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1 A bill to be entitled
2 An act relating to the Florida Tourism Industry
3 Marketing Corporation; amending s. 11.45, F.S.;
4 authorizing the Auditor General to audit the
5 corporation; authorizing the corporation to enter into
6 an agreement with the Department of Economic
7 Opportunity for certain purposes and to use certain
8 funds; providing legislative intent; amending s.
9 201.15, F.S.; transferring certain funds to the
10 General Revenue Fund; conforming provisions to changes
11 made by the act; amending s. 212.0606, F.S.;
12 depositing a certain percentage of the rental car
13 surcharge in the General Revenue Fund; conforming
14 provisions to changes made by the act; amending s.
15 272.11, F.S.; transferring responsibility for the
16 Capitol information center from Enterprise Florida,
17 Inc., to the department; amending s. 288.0001, F.S.;
18 conforming cross-references; amending s. 288.017,
19 F.S.; authorizing the department, rather than
20 Enterprise Florida, Inc., to establish and operate a
21 cooperative advertising matching grants program;
22 authorizing the department to contract with VISIT
23 Florida to administer such program; authorizing the
24 department to conduct an annual competitive selection
25 process for the award of program grants; removing a



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26 requirement that the department consider certain
27 recommendations from Enterprise Florida, Inc., in
28 evaluating program grant applications; repealing ss.
29 288.1201 and 288.122, F.S., relating to the State
30 Economic Enhancement and Development Trust Fund and
31 the Tourism Promotional Trust Fund, respectively;
32 terminating such trust funds; transferring the
33 balances and revenues of such terminated trust funds
34 to the General Revenue Fund; requiring the department
35 to pay outstanding debts and obligations of such
36 terminated trust funds; requiring the Chief Financial
37 Officer to close out and remove such terminated trust
38 funds from state accounting systems; amending s.
39 288.1226, F.S.; providing that the corporation is a
40 direct-support organization of the department, rather
41 than Enterprise Florida, Inc.; revising the purposes
42 for which the corporation is an agency; providing that
43 the officers and members of the board of directors of
44 the corporation are subject to certain provisions and
45 are public officers or employees of an agency for a
46 certain purpose; requiring the corporation to comply
47 with certain per diem and travel expense provisions;
48 providing corporation board members and officers with
49 certain voting authority; requiring such officers and
50 members to file a certain annual disclosure; requiring



51 | that such disclosure be placed on the corporation's
52 | website; authorizing reimbursement for per diem and
53 | travel expenses for corporation board members;
54 | requiring such expenses to be paid out of corporation
55 | funds; subjecting certain contracts to specified
56 | notice and review procedures; prohibiting the
57 | execution of certain contracts; limiting the amount of
58 | compensation paid to corporation officers, agents, and
59 | employees; limiting the value of certain benefits
60 | provided to corporation employees; prohibiting certain
61 | performance bonuses and severance pay; requiring the
62 | Governor to approve certain out-of-state or
63 | international travel; requiring the corporation to
64 | appoint its president and chief executive officer,
65 | subject to Senate confirmation; prohibiting the
66 | corporation from creating or establishing certain
67 | entities and expending certain funds that benefit only
68 | one entity; requiring a one-to-one match of private to
69 | public contributions to the corporation; providing
70 | private contribution categories to use when
71 | calculating such match; prohibiting certain
72 | contributions from being considered private
73 | contributions for purposes of such match; requiring
74 | the reversion of unmatched public contributions to the
75 | state treasury by a certain date annually; requiring a



76 | quarterly report to the department; requiring the
77 | corporation to provide certain data to the Office of
78 | Economic and Demographic Research; prohibiting the
79 | expenditure of corporation funds for certain purposes;
80 | prohibiting the acceptance or receipt of certain items
81 | or services from certain entities; removing a public
82 | records exemption; limiting certain expenses of
83 | corporation employees; providing an exception;
84 | specifying a procedure for the release of appropriated
85 | funds; providing that the corporation is a
86 | governmental entity and subject to the Transparency
87 | Florida Act; requiring the inclusion of specified
88 | information in certain corporation contracts and on
89 | the corporation's website; requiring specified
90 | functionality of the corporation's website; requiring
91 | marketing partners to provide annual reports
92 | containing specified financial data to the
93 | corporation; conforming provisions to changes made by
94 | the act; amending s. 288.12265, F.S.; transferring
95 | responsibility for administering and operating welcome
96 | centers from Enterprise Florida, Inc., to the
97 | department; creating s. 288.12266, F.S.; creating the
98 | Targeted Marketing Assistance Program to enhance the
99 | tourism business marketing of small, minority, rural,
100 | and agritourism businesses in the state; providing a



101 definition; requiring the department and VISIT Florida
102 to provide an annual report documenting specified
103 information to the Governor and the Legislature;
104 amending s. 288.124, F.S.; authorizing VISIT Florida,
105 rather than Enterprise Florida, Inc., to establish a
106 convention grants program and guidelines governing the
107 award of program grants and the administration of such
108 program; repealing s. 288.826, F.S., relating to the
109 Florida International Trade and Promotion Trust Fund;
110 terminating such trust fund; transferring the balances
111 and revenues of such terminated trust fund to the
112 General Revenue Fund; requiring the department to pay
113 outstanding debts and obligations of such terminated
114 trust fund; requiring the Chief Financial Officer to
115 close out and remove such terminated trust fund from
116 state accounting systems; amending s. 288.904, F.S.;
117 conforming provisions to changes made by the act;
118 amending s. 288.92, F.S.; removing a requirement that
119 Enterprise Florida, Inc., include a division related
120 to tourism marketing; conforming provisions to changes
121 made by the act; amending s. 288.923, F.S.;
122 terminating the Division of Tourism Marketing created
123 within Enterprise Florida, Inc.; transferring duties
124 and authority to contract with the corporation from
125 Enterprise Florida, Inc., to the department;



