

1                   A bill to be entitled  
2           An act relating to Florida government support  
3           organizations; amending s. 14.29, F.S.; prohibiting  
4           the Florida Commission on Community Service from  
5           entering into a contract if a commission member or his  
6           or her immediate family member would receive a direct  
7           financial benefit from such contract; defining the  
8           term "immediate family"; requiring the commission to  
9           establish and maintain public access to specified  
10          information for a specified purpose; amending s.  
11          20.60, F.S.; requiring the Department of Economic  
12          Opportunity to establish annual performance standards  
13          for the Florida Sports Foundation; amending s.  
14          288.017, F.S.; authorizing the department, rather than  
15          Enterprise Florida, Inc., to establish a cooperative  
16          advertising matching grants program, make certain  
17          expenditures, and enter into contracts with local  
18          governments and nonprofit corporations for a specified  
19          purpose; deleting a requirement that the department  
20          approve certain grants based on the recommendation of  
21          Enterprise Florida, Inc.; authorizing the department  
22          to contract with the Florida Tourism Industry  
23          Marketing Corporation; conforming provisions to  
24          changes made by the act; amending s. 288.122;  
25          conforming a provision to changes made by the act;

26 | amending s. 288.1226, F.S.; defining terms; providing  
27 | that the Florida Tourism Industry Marketing  
28 | Corporation is a direct-support organization of the  
29 | department, rather than a direct-support organization  
30 | of Enterprise Florida, Inc.; requiring the department  
31 | to contract with the corporation for specified  
32 | purposes; requiring the department to assist in  
33 | maintaining and implementing such contract; providing  
34 | that the corporation is not subject to control,  
35 | supervision, or direction by the department;  
36 | specifying that the corporation is not a unit of  
37 | government or an instrumentality of the state;  
38 | requiring the board of directors of the corporation to  
39 | be appointed by the Governor, rather than by  
40 | Enterprise Florida, Inc.; providing that specified  
41 | acts by officers or members of the board of directors  
42 | of the corporation are not prohibited; expanding  
43 | responsibilities and duties of the corporation to  
44 | include maintaining and implementing a contract with  
45 | the department subject to certain requirements,  
46 | advising the department on specified matters,  
47 | developing a specified marketing plan, drafting and  
48 | submitting a specified annual report, and making and  
49 | entering into certain contracts subject to specified  
50 | conditions; deleting a provision requiring the

51 corporation to provide support staff to the Division  
52 of Tourism Promotion of Enterprise Florida, Inc.;  
53 providing matching requirements for private to public  
54 contributions for the marketing and advertising  
55 activities of the corporation; providing a process for  
56 determining the required match; requiring the  
57 corporation to establish and maintain public access on  
58 its website to specified information for a specified  
59 purpose; conforming provisions to changes made by the  
60 act; amending s. 288.12265, F.S.; providing that the  
61 responsibility of welcome centers is assigned to the  
62 department, rather than Enterprise Florida, Inc.;  
63 deleting a provision authorizing Enterprise Florida,  
64 Inc., to contract with the corporation for the  
65 management and operation of the welcome centers;  
66 reviving, readopting, and amending s. 288.1229, F.S.;  
67 requiring the department to establish a direct-support  
68 organization known as the Florida Sports Foundation to  
69 assist the department, rather than the Office of  
70 Tourism, Trade, and Economic Development, with  
71 specified duties; providing incorporation requirements  
72 for the foundation; requiring the foundation to be  
73 governed by a board of directors; specifying  
74 membership requirements of the board; prohibiting the  
75 board from entering into a contract if a board member

76 | or his or her immediate family member would receive a  
77 | direct financial benefit from such contract; defining  
78 | the term "immediate family"; requiring the foundation  
79 | to operate under contract with the department;  
80 | requiring the department to enter into a contract with  
81 | the foundation by a specified date; authorizing the  
82 | department, rather than the office, to review the  
83 | foundation's articles of incorporation; requiring the  
84 | foundation to draft and submit a specified annual  
85 | report; requiring the foundation to establish and  
86 | maintain public access on its website to specified  
87 | information for a specified purpose; revising  
88 | requirements for the foundation to promote amateur  
89 | sports and physical fitness; requiring the Florida  
90 | Senior Games to be patterned after the Summer Olympics  
91 | with variations under certain circumstances; deleting  
92 | a requirement that participants of the Sunshine State  
93 | Games and the Florida Senior Games be residents of the  
94 | state; deleting a provision requiring specified  
95 | regional competitions; providing that the department,  
96 | rather than the Executive Office of the Governor, is  
97 | authorized to permit the use of certain property,  
98 | facilities, or services; conforming provisions to  
99 | changes made by the act; amending s. 288.124, F.S.;  
100 | providing that the Florida Tourism Industry Marketing

101 Corporation, rather than Enterprise Florida, Inc., is  
102 authorized to establish a convention grants program to  
103 make specified recommendations to the department;  
104 providing that the department, rather than Enterprise  
105 Florida, Inc., is required to establish guidelines for  
106 the award of grants and administration of the program;  
107 creating s. 288.72, F.S.; requiring Enterprise  
108 Florida, Inc., to develop, maintain, and market a  
109 small business liaison service; requiring Enterprise  
110 Florida, Inc., to furnish information or direct a  
111 requester to appropriate sources regarding how to  
112 start, maintain, or further develop a small business  
113 in this state; requiring Enterprise Florida, Inc., to  
114 collect and compile specified data on users of the  
115 service; amending s. 288.901, F.S.; revising the  
116 purposes of Enterprise Florida, Inc.; revising the  
117 composition of the board of directors of Enterprise  
118 Florida, Inc.; requiring Enterprise Florida, Inc., to  
119 establish and maintain public access on its website to  
120 specified information for a specified purpose;  
121 amending s. 288.9015, F.S.; deleting a requirement  
122 that Enterprise Florida, Inc., integrate its efforts  
123 to market the state for tourism and sports;  
124 prohibiting the board from entering into a contract if  
125 a board member or his or her immediate family member

126 would receive a direct financial benefit from such  
127 contract; defining the term "immediate family";  
128 amending s. 288.904, F.S.; revising what constitutes  
129 private sector support in operating Enterprise  
130 Florida, Inc.; conforming provisions to changes made  
131 by the act; amending s. 288.92, F.S.; revising the  
132 areas for which Enterprise Florida, Inc., is required  
133 to create divisions to carry out its mission; deleting  
134 provisions prohibiting the board from performing  
135 certain acts; repealing s. 288.923, F.S., relating to  
136 the Division of Tourism Marketing; amending s.  
137 331.3051, F.S.; requiring Space Florida to establish  
138 and maintain public access on its website to specified  
139 information for a specified purpose; amending s.  
140 331.310, F.S.; prohibiting the board of directors of  
141 Space Florida from entering into a contract if a board  
142 member or his or her immediate family member would  
143 receive a direct financial benefit from such contract;  
144 defining the term "immediate family"; amending s.  
145 420.504, F.S.; requiring the Florida Housing Finance  
146 Corporation to establish and maintain public access on  
147 its website to specified information for a specified  
148 purpose; amending s. 420.507, F.S.; prohibiting the  
149 board of directors of the corporation from entering  
150 into a contract if a board member or his or her

151 immediate family member would receive a direct  
 152 financial benefit from such contract; defining the  
 153 term "immediate family"; amending s. 445.004, F.S.;  
 154 requiring CareerSource Florida, Inc., to establish and  
 155 maintain public access on its website to specified  
 156 information for a specified purpose; prohibiting the  
 157 board of directors of CareerSource Florida, Inc., from  
 158 entering into a contract if a board member or his or  
 159 her immediate family member would receive a direct  
 160 financial benefit from such contract; defining the  
 161 term "immediate family"; providing an effective date.

