fund or the Innovation
2193 Incentive Program; requiring the contract or agreement
2194 to provide that the bond remain in effect until all
2195 conditions have been satisfied; providing that the
2196 department may require the bond to cover the entire
2197 contracted amount or allow for bonds to be renewed
2198 upon completion of certain performance measures;
2199 requiring the contract or agreement to provide that
2200 funds are contingent upon receipt of the surety bond;
2201 requiring the contract or agreement to provide that up
2202 to half of the premium payment on the bond may be paid
2203 from the award up to a certain amount; requiring an
2204 applicant to notify the department of premium
2205 payments; providing for certain notice requirements
2206 upon cancellation or nonrenewal by an insurer;
2207 providing that the cancellation of the surety bond
2208 violates the contract or agreement; providing an
2209 exception; providing for a waiver if certain
2210 information is provided; providing that if the
2211 department grants a waiver, the contract or agreement
2212 must provide for securing the award in a certain form;
2213 requiring the contract or agreement to provide that
2214 the release of funds is contingent upon satisfying
2215 certain requirements; requiring the irrevocable letter

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2216 of credit, trust, or security agreement to remain in
2217 effect until certain conditions have been satisfied;
2218 providing for a waiver of the surety bond or other
2219 security if certain information is provided and the
2220 department determines it to be in the best interest of
2221 the state; providing that the waiver of the surety
2222 bond or other security, for funding in excess of \$5
2223 million, must be approved by the Legislative Budget
2224 Commission; providing that the state may bring suit
2225 upon default or upon a violation of this section;
2226 providing that the department may adopt rules to
2227 implement this section; creating s. 288.076, F.S.;

2228 providing definitions; requiring the Department of
2229 Economic Opportunity to publish on a website specified
2230 information concerning state investment in economic
2231 development programs; requiring the department to use
2232 methodology and formulas established by the Office of
2233 Economic and Demographic Research for specified
2234 calculations; requiring the Office of Economic and
2235 Demographic Research to provide a description of
2236 specified methodology and formulas to the department
2237 and the department to publish the description on its
2238 website within a specified period; providing
2239 procedures and requirements for reviewing, updating,
2240 and supplementing specified published information;
2241 requiring the department to annually publish
2242 information relating to the progress of Quick Action
2243 Closing Fund projects; requiring the department to

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2244 publish certain confidential information pertaining to
2245 participant businesses upon expiration of a specified
2246 confidentiality period; requiring the department to
2247 publish certain reports concerning businesses that
2248 fail to complete tax refund agreements under the tax
2249 refund program for qualified target industry
2250 businesses; providing for construction and legislative
2251 intent; authorizing the department to adopt rules;
2252 creating s. 288.0761, F.S.; establishing the Economic
2253 Development Programs Evaluation; requiring the Office
2254 of Economic and Demographic Research and the Office of
2255 Program Policy Analysis and Government Accountability
2256 to present the evaluation; requiring the offices to
2257 develop and submit a work plan for completing the
2258 evaluation by a certain date; requiring the offices to
2259 provide an analysis of certain economic development
2260 programs and specifying a schedule; requiring the
2261 Office of Economic and Demographic Research to make
2262 certain evaluations in its analysis; limiting the
2263 office's evaluation for the purposes of tax credits,
2264 tax refunds, sales tax exemptions, cash grants, and
2265 similar programs; requiring the office to use a
2266 certain model to evaluate each program; requiring the
2267 Office of Program Policy Analysis and Government
2268 Accountability to make certain evaluations in its
2269 analysis; providing the offices access to all data
2270 necessary to complete the evaluation; repealing s.
2271 288.095(3)(c), F.S., relating to the annual report by

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2272 Enterprise Florida, Inc., of programs funded by the
2273 Economic Development Incentives Account; amending s.
2274 288.106, F.S.; deleting and adding provisions relating
2275 to the application and approval process of the tax
2276 refund program for qualified target industry
2277 businesses; requiring the Department of Economic
2278 Opportunity to include information on qualified target
2279 industry businesses in the annual incentives report;
2280 deleting certain reporting requirements; amending s.
2281 288.107, F.S.; revising definitions; revising
2282 provisions to conform to changes made by the act;
2283 revising the minimum criteria for participation in the
2284 brownfield redevelopment bonus refund; amending s.
2285 288.1081, F.S.; requiring the use of loan funds from
2286 the Economic Gardening Business Loan Pilot Program to
2287 be included in the department's annual report;
2288 deleting certain reporting requirements; amending s.
2289 288.1082, F.S.; requiring the progress of the Economic
2290 Gardening Technical Assistance Pilot Program to be
2291 included in the department's annual report; deleting
2292 certain reporting requirements; amending s. 288.1088,
2293 F.S.; requiring the department to validate contractor
2294 performance for the Quick Action Closing Fund and
2295 include the performance validation in the annual
2296 incentives report; deleting certain reporting
2297 requirements; amending s. 288.1089, F.S.; requiring
2298 that certain projects in the Innovation Incentive
2299 Program provide a cumulative break-even economic