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126 conforming a provision to changes made by the act;
127 providing an effective date.
128

129 Be It Enacted by the Legislature of the State of Florida:
130

131 Section 1. Paragraph (x) is added to subsection (3) of
132 section 11.45, Florida Statutes, to read:

133 11.45 Definitions; duties; authorities; reports; rules.—

134 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The
135 Auditor General may, pursuant to his or her own authority, or at
136 the direction of the Legislative Auditing Committee, conduct
137 audits or other engagements as determined appropriate by the
138 Auditor General of:

139 (x) The Florida Tourism Industry Marketing Corporation.

140 Section 2. (1) The Florida Tourism Industry Marketing
141 Corporation may enter into an agreement with the Department of
142 Economic Opportunity to continue any existing program, activity,
143 duty, or function necessary for the operation of the
144 corporation.

145 (2) Any funds held in trust which were donated to or
146 earned by the Florida Tourism Industry Marketing Corporation may
147 be used by the corporation for the original purposes for which
148 the funds were received.

149 (3) It is the intent of the Legislature that the changes
150 made by this act be accomplished with minimal disruption of



151 services provided to the public and with minimal disruption to
152 employees of any organization.

153 Section 3. Paragraphs (a), (c), and (d) of subsection (4)
154 of section 201.15, Florida Statutes, are amended to read:

155 201.15 Distribution of taxes collected.—All taxes
156 collected under this chapter are hereby pledged and shall be
157 first made available to make payments when due on bonds issued
158 pursuant to s. 215.618 or s. 215.619, or any other bonds
159 authorized to be issued on a parity basis with such bonds. Such
160 pledge and availability for the payment of these bonds shall
161 have priority over any requirement for the payment of service
162 charges or costs of collection and enforcement under this
163 section. All taxes collected under this chapter, except taxes
164 distributed to the Land Acquisition Trust Fund pursuant to
165 subsections (1) and (2), are subject to the service charge
166 imposed in s. 215.20(1). Before distribution pursuant to this
167 section, the Department of Revenue shall deduct amounts
168 necessary to pay the costs of the collection and enforcement of
169 the tax levied by this chapter. The costs and service charge may
170 not be levied against any portion of taxes pledged to debt
171 service on bonds to the extent that the costs and service charge
172 are required to pay any amounts relating to the bonds. All of
173 the costs of the collection and enforcement of the tax levied by
174 this chapter and the service charge shall be available and
175 transferred to the extent necessary to pay debt service and any



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176 other amounts payable with respect to bonds authorized before
177 January 1, 2017, secured by revenues distributed pursuant to
178 this section. All taxes remaining after deduction of costs shall
179 be distributed as follows:

180 (4) After the required distributions to the Land
181 Acquisition Trust Fund pursuant to subsections (1) and (2) and
182 deduction of the service charge imposed pursuant to s.
183 215.20(1), the remainder shall be distributed as follows:

184 (a) The lesser of 24.18442 percent of the remainder or
185 \$541.75 million in each fiscal year shall be paid into the State
186 Treasury to the credit of the State Transportation Trust Fund.
187 Of such funds, \$75 million for each fiscal year shall be
188 transferred to the General Revenue Fund ~~State Economic~~
189 ~~Enhancement and Development Trust Fund within the Department of~~
190 ~~Economic Opportunity~~. Notwithstanding any other law, the
191 remaining amount credited to the State Transportation Trust Fund
192 shall be used for:

193 1. Capital funding for the New Starts Transit Program,
194 authorized by Title 49, U.S.C. s. 5309 and specified in s.
195 341.051, in the amount of 10 percent of the funds;

196 2. The Small County Outreach Program specified in s.
197 339.2818, in the amount of 10 percent of the funds;

198 3. The Strategic Intermodal System specified in ss.
199 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent
200 of the funds after deduction of the payments required pursuant



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201 to subparagraphs 1. and 2.; and

202 4. The Transportation Regional Incentive Program specified
203 in s. 339.2819, in the amount of 25 percent of the funds after
204 deduction of the payments required pursuant to subparagraphs 1.
205 and 2. The first \$60 million of the funds allocated pursuant to
206 this subparagraph shall be allocated annually to the Florida
207 Rail Enterprise for the purposes established in s. 341.303(5).

208 (c) Eleven and twenty-four hundredths percent of the
209 remainder in each fiscal year shall be paid into the State
210 Treasury to the credit of the State Housing Trust Fund. Of such
211 funds, the first \$35 million shall be transferred annually,
212 subject to any distribution required under subsection (5), to
213 the General Revenue Fund ~~State Economic Enhancement and~~
214 ~~Development Trust Fund within the Department of Economic~~
215 ~~Opportunity~~. The remainder shall be used as follows:

216 1. Half of that amount shall be used for the purposes for
217 which the State Housing Trust Fund was created and exists by
218 law.

219 2. Half of that amount shall be paid into the State
220 Treasury to the credit of the Local Government Housing Trust
221 Fund and used for the purposes for which the Local Government
222 Housing Trust Fund was created and exists by law.