162

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

164

165 Section 1. Paragraph (d) of subsection (8) of section  
 166 14.29, Florida Statutes, is amended, and subsection (10) is  
 167 added to that section, to read:

168 14.29 Florida Commission on Community Service.—

169 (8) The commission may:

170 (d) Contract for necessary goods and services. The  
 171 commission may not enter into a contract with a person or an  
 172 organization if a commission member or an immediate family  
 173 member of a commission member would receive a direct financial  
 174 benefit from entering into such a contract. As used in this  
 175 paragraph, the term "immediate family" includes parents, step-

176 parents, spouses or domestic partners, children, step-children,  
177 full or half siblings, parents-in-law, siblings-in-law,  
178 grandparents, great-grandparents, step-great-grandparents,  
179 aunts, uncles, nieces, nephews, and grandchildren.

180 (10) In keeping with the public disclosure requirements  
181 placed upon other Florida governmental entities under the  
182 Transparency Florida Act, the commission shall establish and  
183 maintain on its website public access to the following  
184 information:

185 (a) Disbursement data consistent with the level required  
186 by s. 215.985(4)(a)1. for state agencies.

187 (b) Contract data consistent with the requirements of s.  
188 215.985(14)(a) for state agencies.

189 (c) All reports that include metrics and return on  
190 investment calculations.

191 (d) Public versions of independent business evaluation  
192 reports which highlight project-specific performance.

193 (e) Employee positions and salary information.

194 (f) Organizational charts.

195 (g) Audits, tax returns, and financial reports and  
196 summaries.

197 (h) All statutorily required reports.

198 Section 2. Subsection (11) of section 20.60, Florida  
199 Statutes, is amended to read:

200 20.60 Department of Economic Opportunity; creation; powers

201 and duties.—

202 (11) The department shall establish annual performance  
 203 standards for Enterprise Florida, Inc., CareerSource Florida,  
 204 Inc., the Florida Tourism Industry Marketing Corporation, the  
 205 Florida Sports Foundation, and Space Florida and report annually  
 206 on how these performance measures are being met in the annual  
 207 report required under subsection (10).

208 Section 3. Subsections (1) and (3) of section 288.017,  
 209 Florida Statutes, are amended to read:

210 288.017 Cooperative advertising matching grants program.—

211 (1) The department ~~Enterprise Florida, Inc.,~~ is authorized  
 212 to establish a cooperative advertising matching grants program  
 213 and, pursuant thereto, to make expenditures and enter into  
 214 contracts with local governments and nonprofit corporations for  
 215 the purpose of publicizing the tourism advantages of the state.  
 216 ~~The department, based on recommendations from Enterprise~~  
 217 ~~Florida, Inc.,~~ shall have final approval of grants awarded  
 218 through this program. The department ~~Enterprise Florida, Inc.,~~  
 219 may contract with the Florida Tourism Industry Marketing  
 220 Corporation ~~its direct support organization~~ to administer the  
 221 program.

222 (3) The department ~~Enterprise Florida, Inc.,~~ shall conduct  
 223 an annual competitive selection process for the award of grants  
 224 under the program. In determining its recommendations for the  
 225 grant awards, the department ~~commission~~ shall consider the

226 demonstrated need of the applicant for advertising assistance,  
227 the feasibility and projected benefit of the applicant's  
228 proposal, the amount of nonstate funds that will be leveraged,  
229 and such other criteria as the department ~~commission~~ deems  
230 appropriate. In evaluating grant applications, the department  
231 shall consider recommendations from the Florida Tourism Industry  
232 Marketing Corporation ~~Enterprise Florida, Inc.~~ The department,  
233 however, has final approval authority for any grant under this  
234 section.

235 Section 4. Section 288.122, Florida Statutes, is amended  
236 to read:

237 288.122 Tourism Promotional Trust Fund.—There is created  
238 within the department the Tourism Promotional Trust Fund. Moneys  
239 deposited in the Tourism Promotional Trust Fund shall only be  
240 used to support the authorized activities and operations and the  
241 tourism promotion and marketing activities, services, functions,  
242 and programs administered ~~by Enterprise Florida, Inc.,~~ through a  
243 contract with the direct-support organization created under s.  
244 288.1226.

245 Section 5. Section 288.1226, Florida Statutes, is amended  
246 to read:

247 288.1226 Florida Tourism Industry Marketing Corporation;  
248 use of property; board of directors; duties; audit.—

249 (1) DEFINITIONS.—As used in ~~For the purposes of~~ this  
250 section, the term:

251        (a) "Corporation" means the Florida Tourism Industry  
252 Marketing Corporation.

253        (b) "County destination marketing organization" means a  
254 public or private agency that is funded by local option tourist  
255 development tax revenues under s. 125.0104, or local convention  
256 development tax revenues under s. 212.0305, and is officially  
257 designated by a county commission to market and promote the area  
258 for tourism or convention business or, in any county that has  
259 not levied such taxes, a public or private agency that is  
260 officially designated by the county commission to market and  
261 promote the area for tourism or convention business.

262        (c) "Tourism marketing" means any effort exercised to  
263 attract domestic and international visitors from outside the  
264 state to destinations in this state and to stimulate Florida  
265 resident tourism to areas within the state.

266        (d) "Tourist" means any person who participates in trade  
267 or recreation activities outside the county of his or her  
268 permanent residence or who rents, leases, or lets transient  
269 living quarters or accommodations as described in s.  
270 125.0104(3)(a).

271        (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing  
272 Corporation is a direct-support organization of the Department  
273 of Economic Opportunity. The department shall contract with the  
274 corporation to execute tourism marketing services, functions,  
275 and programs for the state, including, but not limited to, the

276 activities prescribed by the 4-year marketing plan under  
277 paragraph (5) (c). The department shall assist the corporation in  
278 maintaining and implementing the contract. The corporation is  
279 not subject to control, supervision, or direction by the  
280 department in any manner, including, but not limited to,  
281 personnel, purchasing, transactions involving real or personal  
282 property, and budgetary matters ~~Enterprise Florida, Inc.~~

283 (a) The Florida Tourism Industry Marketing Corporation is  
284 a corporation not for profit, as defined in s. 501(c) (6) of the  
285 Internal Revenue Code of 1986, as amended, which ~~that~~ is  
286 incorporated under the provisions of chapter 617 and approved by  
287 the Department of State.

288 (b) The corporation is organized and operated exclusively  
289 to request, receive, hold, invest, and administer property and  
290 to manage and make expenditures for the operation of the  
291 activities, services, functions, and programs of this state  
292 which relate to the statewide, national, and international  
293 promotion and marketing of tourism.

294 (c) The corporation is not an agency, unit of government,  
295 or instrumentality of the state for the purposes of chapters  
296 120, 216, and 287; ss. 255.21, 255.25, and 255.254, relating to  
297 leasing of buildings; ss. 283.33 and 283.35, relating to bids  
298 for printing; s. 215.31; and parts I, II, and IV-VIII of chapter  
299 112.

300 (d) The corporation is subject to the provisions of

301 chapter 119, relating to public meetings, and those provisions  
302 of chapter 286 relating to public meetings and records.

303 (3) USE OF PROPERTY.—The department ~~Enterprise Florida,~~  
304 ~~Inc.:~~

305 (a) Is authorized to permit the use of property and  
306 facilities of the department ~~Enterprise Florida, Inc.,~~ by the  
307 corporation, subject to ~~the provisions of~~ this section.

308 (b) Shall prescribe conditions with which the corporation  
309 must comply in order to use property and facilities of the  
310 department ~~Enterprise Florida, Inc.~~ Such conditions shall  
311 provide for budget and audit review and for oversight by the  
312 department ~~Enterprise Florida, Inc.~~

313 (c) May not permit the use of property and facilities of  
314 the department ~~Enterprise Florida, Inc.,~~ if the corporation does  
315 not provide equal employment opportunities to all persons,  
316 regardless of race, color, national origin, sex, age, or  
317 religion.