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2300 benefit; requiring the department to report
2301 information relating to the Innovation Incentive
2302 Program in the annual incentives report; deleting
2303 certain reporting requirements; deleting provisions
2304 that require the Office of Program Policy Analysis and
2305 Government Accountability and the Auditor General's
2306 Office to report on the Innovation Incentive Program;
2307 amending s. 288.1253, F.S.; revising a reporting date;
2308 requiring expenditures of the Office of Film and
2309 Entertainment to be included in the annual
2310 entertainment industry financial incentive program
2311 report; amending s. 288.1254, F.S.; revising a
2312 reporting date; requiring the annual entertainment
2313 industry financial incentive program report to include
2314 certain information; amending s. 288.1258, F.S.;
2315 revising a reporting date; requiring the report
2316 detailing the relationship between tax exemptions and
2317 incentives to industry growth to be included in the
2318 annual entertainment industry financial incentive
2319 program report; amending s. 288.714, F.S.; requiring
2320 the Department of Economic Opportunity's annual report
2321 to include a report on the Black Business Loan
2322 Program; deleting certain reporting requirements;
2323 amending s. 288.7771, F.S.; requiring the Florida
2324 Export Finance Corporation to submit a report to
2325 Enterprise Florida, Inc.; amending s. 288.903, F.S.;
2326 requiring Enterprise Florida, Inc., with the
2327 Department of Economic Opportunity, to prepare an

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2328 annual incentives report; repealing s. 288.904(6),
2329 F.S., relating to Enterprise Florida, Inc., which
2330 requires the department to report the return on the
2331 public's investment; amending s. 288.906, F.S.;
2332 requiring certain reports to be included in the
2333 Enterprise Florida, Inc., annual report; amending s.
2334 288.907, F.S.; requiring Enterprise Florida, Inc.,
2335 with the Department of Economic Opportunity, to
2336 prepare the annual incentives report; requiring the
2337 annual incentives report to include certain
2338 information; deleting a provision requiring the
2339 Division of Strategic Business Development to assist
2340 Enterprise Florida, Inc., with the report; amending s.
2341 288.92, F.S.; requiring each division of Enterprise
2342 Florida, Inc., to submit a report; amending s.
2343 288.95155, F.S.; requiring the financial status of the
2344 Florida Small Business Technology Growth Program to be
2345 included in the annual incentives report; amending
2346 288.9918, F.S.; revising reporting requirements
2347 related to community development entities, amending
2348 290.0055, F.S.; providing for the expansion of the
2349 boundaries of enterprise zones that meet certain
2350 requirements; providing an application deadline;
2351 amending s. 290.0056, F.S.; revising a reporting date;
2352 requiring
2353 the enterprise zone development agency to submit
2354 certain information for the Department of Economic
2355 Opportunity's annual report; amending s. 290.014,

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2356 F.S.; revising a reporting date; requiring certain
2357 reports on enterprise zones to be included in the
2358 Department of Economic Opportunity's annual report;
2359 amending s. 290.0455, F.S.; providing for the state's
2360 guarantee of certain federal loans to local
2361 governments; requiring applicants for such loans to
2362 pledge a specified amount of revenues to guarantee the
2363 loans; revising requirements for the department to
2364 submit recommendations to the Federal Government for
2365 such loans; revising the maximum amount of the loan
2366 guarantee commitment that a local government may
2367 receive and providing exceptions; providing for
2368 reduction of a local government's future community
2369 development block grants if the local government
2370 defaults on the federal loan; providing procedures if
2371 a local government is granted entitlement community
2372 status; amending s. 331.3051, F.S.; revising a
2373 reporting date; requiring Space Florida's annual
2374 report to include certain information; amending s.
2375 331.310, F.S.; requiring the Board of Directors of
2376 Space Florida to supplement Space Florida's annual
2377 report with operations information; deleting certain
2378 reporting requirements; amending s. 443.036, F.S.;
2379 providing examples of misconduct; amending s. 443.091,
2380 F.S.; providing for online work registration and
2381 providing exceptions; limiting a claimant's use of the
2382 same prospective employer to meet work search
2383 requirements; providing an exception, providing that

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2384 work search requirements do not apply to individuals
2385 required to participate in reemployment services;
2386 amending s. 443.101, F.S.; providing for
2387 disqualification in any week with respect to which the
2388 department finds that his or her unemployment is due
2389 to failure without good cause to maintain a license,
2390 registration, or certification required by applicable
2391 law necessary for the employee to perform her or his
2392 assigned job duties; providing examples of "good
2393 cause"; amending s. 443.1113, F.S.; relating to the
2394 Reemployment Assistance Claims and Benefits
2395 Information System; revising timeframe for deployment
2396 of a certain Internet portal as part of such system;
2397 amending s. 443.131, F.S.; revising requirements for
2398 the estimate of interest due on advances received from
2399 the Federal Government to the Unemployment
2400 Compensation Trust Fund; revising the calculation of
2401 additional assessments to contributing employers to
2402 repay the interest; providing an exemption from such
2403 additional assessments; amending s. 443.151 F.S.;
2404 revising provisions to conform to changes made to
2405 benefit eligibility; providing that an employer or its
2406 agent may not be relieved of benefit charges for
2407 failure to timely and adequately respond to notice of
2408 claim or request for information; imposing a penalty
2409 against a claimant who is overpaid reemployment
2410 assistance benefits due to fraud by the claimant;
2411 requiring an appeals referee to be an attorney in good

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2412 standing with the Florida Bar or successfully admitted
2413 within 8 months of hire; amending s. 443.1715, F.S.;
2414 prohibiting the unlawful disclosure of certain
2415 confidential information relating to employing units
2416 and individuals under the Reemployment Assistance
2417 Program Law; providing penalties; amending s. 443.191,
2418 F.S.; providing for deposit of moneys collected for
2419 certain penalties in the Unemployment Compensation
2420 Trust Fund; amending s. 446.50, F.S.; requiring the
2421 Department of Economic Opportunity's annual report to
2422 include a plan for the displaced homemaker program;
2423 deleting certain reporting requirements; clarifying
2424 the application of certain amendments; requiring the
2425 Department of Economic Opportunity to meet certain
2426 requirements through attrition after January 1, 2014;
2427 providing effective dates.