223 (d) Twelve and ninety-three hundredths percent of the
224 remainder in each fiscal year shall be paid into the State
225 Treasury to the credit of the State Housing Trust Fund. Of such



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226 funds, the first \$40 million shall be transferred annually,
227 subject to any distribution required under subsection (5), to
228 the General Revenue Fund ~~State Economic Enhancement and~~
229 ~~Development Trust Fund within the Department of Economic~~
230 ~~Opportunity~~. The remainder shall be used as follows:

231 1. Twelve and one-half percent of that amount shall be
232 deposited into the State Housing Trust Fund and expended by the
233 Department of Economic Opportunity and the Florida Housing
234 Finance Corporation for the purposes for which the State Housing
235 Trust Fund was created and exists by law.

236 2. Eighty-seven and one-half percent of that amount shall
237 be distributed to the Local Government Housing Trust Fund and
238 used for the purposes for which the Local Government Housing
239 Trust Fund was created and exists by law. Funds from this
240 category may also be used to provide for state and local
241 services to assist the homeless.

242 Section 4. Paragraph (a) of subsection (3) of section
243 212.0606, Florida Statutes, is amended to read:

244 212.0606 Rental car surcharge.—

245 (3) (a) Notwithstanding s. 212.20, and less the costs of
246 administration, 80 percent of the proceeds of this surcharge
247 shall be deposited in the State Transportation Trust Fund, ~~15.75~~
248 ~~percent of the proceeds of this surcharge shall be deposited in~~
249 ~~the Tourism Promotional Trust Fund created in s. 288.122,~~ and 20
250 ~~4.25~~ percent of the proceeds of this surcharge shall be



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251 deposited in the General Revenue Fund ~~Florida International~~
252 ~~Trade and Promotion Trust Fund~~. For the purposes of this
253 subsection, "proceeds" of the surcharge means all funds
254 collected and received by the department under this section,
255 including interest and penalties on delinquent surcharges. The
256 department shall provide the Department of Transportation rental
257 car surcharge revenue information for the previous state fiscal
258 year by September 1 of each year.

259 Section 5. Section 272.11, Florida Statutes, is amended to
260 read:

261 272.11 Capitol information center.—The Department of
262 Economic Opportunity ~~Enterprise Florida, Inc.~~, shall establish,
263 maintain, and operate a Capitol information center somewhere
264 within the area of the Capitol Center and employ personnel or
265 enter into contracts to maintain same.

266 Section 6. Paragraphs (b) and (c) of subsection (2) of
267 section 288.0001, Florida Statutes, are amended to read:

268 288.0001 Economic Development Programs Evaluation.—The
269 Office of Economic and Demographic Research and the Office of
270 Program Policy Analysis and Government Accountability (OPPAGA)
271 shall develop and present to the Governor, the President of the
272 Senate, the Speaker of the House of Representatives, and the
273 chairs of the legislative appropriations committees the Economic
274 Development Programs Evaluation.

275 (2) The Office of Economic and Demographic Research and



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276 OPPAGA shall provide a detailed analysis of economic development
277 programs as provided in the following schedule:

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

280 1. The entertainment industry financial incentive program
281 established under s. 288.1254.

282 2. The entertainment industry sales tax exemption program
283 established under s. 288.1258.

284 3. VISIT Florida and its programs established or funded
285 under ss. ~~288.1227~~, 288.1226, 288.12265, and 288.124.

286 4. The Florida Sports Foundation and related programs
287 established under ss. 288.1162, 288.11621, 288.1166, 288.1167,
288 288.1168, 288.1169, and 288.1171.

289 (c) By January 1, 2016, and every 3 years thereafter, an
290 analysis of the following:

291 1. The qualified defense contractor and space flight
292 business tax refund program established under s. 288.1045.

293 2. The tax exemption for semiconductor, defense, or space
294 technology sales established under s. 212.08(5)(j).

295 3. The Military Base Protection Program established under
296 s. 288.980.

297 4. The Manufacturing and Spaceport Investment Incentive
298 Program formerly established under s. 288.1083.

299 5. The Quick Response Training Program established under
300 s. 288.047.



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301 6. The Incumbent Worker Training Program established under
302 s. 445.003.

303 7. International trade and business development programs
304 ~~established or funded under s. 288.826.~~

305 Section 7. Subsections (1) and (3) of section 288.017,
306 Florida Statutes, are amended to read:

307 288.017 Cooperative advertising matching grants program.—

308 (1) The department ~~Enterprise Florida, Inc.,~~ is authorized
309 to establish a cooperative advertising matching grants program
310 and, pursuant thereto, to make expenditures and enter into
311 contracts with local governments and nonprofit corporations for
312 the purpose of publicizing the tourism advantages of the state.
313 ~~The department, based on recommendations from Enterprise~~
314 ~~Florida, Inc.,~~ shall have final approval of grants awarded
315 through this program. The department ~~Enterprise Florida, Inc.,~~
316 may contract with VISIT Florida ~~its direct-support organization~~
317 to administer the program.

318 (3) The department ~~Enterprise Florida, Inc.,~~ shall conduct
319 an annual competitive selection process for the award of grants
320 under the program. In determining its recommendations for the
321 grant awards, the department ~~commission~~ shall consider the
322 demonstrated need of the applicant for advertising assistance,
323 the feasibility and projected benefit of the applicant's
324 proposal, the amount of nonstate funds that will be leveraged,
325 and such other criteria as the department ~~commission~~ deems



326 appropriate. ~~In evaluating grant applications, the department~~
327 ~~shall consider recommendations from Enterprise Florida, Inc. The~~
328 ~~department, however,~~ has final approval authority for any grant
329 under this section.