318 (4) BOARD OF DIRECTORS.—The board of directors of the  
319 corporation shall be composed of 31 tourism-industry-related  
320 members, appointed by the Governor ~~Enterprise Florida, Inc., in~~  
321 ~~conjunction with the department.~~

322 (a) The board shall consist of 16 members, appointed in  
323 such a manner as to equitably represent all geographic areas of  
324 the state, with no fewer than two members from any of the  
325 following regions:

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

329           2. Region 2, composed of Alachua, Baker, Bradford, Clay,  
 330 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,  
 331 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,  
 332 Taylor, and Union Counties.

333           3. Region 3, composed of Brevard, Indian River, Lake,  
 334 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and  
 335 Volusia Counties.

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

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

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

342           (b) The 15 additional tourism-industry-related members  
 343 shall include 1 representative from the statewide rental car  
 344 industry; 7 representatives from tourist-related statewide  
 345 associations, including those that represent hotels,  
 346 campgrounds, county destination marketing organizations,  
 347 museums, restaurants, retail, and attractions; 3 representatives  
 348 from county destination marketing organizations; 1  
 349 representative from the cruise industry; 1 representative from  
 350 an automobile and travel services membership organization that

351 has at least 2.8 million members in Florida; 1 representative  
352 from the airline industry; and 1 representative from the space  
353 tourism industry, who will each serve for a term of 2 years.

354 (c) It is not a violation of s. 112.3143(2) or (4) for an  
355 officer or member of the board of directors of the corporation  
356 to:

357 1. Vote on the 4-year marketing plan required under  
358 paragraph (5) (c) or vote on any individual component of or  
359 amendment to the plan.

360 2. Participate in the establishment or calculation of  
361 payments related to the private match requirements of subsection  
362 (6). The officer or member must file an annual disclosure  
363 describing the nature of his or her interests or the interests  
364 of his or her principals, including corporate parents and  
365 subsidiaries of his or her principal, in the private match  
366 requirements. This annual disclosure requirement satisfies the  
367 disclosure requirement of s. 112.3143(4). The disclosure must be  
368 placed on the corporation's website or included in the minutes  
369 of each meeting of the corporation's board of directors at which  
370 the private match requirements are discussed or voted upon.

371 (5) POWERS AND DUTIES.—The corporation's responsibilities  
372 and corporation, in the performance of its duties include, but  
373 are not limited to:

374 (a) Maintaining and implementing the contract with the  
375 department. The contract must provide that:

376 1. The department may review the corporation's articles of  
 377 incorporation.

378 2. The corporation shall submit an annual budget proposal  
 379 to the department, on a form provided by the department, in  
 380 accordance with department procedures for filing budget  
 381 proposals based upon the recommendation of the department.

382 3. Any funds that the corporation holds in trust will  
 383 revert to the state upon the expiration or cancellation of the  
 384 contract.

385 4. The corporation is subject to an annual financial and  
 386 performance review by the department to determine whether the  
 387 corporation is complying with the terms of the contract and  
 388 whether it is acting in a manner consistent with the goals of  
 389 the department and in the best interests of the state.

390 5. The fiscal year of the corporation begins July 1 of  
 391 each year and ends June 30 of the following year.

392 (b) Advising the department on the development of tourism  
 393 marketing campaigns.

394 (c) Developing a 4-year marketing plan.

395 1. At a minimum, the marketing plan must discuss the  
 396 following:

- 397 a. Continuation of overall tourism growth in this state.
- 398 b. Expansion into new or underrepresented tourist markets.
- 399 c. Maintenance of traditional and loyal tourist markets.
- 400 d. Coordination of efforts with county destination

401 marketing organizations, other local government marketing  
402 groups, privately owned attractions and destinations, and other  
403 private sector partners to create a seamless, four-season  
404 advertising campaign for the state and its regions.

405 e. Development of innovative techniques or promotions to  
406 build repeat visitation by targeted segments of the tourist  
407 population.

408 f. Consideration of innovative sources of state funding  
409 for tourism marketing.

410 g. Promotion of nature-based tourism and heritage tourism.

411 h. Development of a component to address emergency  
412 response to natural and manmade disasters from a marketing  
413 standpoint.

414 2. The plan must be annual in construction and ongoing in  
415 nature. Any annual revision of the plan must carry forward the  
416 concepts of the remaining portion of the plan and consider a  
417 continuum portion to preserve the 4-year timeframe of the plan.  
418 The plan must also include recommendations for specific  
419 performance standards and measurable outcomes for the  
420 corporation. The department shall base the actual performance  
421 standards on these recommendations.

422 3. The 4-year marketing plan shall be annually reviewed  
423 and approved by the department.

424 (d) Drafting and submitting an annual report as required  
425 by s. 20.60(10). The annual report must set forth:

426 1. The 4-year marketing plan, including recommendations on  
427 methods for implementing and funding the plan.

428 2. The corporation's operations and accomplishments during  
429 the fiscal year, including the economic benefit of the state's  
430 investment and effectiveness of the 4-year marketing plan.

431 3. The corporation's assets and liabilities at the end of  
432 its most recent fiscal year.

433 4. A copy of the annual financial audit of the corporation  
434 conducted under subsection (7).

435 (e)(a) Making ~~May make~~ and entering ~~enter~~ into contracts  
436 and assuming ~~assume~~ such other functions as are necessary to  
437 carry out the provisions of the 4-year marketing plan required  
438 by s. ~~288.923~~, and the corporation's contract with the  
439 department ~~Enterprise Florida, Inc.~~, which are not inconsistent  
440 with this or any other provision of law. The board of directors  
441 of the corporation may not enter into any contract with a person  
442 or an organization if any one of the board of directors of the  
443 corporation or any member of their immediate families would  
444 receive a direct financial benefit from entering into such a  
445 contract. As used in this paragraph, the term "immediate family"  
446 includes parents, step-parents, spouses or domestic partners,  
447 children, step-children, full or half siblings, parents-in-law,  
448 siblings-in-law, grandparents, great-grandparents, step-great-  
449 grandparents, aunts, uncles, nieces, nephews, and grandchildren.

450 (f)(b) Developing ~~May develop~~ a program to provide

451 incentives and to attract and recognize those entities that  
452 ~~which~~ make significant financial and promotional contributions  
453 towards the expanded tourism promotion activities of the  
454 corporation.

455 (g)(e) Establishing ~~May establish~~ a cooperative marketing  
456 program with other public and private entities which allows the  
457 use of the VISIT Florida logo in tourism promotion campaigns  
458 that ~~which~~ meet the standards of the department ~~Enterprise~~  
459 ~~Florida, Inc.~~, for which the corporation may charge a reasonable  
460 fee.

461 (h)(d) Suing ~~May sue~~ and being ~~be~~ sued and appearing  
462 ~~appear~~ and defending ~~defend~~ in all actions and proceedings in  
463 its corporate name to the same extent as a natural person.

464 (i)(e) Adopting, using ~~May adopt, use,~~ and altering ~~alter~~  
465 a common corporate seal. However, such seal must always contain  
466 the words "corporation not for profit."

467 (j)(f) Electing ~~Shall elect~~ or appointing ~~appoint~~ such  
468 officers and agents as its affairs shall require and allowing  
469 ~~allow~~ them reasonable compensation.

470 (k)(g) Hiring ~~Shall hire~~ and establishing ~~establish~~  
471 salaries and personnel and employee benefit programs for such  
472 permanent and temporary employees as are necessary to carry out  
473 ~~the provisions of~~ the 4-year marketing plan and the  
474 corporation's contract with the department ~~Enterprise Florida,~~  
475 ~~Inc.~~, which are not inconsistent with this or any other

476 ~~provision of law.~~

477 ~~(h) Shall provide staff support to the Division of Tourism~~  
478 ~~Promotion of Enterprise Florida, Inc. The president and chief~~  
479 ~~executive officer of the Florida Tourism Industry Marketing~~  
480 ~~Corporation shall serve without compensation as the director of~~  
481 ~~the division.~~

482 (l)(i) Adopting, changing, amending ~~May adopt, change,~~  
483 ~~amend, and repealing~~ ~~repeal~~ bylaws, not inconsistent with law or  
484 its articles of incorporation, for the administration of the  
485 ~~provisions of the 4-year marketing plan and the corporation's~~  
486 ~~contract with the department~~ Enterprise Florida, Inc.