330 Section 8. Section 288.1201, Florida Statutes, is
331 repealed.

332 Section 9. (1) The State Economic Enhancement and
333 Development Trust Fund, FLAIR number 40-2-041, within the
334 Department of Economic Opportunity is terminated.

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

338 (3) The Department of Economic Opportunity shall pay any
339 outstanding debts and obligations of the terminated fund as soon
340 as practicable, and the Chief Financial Officer shall close out
341 and remove the terminated fund from various state accounting
342 systems using generally accepted accounting principles
343 concerning warrants outstanding, assets, and liabilities.

344 Section 10. Section 288.122, Florida Statutes, is
345 repealed.

346 Section 11. (1) The Tourism Promotional Trust Fund, FLAIR
347 number 40-2-722, within the Department of Economic Opportunity
348 is terminated.

349 (2) All current balances remaining in, and all revenues
350 of, the trust fund shall be transferred to the General Revenue



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351 Fund.

352 (3) The Department of Economic Opportunity shall pay any
353 outstanding debts and obligations of the terminated fund as soon
354 as practicable, and the Chief Financial Officer shall close out
355 and remove the terminated fund from various state accounting
356 systems using generally accepted accounting principles
357 concerning warrants outstanding, assets, and liabilities.

358 Section 12. Section 288.1226, Florida Statutes, is amended
359 to read:

360 288.1226 Florida Tourism Industry Marketing Corporation;
361 use of property; board of directors; duties; audit.—

362 (1) DEFINITIONS.—For the purposes of this section, the
363 term "corporation" means the Florida Tourism Industry Marketing
364 Corporation.

365 (2) ESTABLISHMENT.—The Florida Tourism Industry Marketing
366 Corporation is a direct-support organization of the Department
367 of Economic Opportunity ~~Enterprise Florida, Inc.~~

368 (a) The Florida Tourism Industry Marketing Corporation is
369 a corporation not for profit, as defined in s. 501(c)(6) of the
370 Internal Revenue Code of 1986, as amended, that is incorporated
371 under the provisions of chapter 617 and approved by the
372 Department of State.

373 (b) The corporation is organized and operated exclusively
374 to request, receive, hold, invest, and administer property and
375 to manage and make expenditures for the operation of the



376 activities, services, functions, and programs of this state
377 which relate to the statewide, national, and international
378 promotion and marketing of tourism.

379 (c)1. The corporation is not an agency for the purposes of
380 chapters 120 ~~and~~, 216, ~~and 287~~; ~~ss. 255.21, 255.25, and 255.254,~~
381 ~~relating to leasing of buildings; ss. 283.33 and 283.35,~~
382 ~~relating to bids for printing; s. 215.31; and parts I, II, and~~
383 ~~IV-VIII of chapter 112. However, the corporation shall comply~~
384 ~~with the per diem and travel expense provisions of s. 112.061.~~

385 2.a. The corporation is an agency for purposes of chapter
386 287.

387 b. The officers and members of the board of directors of
388 the corporation are subject to ss. 112.313(1)-(8), (10), (12),
389 and (15); 112.3135; and 112.3143(2).

390 c. For purposes of ss. 112.313(1)-(8), (10), (12), and
391 (15); 112.3135; and 112.3143(2), the officers or members of the
392 board of directors of the corporation are public officers or
393 employees of an agency, respectively, and the corporation is an
394 agency.

395 3. It is not a violation of s. 112.3143(2) or (4) for the
396 officers or members of the board of directors of the corporation
397 to:

398 a. Vote on the 4-year marketing plan required under s.
399 288.923 or vote on any individual component of or amendment to
400 the plan.



401 b. Participate in the establishment or calculation of
402 payments related to the private match requirements of subsection
403 (6). The officer or member must file an annual disclosure
404 describing the nature of his or her interests or the interests
405 of his or her principals, including corporate parents and
406 subsidiaries of his or her principal, in the private match
407 requirements. This annual disclosure requirement satisfies the
408 disclosure requirement of s. 112.3143(4). This disclosure must
409 be placed on the corporation's website or included in the
410 minutes of each meeting of the corporation's board of directors
411 at which the private match requirements are discussed or voted
412 upon.

413 (d) The corporation is subject to the provisions of
414 chapter 119, relating to public meetings, and those provisions
415 of chapter 286 relating to public meetings and records.

416 (3) USE OF PROPERTY.—The Department of Economic
417 Opportunity Enterprise Florida, Inc.:

418 (a) Is authorized to permit the use of property and
419 facilities of the department Enterprise Florida, Inc., by the
420 corporation, subject to the provisions of this section.

421 (b) Shall prescribe conditions with which the corporation
422 must comply in order to use property and facilities of the
423 department Enterprise Florida, Inc. Such conditions shall
424 provide for budget and audit review and for oversight by the
425 department Enterprise Florida, Inc.



426 (c) May not permit the use of property and facilities of
427 the department ~~Enterprise Florida, Inc.~~, if the corporation does
428 not provide equal employment opportunities to all persons,
429 regardless of race, color, national origin, sex, age, or
430 religion.

431 (4) BOARD OF DIRECTORS.—The board of directors of the
432 corporation shall be composed of 31 tourism-industry-related
433 members, appointed by the corporation ~~Enterprise Florida, Inc.~~,
434 in conjunction with the department. Board members shall serve
435 without compensation, but are entitled to receive reimbursement
436 for per diem and travel expenses pursuant to s. 112.061. Such
437 expenses must be paid out of funds of the corporation.

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

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

445 2. Region 2, composed of Alachua, Baker, Bradford, Clay,
446 Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette,
447 Levy, Madison, Marion, Nassau, Putnam, St. Johns, Suwannee,
448 Taylor, and Union Counties.