487 (m)(j) Conducting ~~May conduct~~ its affairs, carrying ~~carry~~  
488 on its operations, and having ~~have~~ offices and exercising  
489 ~~exercise~~ the powers granted by this act in any state, territory,  
490 district, or possession of the United States or any foreign  
491 country. Where feasible, appropriate, and recommended by the 4-  
492 year marketing plan ~~developed by the Division of Tourism~~  
493 ~~Promotion of Enterprise Florida, Inc.,~~ the corporation may  
494 collocate the programs of foreign tourism offices in cooperation  
495 with any foreign office operated by any agency of this state.

496 (n)(k) Appearing ~~May appear~~ on its own behalf before  
497 boards, commissions, departments, or other agencies of  
498 municipal, county, state, or federal government.

499 (o)(l) Requesting ~~May request~~ or accepting ~~accept~~ any  
500 grant, payment, or gift, of funds or property made by this state

501 or by the United States or any department or agency thereof or  
502 by any individual, firm, corporation, municipality, county, or  
503 organization for any or all of the purposes of the 4-year  
504 marketing plan and the corporation's contract with the  
505 department which ~~Enterprise Florida, Inc., that~~ are not  
506 inconsistent with this or any other ~~provision of~~ law. Such funds  
507 shall be deposited in a bank account established by the  
508 corporation's board of directors. The corporation may expend  
509 such funds in accordance with the terms and conditions of any  
510 such grant, payment, or gift, in the pursuit of its  
511 administration or in support of the programs it administers. The  
512 corporation shall separately account for the public funds and  
513 the private funds deposited into the corporation's bank account.

514 (p) ~~(m)~~ Establishing ~~Shall establish~~ a plan for  
515 participation in the corporation which will provide additional  
516 funding for the administration and duties of the corporation.

517 (q) ~~(n)~~ In the performance of its duties, undertaking ~~may~~  
518 ~~undertake~~, or contracting ~~contract~~ for, marketing projects and  
519 advertising research projects.

520 (r) ~~(o)~~ In addition to any indemnification available under  
521 chapter 617, indemnifying ~~the corporation may indemnify~~, and  
522 purchasing ~~purchase~~ and maintaining ~~maintain~~ insurance on behalf  
523 of, directors, officers, and employees of the corporation  
524 against any personal liability or accountability by reason of  
525 actions taken while acting within the scope of their authority.

526 (6) MATCHING REQUIREMENTS.—Specifically for the tourism  
527 marketing activities of the corporation:

528 (a) A one-to-one match is required of private to public  
529 contributions within 4 calendar years after the implementation  
530 date of the 4-year marketing plan.

531 (b) For purposes of calculating the required one-to-one  
532 match, matching private funds shall be divided into four  
533 categories. Documentation for the components of the four private  
534 match categories shall be kept on file for inspection as  
535 determined necessary. The four private match categories are:

536 1. Direct cash contributions, which include, but are not  
537 limited to, cash derived from strategic alliances, contributions  
538 of stocks and bonds, and partnership contributions.

539 2. Fees for services, which include, but are not limited  
540 to, event participation, research, and brochure placement and  
541 transparencies.

542 3. Cooperative advertising, which is the value based on  
543 cost of contributed productions, air time, and print space.

544 4. In-kind contributions, which include, but are not  
545 limited to, the value of contributed strategic alliance  
546 services, loaned employees, discounted service fees, contributed  
547 promotional items, and contributed promotional radio or  
548 television air time or print space. The value of air time or  
549 print space shall be calculated by taking the actual time or  
550 space and multiplying by the nonnegotiated unit price for that

551 specific time or space which is known as the media equivalency  
552 value. In order to avoid duplication in determining media  
553 equivalency value, only the value of the promotion itself shall  
554 be included; the value of the items contributed for the  
555 promotion may not be included.

556 (7) ~~(6)~~ ANNUAL AUDIT.—The corporation shall provide for an  
557 annual financial audit in accordance with s. 215.981. The annual  
558 audit report shall be submitted to the Auditor General, the  
559 Office of Program Policy Analysis and Government  
560 Accountability, ~~Enterprise Florida, Inc.;~~ and the department  
561 for review. The Office of Program Policy Analysis and Government  
562 Accountability, ~~Enterprise Florida, Inc.;~~ the department, the and  
563 the Auditor General have the authority to require and receive  
564 from the corporation or from its independent auditor any detail  
565 or supplemental data relative to the operation of the  
566 corporation. The department shall annually certify whether the  
567 corporation is operating in a manner and achieving the  
568 objectives that are consistent with the policies and goals of  
569 the corporation's Enterprise Florida, Inc., and its long-range  
570 marketing plan. The identity of a donor or prospective donor to  
571 the corporation who desires to remain anonymous and all  
572 information identifying such donor or prospective donor are  
573 confidential and exempt from the provisions of s. 119.07(1) and  
574 s. 24(a), Art. I of the State Constitution. Such anonymity shall  
575 be maintained in the auditor's report.

576 (8)~~(7)~~ REPORT.—The corporation shall provide a quarterly  
 577 report to the department ~~Enterprise Florida, Inc.~~, which shall:

578 (a) Measure the current vitality of the visitor industry  
 579 of this state as compared to the vitality of such industry for  
 580 the year to date and for comparable quarters of past years.  
 581 Indicators of vitality shall be determined by the department  
 582 ~~Enterprise Florida, Inc.~~, and shall include, but not be limited  
 583 to, estimated visitor count and party size, length of stay,  
 584 average expenditure per party, and visitor origin and  
 585 destination.

586 (b) Provide detailed, unaudited financial statements of  
 587 sources and uses of public and private funds.

588 (c) Measure progress towards annual goals and objectives  
 589 set forth in the 4-year marketing plan.

590 (d) Review all pertinent research findings.

591 (e) Provide other measures of accountability as requested  
 592 by the department ~~Enterprise Florida, Inc.~~

593 (9) PUBLIC ACCESS TO INFORMATION.—In keeping with the  
 594 public disclosure requirements placed upon other Florida  
 595 governmental entities under the Transparency Florida Act, the  
 596 corporation shall establish and maintain on its website public  
 597 access to the following information:

598 (a) Disbursement data consistent with the level required  
 599 by s. 215.985(4) (a)1. for state agencies.

600 (b) Contract data consistent with the requirements of s.

601 215.985(14) (a) for state agencies.

602 (c) All reports that include metrics and return on  
603 investment calculations.

604 (d) Public versions of independent business evaluation  
605 reports which highlight project-specific performance.

606 (e) Employee positions and salary information.

607 (f) Organizational charts.

608 (g) Audits, tax returns, and financial reports and  
609 summaries.

610 (h) All statutorily required reports.

611 (10)-(8) PUBLIC RECORDS EXEMPTION.—The identity of any  
612 person who responds to a marketing project or advertising  
613 research project conducted by the corporation in the performance  
614 of its duties on behalf of the department Enterprise Florida,  
615 ~~Ine.~~, or trade secrets as defined by s. 812.081 obtained  
616 pursuant to such activities, are exempt from s. 119.07(1) and s.  
617 24(a), Art. I of the State Constitution. This subsection is  
618 subject to the Open Government Sunset Review Act in accordance  
619 with s. 119.15 and shall stand repealed on October 2, 2021,  
620 unless reviewed and saved from repeal through reenactment by the  
621 Legislature.

622 (11)-(9) REPEAL.—This section is repealed October 1, 2019,  
623 unless reviewed and saved from repeal by the Legislature.

624 Section 6. Section 288.12265, Florida Statutes, is amended  
625 to read:

626 288.12265 Welcome centers.—

627 (1) Responsibility for the welcome centers is assigned to  
628 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~,  
629 which shall contract with the Florida Tourism Industry Marketing  
630 Corporation to employ all welcome center staff.

631 (2) The corporation ~~Enterprise Florida, Inc.~~, shall  
632 administer and operate the welcome centers. Pursuant to a  
633 contract with the Department of Transportation, the corporation  
634 ~~Enterprise Florida, Inc.~~, shall be responsible for routine  
635 repair, replacement, or improvement and the day-to-day  
636 management of interior areas occupied by the welcome centers.  
637 All other repairs, replacements, or improvements to the welcome  
638 centers shall be the responsibility of the Department of  
639 Transportation. ~~Enterprise Florida, Inc., may contract with the~~  
640 ~~Florida Tourism Industry Marketing Corporation for the~~  
641 ~~management and operation of the welcome centers.~~

642 Section 7. Notwithstanding the repeal of section 288.1229,  
643 Florida Statutes, in section 485 of chapter 2011-142, Laws of  
644 Florida, section 288.1229, Florida Statutes, is revived,  
645 readopted, and amended to read:

646 288.1229 Promotion and development of sports-related  
647 industries and amateur athletics; direct-support organization  
648 established; powers and duties.—

649 (1) The Department of Economic Opportunity shall establish  
650 a direct-support organization known as the Florida Sports

651 Foundation. The foundation shall ~~The Office of Tourism, Trade,~~  
652 ~~and Economic Development may authorize a direct support~~  
653 ~~organization to~~ assist the department ~~office~~ in:

654 (a) The promotion and development of the sports industry  
655 and related industries for the purpose of improving the economic  
656 presence of these industries in Florida.

657 (b) The promotion of amateur athletic participation for  
658 the citizens of Florida and the promotion of Florida as a host  
659 for national and international amateur athletic competitions for  
660 the purpose of encouraging and increasing the direct and  
661 ancillary economic benefits of amateur athletic events and  
662 competitions.

663 (c) The retention of professional sports franchises,  
664 including the spring training operations of Major League  
665 Baseball.

666 (2) The foundation shall ~~To be authorized as a direct-~~  
667 ~~support organization, an organization must:~~

668 (a) Be incorporated as a corporation not for profit  
669 pursuant to chapter 617.

670 (b) Be governed by a board of directors, not to exceed 20  
671 ~~which must consist of up to 15 members,~~ appointed by the  
672 Governor.

673 1. The appointed board members must be appointed as  
674 follows:

675 a. Ten sustaining members representing Florida major

676 league franchises of Major League Baseball, the National  
677 Basketball Association, the National Football League, the  
678 National Hockey League, and Major League Soccer teams domiciled  
679 in this state.

680 b. Two members representing Florida regional sports  
681 commissions.

682 c. One member representing the boating and fishing  
683 industries of the state.

684 d. One member representing the golf industry of the state.

685 e. One member representing a Major League Baseball spring  
686 training baseball franchise.

687 f. One member representing the auto racing industry of the  
688 state.

689 g. Four members-at-large ~~and up to 15 members appointed by~~  
690 ~~the existing board of directors.~~ In making at-large  
691 appointments, the Governor ~~board~~ must consider a potential  
692 member's background in community service and sports activism in,  
693 and financial support of, the sports industry, professional  
694 sports, or organized amateur athletics. Members must be  
695 residents of the state and highly knowledgeable about or active  
696 in professional or organized amateur sports.

697 2. The board must contain representatives of all  
698 geographical regions of the state and must represent ethnic and  
699 gender diversity. With the exception of the sustaining members,  
700 the terms of office of the members shall be 4 years. ~~No member~~

701 ~~may serve more than two consecutive terms.~~ The Governor may  
702 remove any member for cause and shall fill all vacancies that  
703 occur.

704 (c) Have as its purpose, as stated in its articles of  
705 incorporation, to receive, hold, invest, and administer  
706 property; to raise funds and receive gifts; and to promote and  
707 develop the sports industry and related industries for the  
708 purpose of increasing the economic presence of these industries  
709 in Florida.

710 (d) Have a prior determination by the department ~~Office of~~  
711 ~~Tourism, Trade, and Economic Development~~ that the foundation  
712 ~~organization~~ will benefit the department ~~office~~ and act in the  
713 best interests of the state as a direct-support organization to  
714 the department ~~office~~.

715 (e) Not enter into any contract with a person or an  
716 organization if any one of the board of directors of the  
717 foundation or any member of their immediate families would  
718 receive a direct financial benefit from entering into such a  
719 contract. As used in this paragraph, the term "immediate family"  
720 includes parents, step-parents, spouses or domestic partners,  
721 children, step-children, full or half siblings, parents-in-law,  
722 siblings-in-law, grandparents, great-grandparents, step-great-  
723 grandparents, aunts, uncles, nieces, nephews, and grandchildren.

724 (3) The foundation shall operate under contract with the  
725 department. The department shall enter into a contract with the

726 foundation by July 1, 2017. The contract must provide ~~Office of~~  
 727 ~~Tourism, Trade, and Economic Development shall contract with the~~  
 728 ~~organization and shall include in the contract that:~~

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

731 (b) The foundation organization shall submit an annual  
 732 budget proposal to the department office, on a form provided by  
 733 the department office, in accordance with department office  
 734 procedures for filing budget proposals based upon the  
 735 recommendation of the department office.

736 (c) Any funds that the foundation organization holds in  
 737 trust will revert to the state upon the expiration or  
 738 cancellation of the contract.

739 (d) The foundation organization is subject to an annual  
 740 financial and performance review by the department office to  
 741 determine whether the foundation organization is complying with  
 742 the terms of the contract and whether it is acting in a manner  
 743 consistent with the goals of the department office and in the  
 744 best interests of the state.

745 (e) The fiscal year of the foundation begins ~~organization~~  
 746 ~~will begin~~ July 1 of each year and ends ~~end~~ June 30 of the  
 747 following ~~next ensuing~~ year.

748 (4) The department ~~Office of Tourism, Trade, and Economic~~  
 749 ~~Development~~ may allow the foundation organization to use the  
 750 property, facilities, personnel, and services of the department

751 ~~office~~ if the foundation ~~organization~~ provides equal employment  
752 opportunities to all persons regardless of race, color,  
753 religion, sex, age, or national origin, subject to the approval  
754 of the executive director of the department ~~office~~.

755 (5) The foundation ~~organization~~ shall provide for an  
756 annual financial audit in accordance with s. 215.981.

757 (6) The foundation ~~organization~~ is not granted any taxing  
758 power.

759 (7) The foundation shall draft and submit an annual report  
760 as required by s. 20.60(10). The annual report must set forth:

761 (a) The foundation's operations and accomplishments during  
762 the fiscal year, including the economic benefit of the state's  
763 investment.

764 (b) The foundation's assets and liabilities at the end of  
765 its most recent fiscal year.

766 (c) A copy of the annual financial audit of the foundation  
767 conducted under subsection (5).

768 (8) In keeping with the public disclosure requirements  
769 placed upon other Florida governmental entities under the  
770 Transparency Florida Act, the foundation shall establish and  
771 maintain on its website public access to the following  
772 information:

773 (a) Disbursement data consistent with the level required  
774 by s. 215.985(4)(a)1. for state agencies.

775 (b) Contract data consistent with the requirements of s.

776 215.985(14) (a) for state agencies.

777 (c) All reports that include metrics and return on  
 778 investment calculations.

779 (d) Public versions of independent business evaluation  
 780 reports which highlight project-specific performance.

781 (e) Employee positions and salary information.

782 (f) Organizational charts.

783 (g) Audits, tax returns, and financial reports and  
 784 summaries.

785 (h) All statutorily required reports.