449 3. Region 3, composed of Brevard, Indian River, Lake,
450 Okeechobee, Orange, Osceola, St. Lucie, Seminole, Sumter, and



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451 Volusia Counties.

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

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

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

458 (b) The 15 additional tourism-industry-related members
459 shall include 1 representative from the statewide rental car
460 industry; 7 representatives from tourist-related statewide
461 associations, including those that represent hotels,
462 campgrounds, county destination marketing organizations,
463 museums, restaurants, retail, and attractions; 3 representatives
464 from county destination marketing organizations; 1
465 representative from the cruise industry; 1 representative from
466 an automobile and travel services membership organization that
467 has at least 2.8 million members in Florida; 1 representative
468 from the airline industry; and 1 representative from the space
469 tourism industry, who will each serve for a term of 2 years.

470 (5) POWERS AND DUTIES.—The corporation, in the performance
471 of its duties:

472 (a) May make and enter into contracts and assume such
473 other functions as are necessary to carry out the provisions of
474 the 4-year marketing plan required by s. 288.923, and the
475 corporation's contract with the department that Enterprise



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476 ~~Florida, Inc., which~~ are not inconsistent with this or any other
477 provision of law. A proposed contract with a total cost of
478 \$750,000 or more is subject to the notice and review procedures
479 of s. 216.177. If the chair or vice chair of the Legislative
480 Budget Commission, the President of the Senate, or the Speaker
481 of the House of Representatives timely advises the corporation
482 in writing that such proposed contract is contrary to
483 legislative policy and intent, the corporation may not execute
484 such proposed contract. The corporation may not enter into
485 multiple related contracts to avoid the requirements of this
486 paragraph.

487 (b) May develop a program to provide incentives and to
488 attract and recognize those entities which make significant
489 financial and promotional contributions towards the expanded
490 tourism promotion activities of the corporation.

491 (c) May establish a cooperative marketing program with
492 other public and private entities which allows the use of the
493 VISIT Florida logo in tourism promotion campaigns which meet the
494 standards of the department ~~Enterprise Florida, Inc.~~, for which
495 the corporation may charge a reasonable fee.

496 (d) May sue and be sued and appear and defend in all
497 actions and proceedings in its corporate name to the same extent
498 as a natural person.

499 (e) May adopt, use, and alter a common corporate seal.
500 However, such seal must always contain the words "corporation



501 not for profit."

502 (f) Shall elect or appoint such officers and agents as its
503 affairs shall require and allow them reasonable compensation.
504 However, each officer or agent, including the president and
505 chief executive officer of the corporation, may not receive
506 compensation, public or private, that exceeds \$130,000 per year.

507 (g) Shall hire and establish salaries and personnel and
508 employee benefit programs for such permanent and temporary
509 employees as are necessary to carry out the provisions of the 4-
510 year marketing plan and the corporation's contract with the
511 department that ~~Enterprise Florida, Inc., which~~ are not
512 inconsistent with this or any other provision of law. However,
513 an employee may not receive compensation, public or private,
514 that exceeds \$130,000 per year. Any retirement, life insurance,
515 or health insurance benefits provided to employees of the
516 corporation may not exceed the value of such benefits provided
517 to employees of the corporation as of January 1, 2017. Any
518 public or private payments of performance bonuses or severance
519 pay to employees of the corporation are prohibited unless
520 specifically authorized by law. The Governor shall review and
521 approve or deny requests for out-of-state or international
522 travel by employees and board members of the corporation and
523 individuals whose travel will be paid for by the corporation,
524 regardless of the source of the funds used for such travel.

525 (h) Shall appoint a president and chief executive officer



526 | of the corporation who shall serve subject to confirmation by
527 | the Senate ~~provide staff support to the Division of Tourism~~
528 | ~~Promotion of Enterprise Florida, Inc. The president and chief~~
529 | ~~executive officer of the Florida Tourism Industry Marketing~~
530 | ~~Corporation shall serve without compensation as the director of~~
531 | ~~the division.~~

532 | (i) May adopt, change, amend, and repeal bylaws, not
533 | inconsistent with law or its articles of incorporation, for the
534 | administration of the provisions of the 4-year marketing plan
535 | and the corporation's contract with the department ~~Enterprise~~
536 | ~~Florida, Inc.~~

537 | (j) May conduct its affairs, carry on its operations, and
538 | have offices and exercise the powers granted by this act in any
539 | state, territory, district, or possession of the United States
540 | or any foreign country. When ~~Where~~ feasible, appropriate, and
541 | recommended by the 4-year marketing plan ~~developed by the~~
542 | ~~Division of Tourism Promotion of Enterprise Florida, Inc.,~~ the
543 | corporation may collocate the programs of foreign tourism
544 | offices in cooperation with any foreign office operated by any
545 | agency of this state.

546 | (k) May appear on its own behalf before boards,
547 | commissions, departments, or other agencies of municipal,
548 | county, state, or federal government.

549 | (l) May request or accept any grant, payment, or gift, of
550 | funds or property made by this state or by the United States or



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551 any department or agency thereof or by any individual, firm,
552 corporation, municipality, county, or organization for any or
553 all of the purposes of the 4-year marketing plan and the
554 corporation's contract with the department ~~Enterprise Florida,~~
555 ~~Inc.~~, that are not inconsistent with this or any other provision
556 of law. Such funds shall be deposited in a bank account
557 established by the corporation's board of directors. The
558 corporation may expend such funds in accordance with the terms
559 and conditions of any such grant, payment, or gift, in the
560 pursuit of its administration or in support of the programs it
561 administers. The corporation shall separately account for the
562 public funds and the private funds deposited into the
563 corporation's bank account.