786 ~~(7) In exercising the power provided in this section, the~~  
 787 ~~Office of Tourism, Trade, and Economic Development may authorize~~  
 788 ~~and contract with the direct-support organization existing on~~  
 789 ~~June 30, 1996, and authorized by the former Florida Department~~  
 790 ~~of Commerce to promote sports-related industries. An appointed~~  
 791 ~~member of the board of directors of such direct-support~~  
 792 ~~organization as of June 30, 1996, may serve the remainder of his~~  
 793 ~~or her unexpired term.~~

794 (9)~~(8)~~ To promote amateur sports and physical fitness, the  
 795 foundation ~~direct-support organization~~ shall:

796 (a) Develop~~, foster,~~ and coordinate services and programs  
 797 for amateur sports for the people of Florida.

798 (b) Sponsor amateur sports workshops, clinics,  
 799 conferences, and other similar activities.

800 (c) Give recognition to outstanding developments and

801 achievements in, and contributions to, amateur sports.

802 (d) Encourage, support, and assist local governments and  
 803 communities in the development of or hosting of local amateur  
 804 athletic events and competitions that create economic growth in  
 805 this state.

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

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

811 (g) Continue the successful amateur sports programs  
 812 previously conducted by the Florida Governor's Council on  
 813 Physical Fitness and Amateur Sports created under former s.  
 814 14.22.

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

817 (h)(i) Develop, foster, and coordinate services and  
 818 programs designed to encourage the participation of Florida's  
 819 youth in Olympic sports activities and competitions.

820 (i)(j) Foster and coordinate services and programs  
 821 designed to contribute to the physical fitness of the citizens  
 822 of Florida.

823 (10)(a)(9)(a) The Florida Senior Games and the Sunshine  
 824 State Games shall both be patterned after the Summer Olympics  
 825 with variations as necessitated by availability of facilities,

826 equipment, and expertise. The games shall be designed to  
827 encourage the participation of athletes representing a broad  
828 range of age groups, skill levels, and Florida communities.  
829 ~~Participants shall be residents of this state. Regional~~  
830 ~~competitions shall be held throughout the state, and the top~~  
831 ~~qualifiers in each sport shall proceed to the final competitions~~  
832 ~~to be held at a site in the state with the necessary facilities~~  
833 ~~and equipment for conducting the competitions.~~

834 (b) The department ~~Executive Office of the Governor~~ is  
835 authorized to permit the use of property, facilities, and  
836 personal services of or at any State University System facility  
837 or institution by the direct-support organization operating the  
838 Florida Senior Games and the Sunshine State Games. For the  
839 purposes of this paragraph, personal services includes full-time  
840 or part-time personnel as well as payroll processing.

841 Section 8. Section 288.124, Florida Statutes, is amended  
842 to read:

843 288.124 Convention grants program.—The Florida Tourism  
844 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, is  
845 authorized to establish a convention grants program and,  
846 pursuant to that program, to recommend to the department  
847 expenditures and contracts with local governments and nonprofit  
848 corporations or organizations for the purpose of attracting  
849 national conferences and conventions to Florida. Preference  
850 shall be given to local governments and nonprofit corporations

851 or organizations seeking to attract minority conventions to  
852 Florida. Minority conventions are events that primarily involve  
853 minority persons, as defined in s. 288.703, who are residents or  
854 nonresidents of the state. The department ~~Enterprise Florida,~~  
855 ~~Inc.,~~ shall establish guidelines governing the award of grants  
856 and the administration of this program. The department has final  
857 approval authority for any grants under this section. The total  
858 annual allocation of funds for this program may ~~shall~~ not exceed  
859 \$40,000.

860 Section 9. Section 288.72, Florida Statutes, is created to  
861 read:

862 288.72 Enterprise Florida, Inc., small business liaison  
863 service.-

864 (1) Enterprise Florida, Inc., created by s. 288.901, shall  
865 develop, maintain, and market a small business liaison service.  
866 Upon request by a member of the public, Enterprise Florida,  
867 Inc., under the auspices of the small business liaison service,  
868 shall furnish any and all information it has available, or  
869 direct the requester to appropriate local or online sources of  
870 information, regarding how to start, maintain, or further  
871 develop a small business in any location in this state. Such  
872 information may include, but is not limited to:

- 873 (a) Business plan research and development.  
874 (b) Marketing plan research and development.  
875 (c) Options for accessing capital.

876 (d) Location and workforce availability.

877 (e) Availability of shared support services and other  
 878 local support services, including, but not limited to, local  
 879 business incubators and accelerators.

880 (2) Enterprise Florida, Inc., shall collect and compile  
 881 data on users of its small business liaison service, including,  
 882 but not limited to, the number of users served, the type of  
 883 information or assistance provided, and customer satisfaction  
 884 with the service provided. Enterprise Florida, Inc., shall  
 885 annually provide the data compiled for the small business  
 886 liaison service pursuant to the requirements of s. 20.60(10).

887 Section 10. Subsection (2) and paragraph (b) of subsection  
 888 (5) of section 288.901, Florida Statutes, are amended, and  
 889 subsection (11) is added to that section, to read:

890 288.901 Enterprise Florida, Inc.—

891 (2) PURPOSES.—Enterprise Florida, Inc., shall act as the  
 892 economic development organization for the state, utilizing  
 893 private sector and public sector expertise in collaboration with  
 894 the department to:

895 (a) Increase private investment in Florida;

896 (b) Advance international and domestic trade  
 897 opportunities;

898 (c) Market the state ~~both~~ as a probusiness location for  
 899 new investment ~~and as an unparalleled tourist destination;~~

900 (d) Revitalize Florida's space and aerospace industries,

901 and promote emerging complementary industries;

902 (e) Promote opportunities for small and minority-owned  
903 businesses;

904 ~~(f) Assist and market professional and amateur sport teams~~  
905 ~~and sporting events in Florida;~~ and

906 (f) ~~(g)~~ Assist, promote, and enhance economic opportunities  
907 in this state's rural and urban communities.

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

909 (b) In making their appointments, the Governor, the  
910 President of the Senate, and the Speaker of the House of  
911 Representatives shall ensure that the composition of the board  
912 of directors reflects the diversity of Florida's business  
913 community and is representative of the economic development  
914 goals in subsection (2). The board must include at least one  
915 director for each of the following areas of expertise:  
916 international business, ~~tourism marketing,~~ the space or  
917 aerospace industry, managing or financing a small business,  
918 managing or financing a minority-owned business, manufacturing,  
919 and finance and accounting, ~~and sports marketing.~~

920 (11) PUBLIC ACCESS TO INFORMATION.—In keeping with the  
921 public disclosure requirements placed upon other Florida  
922 governmental entities under the Transparency Florida Act,  
923 Enterprise Florida, Inc., shall establish and maintain on its  
924 website public access to the following information:

925 (a) Disbursement data consistent with the level required

926 | by s. 215.985(4)(a)1. for state agencies.

927 |       (b) Contract data consistent with the requirements of s.

928 | 215.985(14)(a) for state agencies.

929 |       (c) All reports that include metrics and return on

930 | investment calculations.

931 |       (d) Public versions of independent business evaluation

932 | reports which highlight project-specific performance.

933 |       (e) Employee positions and salary information.

934 |       (f) Organizational charts.

935 |       (g) Audits, tax returns, and financial reports and

936 | summaries.

937 |       (h) All statutorily required reports.

938 |       Section 11. Subsection (1) and paragraph (c) of subsection

939 | (2) of section 288.9015, Florida Statutes, are amended to read:

940 |       288.9015 Powers of Enterprise Florida, Inc.; board of

941 | directors.—

942 |       (1) Enterprise Florida, Inc., shall integrate its efforts

943 | in business recruitment and expansion, job creation, ~~marketing~~

944 | ~~the state for tourism and sports~~, and promoting economic

945 | opportunities for small and minority-owned businesses and

946 | promoting economic opportunities for rural and distressed urban

947 | communities with those of the department, to create an

948 | aggressive, agile, and collaborative effort to reinvigorate the

949 | state's economy.

950 |       (2) The board of directors of Enterprise Florida, Inc.,

951 may:

952 (c) Make and enter into contracts and other instruments  
953 necessary or convenient for the exercise of its powers and  
954 functions. A contract executed by Enterprise Florida, Inc., with  
955 a person or organization under which such person or organization  
956 agrees to perform economic development services or similar  
957 business assistance services on behalf of Enterprise Florida,  
958 Inc., or the state must include provisions requiring a  
959 performance report on the contracted activities and must account  
960 for the proper use of funds provided under the contract,  
961 coordinate with other components of state and local economic  
962 development systems, and avoid duplication of existing state and  
963 local services and activities. The board of directors of  
964 Enterprise Florida, Inc., may not enter into any contract with a  
965 person or an organization if any one of the board of directors  
966 of Enterprise Florida, Inc., or any member of their immediate  
967 families would receive a direct financial benefit from entering  
968 into such a contract. As used in this paragraph, the term  
969 "immediate family" includes parents, step-parents, spouses or  
970 domestic partners, children, step-children, full or half  
971 siblings, parents-in-law, siblings-in-law, grandparents, great-  
972 grandparents, step-great-grandparents, aunts, uncles, nieces,  
973 nephews, and grandchildren.

974 Section 12. Paragraph (b) of subsection (2) and subsection  
975 (3) of section 288.904, Florida Statutes, are amended to read:

976 288.904 Funding for Enterprise Florida, Inc.; performance  
 977 and return on the public's investment.—

978 (2)

979 (b) Private sector support in operating Enterprise  
 980 Florida, Inc., and its divisions includes:

981 1. Cash given directly to Enterprise Florida, Inc., for  
 982 its operations, including contributions from at-large members of  
 983 the board of directors;

984 2. Cash donations from organizations assisted by the  
 985 divisions;

986 3. Cash jointly raised by Enterprise Florida, Inc., and a  
 987 private local economic development organization, a group of such  
 988 organizations, or a statewide private business organization that  
 989 supports collaborative projects;

990 4. Cash generated by fees charged for products or services  
 991 of Enterprise Florida, Inc., and its divisions by sponsorship of  
 992 events, missions, programs, and publications; ~~and~~

993 5. Copayments, stock, warrants, royalties, or other  
 994 private resources dedicated to Enterprise Florida, Inc., or its  
 995 divisions; and

996 6. In-kind contributions, which include, but are not  
 997 limited to, the value of contributed strategic alliance  
 998 services, loaned employees, discounted service fees, contributed  
 999 promotional items, and contributed promotional radio or  
 1000 television air time or print space. The value of air time or

1001 print space shall be calculated by taking the actual time or  
1002 space and multiplying by the nonnegotiated unit price for that  
1003 specific time or space which is known as the media equivalency  
1004 value. In order to avoid duplication in determining media  
1005 equivalency value, only the value of the promotion itself shall  
1006 be included; the value of the items contributed for the  
1007 promotion may not be included.

1008 ~~(3) (a) Specifically for the marketing and advertising~~  
1009 ~~activities of the Division of Tourism Marketing or as contracted~~  
1010 ~~through the Florida Tourism Industry Corporation, a one-to-one~~  
1011 ~~match is required of private to public contributions within 4~~  
1012 ~~calendar years after the implementation date of the marketing~~  
1013 ~~plan pursuant to s. 288.923.~~

1014 ~~(b) For purposes of calculating the required one-to-one~~  
1015 ~~match, matching private funds shall be divided into four~~  
1016 ~~categories. Documentation for the components of the four private~~  
1017 ~~match categories shall be kept on file for inspection as~~  
1018 ~~determined necessary. The four private match categories are:~~

1019 ~~1. Direct cash contributions, which include, but are not~~  
1020 ~~limited to, cash derived from strategic alliances, contributions~~  
1021 ~~of stocks and bonds, and partnership contributions.~~

1022 ~~2. Fees for services, which include, but are not limited~~  
1023 ~~to, event participation, research, and brochure placement and~~  
1024 ~~transparencies.~~

1025 ~~3. Cooperative advertising, which is the value based on~~

1026 ~~cost of contributed productions, air time, and print space.~~  
 1027 ~~4. In-kind contributions, which include, but are not~~  
 1028 ~~limited to, the value of strategic alliance services~~  
 1029 ~~contributed, the value of loaned employees, discounted service~~  
 1030 ~~fees, items contributed for use in promotions, and radio or~~  
 1031 ~~television air time or print space for promotions. The value of~~  
 1032 ~~air time or print space shall be calculated by taking the actual~~  
 1033 ~~time or space and multiplying by the nonnegotiated unit price~~  
 1034 ~~for that specific time or space which is known as the media~~  
 1035 ~~equivalency value. In order to avoid duplication in determining~~  
 1036 ~~media equivalency value, only the value of the promotion itself~~  
 1037 ~~shall be included; the value of the items contributed for the~~  
 1038 ~~promotion may not be included.~~

1039 Section 13. Subsection (1) and paragraph (b) of subsection  
 1040 (2) of section 288.92, Florida Statutes, are amended to read:

1041 288.92 Divisions of Enterprise Florida, Inc.—

1042 (1) Enterprise Florida, Inc., may create and dissolve  
 1043 divisions as necessary to carry out its mission. Each division  
 1044 shall have distinct responsibilities and complementary missions.  
 1045 At a minimum, Enterprise Florida, Inc., shall have divisions  
 1046 related to the following areas:

1047 (a) International Trade and Business Development;

1048 (b) Business Retention and Recruitment; and

1049 ~~(c) Tourism Marketing;~~

1050 (c)(d) Small and Minority Business Development; ~~and~~

1051 ~~(c) Sports Industry Development.~~  
 1052 (2)  
 1053 (b)1. The following officers and board members are subject  
 1054 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and  
 1055 112.3143(2):  
 1056 a. Officers and members of the board of directors of the  
 1057 divisions of Enterprise Florida, Inc.  
 1058 b. Officers and members of the board of directors of  
 1059 subsidiaries of Enterprise Florida, Inc.  
 1060 c. Officers and members of the board of directors of  
 1061 corporations created to carry out the missions of Enterprise  
 1062 Florida, Inc.  
 1063 d. Officers and members of the board of directors of  
 1064 corporations with which a division is required by law to  
 1065 contract to carry out its missions.  
 1066 2. For purposes of applying ss. 112.313(1)-(8), (10),  
 1067 (12), and (15); 112.3135; and 112.3143(2) to activities of the  
 1068 officers and members of the board of directors specified in  
 1069 subparagraph 1., those persons shall be considered public  
 1070 officers or employees and the corporation shall be considered  
 1071 their agency.  
 1072 ~~3. It is not a violation of s. 112.3143(2) or (4) for the~~  
 1073 ~~officers or members of the board of directors of the Florida~~  
 1074 ~~Tourism Industry Marketing Corporation to:~~  
 1075 ~~a. Vote on the 4-year marketing plan required under s.~~

1076 | ~~288.923 or vote on any individual component of or amendment to~~  
1077 | ~~the plan.~~

1078 | ~~b. Participate in the establishment or calculation of~~  
1079 | ~~payments related to the private match requirements of s.~~  
1080 | ~~288.904(3). The officer or member must file an annual disclosure~~  
1081 | ~~describing the nature of his or her interests or the interests~~  
1082 | ~~of his or her principals, including corporate parents and~~  
1083 | ~~subsidiaries of his or her principal, in the private match~~  
1084 | ~~requirements. This annual disclosure requirement satisfies the~~  
1085 | ~~disclosure requirement of s. 112.3143(4). This disclosure must~~  
1086 | ~~be placed either on the Florida Tourism Industry Marketing~~  
1087 | ~~Corporation's website or included in the minutes of each meeting~~  
1088 | ~~of the Florida Tourism Industry Marketing Corporation's board of~~  
1089 | ~~directors at which the private match requirements are discussed~~  
1090 | ~~or voted upon.~~

1091 | Section 14. Section 288.923, Florida Statutes, is  
1092 | repealed.