564 (m) Shall establish a plan for participation in the
565 corporation which will provide additional funding for the
566 administration and duties of the corporation.

567 (n) In the performance of its duties, may undertake, or
568 contract for, marketing projects and advertising research
569 projects.

570 (o) In addition to any indemnification available under
571 chapter 617, ~~the corporation~~ may indemnify, and purchase and
572 maintain insurance on behalf of, directors, officers, and
573 employees of the corporation against any personal liability or
574 accountability by reason of actions taken while acting within
575 the scope of their authority.



576 (p) Shall not create or establish any other entity,
577 corporation, or direct-support organization.

578 (q) Shall not expend funds, public or private, that
579 directly or indirectly benefit only one company, corporation, or
580 business entity.

581 (6) MATCHING REQUIREMENTS.—

582 (a) A one-to-one match is required of private to public
583 contributions to the corporation. Public contributions include
584 all state appropriations to the corporation.

585 (b) For purposes of calculating the required one-to-one
586 match, the corporation shall receive matching private
587 contributions and assign such contributions to one of two
588 private match categories. The corporation shall maintain
589 documentation of such categorized contributions on file and make
590 such documentation available for inspection upon reasonable
591 notice during its regular business hours. Contribution details
592 shall be included in the quarterly reports required under
593 subsection (8). The private match categories are:

594 1. Direct cash contributions from private sources, which
595 include, but are not limited to, cash derived from strategic
596 alliances, contributions of stocks and bonds, and partnership
597 contributions.

598 2. Fees for services, which include, but are not limited
599 to, event participation, research, and brochure placement and
600 transparencies.



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601
602 Contributions from a government entity or from an entity that
603 received more than 50 percent of its revenue in the previous
604 fiscal year from public sources, including revenue derived from
605 taxes, fees, or other government revenues, are not considered
606 private contributions for purposes of calculating the required
607 one-to-one match.

608 (c) If the corporation fails to meet the one-to-one match
609 requirements of this subsection, the corporation shall revert
610 all unmatched public contributions to the state treasury by June
611 30 of each fiscal year.

612 (7)-(6) ANNUAL AUDIT.—The corporation shall provide for an
613 annual financial audit in accordance with s. 215.981. The annual
614 audit report shall be submitted to the Auditor General; the
615 Office of Program Policy Analysis and Government Accountability;
616 ~~Enterprise Florida, Inc.;~~ and the department for review. The
617 Office of Program Policy Analysis and Government Accountability;
618 ~~Enterprise Florida, Inc.;~~ the department; and the Auditor
619 General have the authority to require and receive from the
620 corporation or from its independent auditor any detail or
621 supplemental data relative to the operation of the corporation.
622 The department shall annually certify whether the corporation is
623 operating in a manner and achieving the objectives that are
624 consistent with the policies and goals of the department
625 ~~Enterprise Florida, Inc.,~~ and its long-range marketing plan. The



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626 identity of a donor or prospective donor to the corporation who
627 desires to remain anonymous and all information identifying such
628 donor or prospective donor are confidential and exempt from the
629 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
630 Constitution. Such anonymity shall be maintained in the
631 auditor's report.

632 (8)~~(7)~~ REPORT.—The corporation shall provide a quarterly
633 report to the department ~~Enterprise Florida, Inc.~~, which shall:

634 (a) Measure the current vitality of the visitor industry
635 of this state as compared to the vitality of such industry for
636 the year to date and for comparable quarters of past years.
637 Indicators of vitality shall be determined by the department
638 ~~Enterprise Florida, Inc.~~, and shall include, but not be limited
639 to, estimated visitor count and party size, length of stay,
640 average expenditure per party, and visitor origin and
641 destination.

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

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

646 (d) Review all pertinent research findings.

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

649
650 The corporation must take all steps necessary to provide all



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651 data that is used to develop the report, including source data,
652 to the Office of Economic and Demographic Research.

653 (9)-(8) PROHIBITIONS; CORPORATE FUNDS; GIFTS.-
654 Notwithstanding per diem and travel expenses authorized pursuant
655 s. 112.061, funds of the corporation may not be expended for
656 food, beverages, lodging, entertainment, or gifts for employees
657 of the corporation, board members of the corporation, or
658 employees of a tourist or economic development entity that
659 receives revenue from a tax imposed pursuant to s. 125.0104, s.
660 125.0108, or s. 212.0305. An employee or board member of the
661 corporation may not accept or receive food, beverages, lodging,
662 entertainment, or gifts from a tourist or economic development
663 entity that receives revenue from a tax imposed pursuant to s.
664 125.0104, s. 125.0108, or s. 212.0305 ~~PUBLIC RECORDS EXEMPTION.-~~
665 ~~The identity of any person who responds to a marketing project~~
666 ~~or advertising research project conducted by the corporation in~~
667 ~~the performance of its duties on behalf of Enterprise Florida,~~
668 ~~Inc., or trade secrets as defined by s. 812.081 obtained~~
669 ~~pursuant to such activities, are exempt from s. 119.07(1) and s.~~
670 ~~24(a), Art. I of the State Constitution. This subsection is~~
671 ~~subject to the Open Government Sunset Review Act in accordance~~
672 ~~with s. 119.15 and shall stand repealed on October 2, 2021,~~
673 ~~unless reviewed and saved from repeal through reenactment by the~~
674 ~~Legislature.~~

675 (10)-(9) LODGING EXPENSES.-Lodging expenses for an employee



676 of the corporation may not exceed \$150 per day, excluding taxes.
677 However, an employee of the corporation may expend his or her
678 own funds for any lodging expenses in excess of \$150 per day.

679 (11) RELEASE OF APPROPRIATIONS.—Notwithstanding s.
680 216.192, and in accordance with s. 216.351, the annual plan for
681 release of appropriations for the Department of Economic
682 Opportunity shall be quarterly. On July 1 of each fiscal year,
683 25 percent of the original operating budget of the corporation
684 shall be released. The balance of the appropriation shall be
685 held in reserve. By August 15 of each fiscal year, the
686 Department of Economic Opportunity shall submit a proposed
687 operating budget for the corporation including amounts to be
688 expended on advertising, events, other operating capital outlay,
689 and salaries and benefits for each employee to the Legislative
690 Budget Commission. Upon approval of the plan by the Legislative
691 Budget Commission, the remainder of the operating budget for the
692 corporation shall be released pursuant to this subsection.

693 (12) TRANSPARENCY.—

694 (a) The corporation is a governmental entity as defined in
695 s. 215.985 and, therefore, is subject to the Transparency
696 Florida Act.

697 (b) A contract entered into between the corporation and
698 any other entity that received more than 50 percent of its
699 revenue in the previous fiscal year from funds derived from a
700 tax imposed pursuant to s. 125.0104, s. 125.0108, or s. 212.0305



701 shall include:

702 1. The purpose of the contract.

703 2. Specific performance standards and responsibilities for
704 each entity.

705 3. A detailed project or contract budget, if applicable.

706 4. The value of any services provided.

707 5. The salaries of all employees and board members of the
708 entity and the projected travel and entertainment expenses for
709 such employees and board members.

710 (c)1. If a marketing partner received more than 50 percent
711 of its revenue in the previous fiscal year from funds derived
712 from a tax imposed pursuant to s. 125.0104, s. 125.0108, or
713 s. 212.0305, the marketing partner shall annually report all
714 public and private financial data to the corporation.

715 2. The financial data shall include:

716 a. The total amount of revenue received from public and
717 private sources.

718 b. The operating budget.

719 c. Employee and board member salary and benefit details.

720 d. An itemized account of all funds spent by a third party
721 on behalf of the corporation or a board member or an employee of
722 the corporation.

723 e. Itemized travel and entertainment expenditures.

724 (d) The following information must be posted on the
725 corporation's website:



726 1. A plain language version of each proposed and executed
727 contract exceeding \$35,000 with a private entity, municipality,
728 city, town, or vendor of services, supplies, or programs,
729 including marketing, or for the purchase or lease or use of
730 lands, facilities, or properties.

731 2. Any agreement entered into between the corporation and
732 any other entity, including a local government, private entity,
733 or nonprofit entity, that receives public funds or funds from a
734 tax imposed pursuant to s. 125.0104, s. 125.0108, or s.
735 212.0305.

736 3. Video recordings of each board meeting.

737 4. A detailed report of expenditures following each
738 marketing event paid for with the corporation's funds. Such
739 report must be posted within 10 business days after the event.

740 5. An annual itemized accounting of the total amount of
741 funds spent by any third party on behalf of the corporation or
742 any board member or employee of the corporation.

743 6. An annual itemized accounting of the total amount of
744 travel and entertainment expenditures by the corporation.

745 (e) The corporation's website must:

746 1. Allow users to navigate to related sites to view
747 supporting details.

748 2. Enable a taxpayer to email questions to the corporation
749 and make such questions and the corporation's responses publicly
750 viewable.



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751 (13) REPEAL.—This section is repealed October 1, 2019,
752 unless reviewed and saved from repeal by the Legislature.

753 Section 13. Section 288.12265, Florida Statutes, is
754 amended to read:

755 288.12265 Welcome centers.—

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

760 (2) The Department of Economic Opportunity ~~Enterprise~~
761 ~~Florida, Inc.~~, shall administer and operate the welcome centers.
762 Pursuant to a contract with the Department of Transportation,
763 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~,
764 shall be responsible for routine repair, replacement, or
765 improvement and the day-to-day management of interior areas
766 occupied by the welcome centers. All other repairs,
767 replacements, or improvements to the welcome centers shall be
768 the responsibility of the Department of Transportation. The
769 Department of Economic Opportunity ~~Enterprise Florida, Inc.~~, may
770 contract with the Florida Tourism Industry Marketing Corporation
771 for the management and operation of the welcome centers.

772 Section 14. Section 288.12266, Florida Statutes, is
773 created to read:

774 288.12266 Targeted Marketing Assistance Program.—

775 (1) The Targeted Marketing Assistance Program is created



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776 to enhance the tourism business marketing of small, minority,
777 rural, and agritourism businesses in the state. The department,
778 in conjunction with VISIT Florida, shall administer the program.
779 The program shall provide marketing plans, marketing assistance,
780 promotional support, media development, technical expertise,
781 marketing advice, technology training, social marketing support,
782 and other assistance to an eligible entity.

783 (2) As used in this section, the term "eligible entity"
784 means an independently owned and operated business with gross
785 revenue not exceeding \$1,250,000 or a nonprofit corporation that
786 meets the requirements of s. 501(c)(3) of the Internal Revenue
787 Code.

788 (3) The department and VISIT Florida shall provide an
789 annual report to the Governor, the President of the Senate, and
790 the Speaker of the House of Representatives documenting that at
791 least 50 percent of the eligible entities receiving assistance
792 through this program are independently owned and operated
793 businesses with gross revenues not exceeding \$500,000.