1093 | Section 15. Subsection (12) is added to section 331.3051,  
1094 | Florida Statutes, to read:

1095 | 331.3051 Duties of Space Florida.—Space Florida shall:

1096 | (12) In keeping with the public disclosure requirements  
1097 | placed upon other Florida governmental entities under the  
1098 | Transparency Florida Act, establish and maintain on its website  
1099 | public access to the following information:

1100 | (a) Disbursement data consistent with the level required

1101 by s. 215.985(4)(a)1. for state agencies.

1102 (b) Contract data consistent with the requirements of s.

1103 215.985(14)(a) for state agencies.

1104 (c) All reports that include metrics and return on

1105 investment calculations.

1106 (d) Public versions of independent business evaluation

1107 reports which highlight project-specific performance.

1108 (e) Employee positions and salary information.

1109 (f) Organizational charts.

1110 (g) Audits, tax returns, and financial reports and

1111 summaries.

1112 (h) All statutorily required reports.

1113 Section 16. Paragraph (b) of subsection (1) of section

1114 331.310, Florida Statutes, is amended to read:

1115 331.310 Powers and duties of the board of directors.—

1116 (1) The board of directors may:

1117 (b) Execute all contracts and other documents, adopt all

1118 proceedings, and perform all acts determined by the board to be

1119 necessary or desirable to carry out the purposes of this act.

1120 The board may authorize one or more members of the board to

1121 execute contracts and other documents on behalf of the board or

1122 Space Florida. The board of directors may not enter into any

1123 contract with a person or an organization if any one of the

1124 board of directors of Space Florida or any member of their

1125 immediate families would receive a direct financial benefit from

1126 entering into such a contract. As used in this paragraph, the  
1127 term "immediate family" includes parents, step-parents, spouses  
1128 or domestic partners, children, step-children, full or half  
1129 siblings, parents-in-law, siblings-in-law, grandparents, great-  
1130 grandparents, step-great-grandparents, aunts, uncles, nieces,  
1131 nephews, and grandchildren.

1132 Section 17. Subsection (9) is added to section 420.504,  
1133 Florida Statutes, to read:

1134 420.504 Public corporation; creation, membership, terms,  
1135 expenses.—

1136 (9) In keeping with the public disclosure requirements  
1137 placed upon other Florida governmental entities under the  
1138 Transparency Florida Act, the corporation shall establish and  
1139 maintain on its website public access to the following  
1140 information:

1141 (a) Disbursement data consistent with the level required  
1142 by s. 215.985(4)(a)1. for state agencies.

1143 (b) Contract data consistent with the requirements of s.  
1144 215.985(14)(a) for state agencies.

1145 (c) All reports that include metrics and return on  
1146 investment calculations.

1147 (d) Public versions of independent business evaluation  
1148 reports which highlight project-specific performance.

1149 (e) Employee positions and salary information.

1150 (f) Organizational charts.

1151 (g) Audits, tax returns, and financial reports and  
1152 summaries.

1153 (h) All statutorily required reports.

1154 Section 18. Subsection (20) of section 420.507, Florida  
1155 Statutes, is amended to read:

1156 420.507 Powers of the corporation.—The corporation shall  
1157 have all the powers necessary or convenient to carry out and  
1158 effectuate the purposes and provisions of this part, including  
1159 the following powers which are in addition to all other powers  
1160 granted by other provisions of this part:

1161 (20) To make and execute agreements, contracts, and other  
1162 instruments necessary or convenient in the exercise of the  
1163 powers and functions of the corporation under this part,  
1164 including contracts with any person, firm, corporation, local  
1165 government, or other entity; and all local governments  
1166 established under the laws of the state are hereby authorized to  
1167 enter into and do all things necessary to perform such contracts  
1168 and otherwise cooperate with the corporation to facilitate the  
1169 accomplishment of the purposes of this part. The board of  
1170 directors of the corporation may not enter into any contract  
1171 with a person or an organization if any one of the board of  
1172 directors of the corporation or any member of their immediate  
1173 families would receive a direct financial benefit from entering  
1174 into such a contract. As used in this paragraph, the term  
1175 "immediate family" includes parents, step-parents, spouses or

1176 domestic partners, children, step-children, full or half  
1177 siblings, parents-in-law, siblings-in-law, grandparents, great-  
1178 grandparents, step-great-grandparents, aunts, uncles, nieces,  
1179 nephews, and grandchildren.

1180 Section 19. Subsection (1) and paragraph (d) of subsection  
1181 (5) of section 445.004, Florida Statutes, are amended to read:

1182 445.004 CareerSource Florida, Inc.; creation; purpose;  
1183 membership; duties and powers.—

1184 (1) CareerSource Florida, Inc., is created as a not-for-  
1185 profit corporation, which shall be registered, incorporated,  
1186 organized, and operated in compliance with chapter 617.  
1187 CareerSource Florida, Inc., is not a unit or entity of state  
1188 government and is exempt from chapters 120 and 287. CareerSource  
1189 Florida, Inc., shall apply the procurement and expenditure  
1190 procedures required by federal law for the expenditure of  
1191 federal funds. CareerSource Florida, Inc., shall be  
1192 administratively housed within the Department of Economic  
1193 Opportunity; however, CareerSource Florida, Inc., is not subject  
1194 to control, supervision, or direction by the department in any  
1195 manner. The Legislature finds that public policy dictates that  
1196 CareerSource Florida, Inc., operate in the most open and  
1197 accessible manner consistent with its public purpose. To this  
1198 end, the Legislature specifically declares that CareerSource  
1199 Florida, Inc., its board, councils, and any advisory committees  
1200 or similar groups created by CareerSource Florida, Inc., are

1201 subject to the provisions of chapter 119 relating to public  
1202 records, and those provisions of chapter 286 relating to public  
1203 meetings. In keeping with the public disclosure requirements  
1204 placed upon other Florida governmental entities under the  
1205 Transparency Florida Act, CareerSource Florida, Inc., shall  
1206 establish and maintain on its website public access to the  
1207 following information:

1208 (a) Disbursement data consistent with the level required  
1209 by s. 215.985(4) (a)1. for state agencies.

1210 (b) Contract data consistent with the requirements of s.  
1211 215.985(14) (a) for state agencies.

1212 (c) All reports that include metrics and return on  
1213 investment calculations.

1214 (d) Public versions of independent business evaluation  
1215 reports which highlight project-specific performance.

1216 (e) Employee positions and salary information.

1217 (f) Organizational charts.

1218 (g) Audits, tax returns, and financial reports and  
1219 summaries.

1220 (h) All statutorily required reports.

1221 (5) CareerSource Florida, Inc., shall have all the powers  
1222 and authority not explicitly prohibited by statute which are  
1223 necessary or convenient to carry out and effectuate its purposes  
1224 as determined by statute, Pub. L. No. 113-128, and the Governor,  
1225 as well as its functions, duties, and responsibilities,

1226 including, but not limited to, the following:

1227 (d) Contracting with public and private entities as  
 1228 necessary to further the directives of this section. All  
 1229 contracts executed by CareerSource Florida, Inc., must include  
 1230 specific performance expectations and deliverables. All  
 1231 CareerSource Florida, Inc., contracts, including those  
 1232 solicited, managed, or paid by the department pursuant to s.  
 1233 20.60(5)(c) are exempt from s. 112.061, but shall be governed by  
 1234 subsection (1). The board of directors of CareerSource Florida,  
 1235 Inc., may not enter into any contract with a person or an  
 1236 organization if any one of the board of directors or any member  
 1237 of their immediate families would receive a direct financial  
 1238 benefit from entering into such a contract. As used in this  
 1239 paragraph, the term "immediate family" includes parents, step-  
 1240 parents, spouses or domestic partners, children, step-children,  
 1241 full or half siblings, parents-in-law, siblings-in-law,  
 1242 grandparents, great-grandparents, step-great-grandparents,  
 1243 aunts, uncles, nieces, nephews, and grandchildren.

1244 Section 20. This act shall take effect July 1, 2017.