794 Section 15. Section 288.124, Florida Statutes, is amended
795 to read:

796 288.124 Convention grants program.—VISIT Florida
797 ~~Enterprise Florida, Inc.,~~ is authorized to establish a
798 convention grants program and, pursuant to that program, to
799 recommend to the department expenditures and contracts with
800 local governments and nonprofit corporations or organizations



801 for the purpose of attracting national conferences and
802 conventions to Florida. Preference shall be given to local
803 governments and nonprofit corporations or organizations seeking
804 to attract minority conventions to Florida. Minority conventions
805 are events that primarily involve minority persons, as defined
806 in s. 288.703, who are residents or nonresidents of the state.
807 VISIT Florida ~~Enterprise Florida, Inc.~~, shall establish
808 guidelines governing the award of grants and the administration
809 of this program. The department has final approval authority for
810 any grants under this section. The total annual allocation of
811 funds for this program shall not exceed \$40,000.

812 Section 16. Section 288.826, Florida Statutes, is
813 repealed.

814 Section 17. (1) The Florida International Trade and
815 Promotion Trust Fund, FLAIR number 40-2-338, within the
816 Department of Economic Opportunity is terminated.

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

820 (3) The Department of Economic Opportunity shall pay any
821 outstanding debts and obligations of the terminated trust fund
822 as soon as practicable, and the Chief Financial Officer shall
823 close out and remove the terminated trust fund from various
824 state accounting systems using generally accepted accounting
825 principles concerning warrants outstanding, assets, and



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826 liabilities.

827 Section 18. Subsection (3) of section 288.904, Florida
828 Statutes, is amended to read:

829 288.904 Funding for Enterprise Florida, Inc.; performance
830 and return on the public's investment.-

831 ~~(3)(a) Specifically for the marketing and advertising~~
832 ~~activities of the Division of Tourism Marketing or as contracted~~
833 ~~through the Florida Tourism Industry Corporation, a one-to-one~~
834 ~~match is required of private to public contributions within 4~~
835 ~~calendar years after the implementation date of the marketing~~
836 ~~plan pursuant to s. 288.923.~~

837 ~~(b) For purposes of calculating the required one-to-one~~
838 ~~match, matching private funds shall be divided into four~~
839 ~~categories. Documentation for the components of the four private~~
840 ~~match categories shall be kept on file for inspection as~~
841 ~~determined necessary. The four private match categories are:~~

842 1. ~~Direct cash contributions, which include, but are not~~
843 ~~limited to, cash derived from strategic alliances, contributions~~
844 ~~of stocks and bonds, and partnership contributions.~~

845 2. ~~Fees for services, which include, but are not limited~~
846 ~~to, event participation, research, and brochure placement and~~
847 ~~transparencies.~~

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

850 4. ~~In-kind contributions, which include, but are not~~



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851 ~~limited to, the value of strategic alliance services~~
852 ~~contributed, the value of loaned employees, discounted service~~
853 ~~fees, items contributed for use in promotions, and radio or~~
854 ~~television air time or print space for promotions. The value of~~
855 ~~air time or print space shall be calculated by taking the actual~~
856 ~~time or space and multiplying by the nonnegotiated unit price~~
857 ~~for that specific time or space which is known as the media~~
858 ~~equivalency value. In order to avoid duplication in determining~~
859 ~~media equivalency value, only the value of the promotion itself~~
860 ~~shall be included; the value of the items contributed for the~~
861 ~~promotion may not be included.~~

862 Section 19. Subsection (1) and paragraph (b) of subsection
863 (2) of section 288.92, Florida Statutes, are amended to read:

864 288.92 Divisions of Enterprise Florida, Inc.—

865 (1) Enterprise Florida, Inc., may create and dissolve
866 divisions as necessary to carry out its mission. Each division
867 shall have distinct responsibilities and complementary missions.
868 At a minimum, Enterprise Florida, Inc., shall have divisions
869 related to the following areas:

870 (a) International Trade and Business Development;

871 (b) Business Retention and Recruitment;

872 ~~(c) Tourism Marketing;~~

873 (c)~~(d)~~ Minority Business Development; and

874 (d)~~(e)~~ Sports Industry Development.

875 (2)



876 (b)1. The following officers and board members are subject
877 to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and
878 112.3143(2):

879 a. Officers and members of the board of directors of the
880 divisions of Enterprise Florida, Inc.

881 b. Officers and members of the board of directors of
882 subsidiaries of Enterprise Florida, Inc.

883 c. Officers and members of the board of directors of
884 corporations created to carry out the missions of Enterprise
885 Florida, Inc.

886 d. Officers and members of the board of directors of
887 corporations with which a division is required by law to
888 contract to carry out its missions.

889 2. For purposes of applying ss. 112.313(1)-(8), (10),
890 (12), and (15); 112.3135; and 112.3143(2) to activities of the
891 officers and members of the board of directors specified in
892 subparagraph 1., those persons shall be considered public
893 officers or employees and the corporation shall be considered
894 their agency.

895 ~~3. It is not a violation of s. 112.3143(2) or (4) for the~~
896 ~~officers or members of the board of directors of the Florida~~
897 ~~Tourism Industry Marketing Corporation to:~~

898 ~~a. Vote on the 4-year marketing plan required under s.~~
899 ~~288.923 or vote on any individual component of or amendment to~~
900 ~~the plan.~~



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901 ~~b. Participate in the establishment or calculation of~~
902 ~~payments related to the private match requirements of s.~~
903 ~~288.904(3). The officer or member must file an annual disclosure~~
904 ~~describing the nature of his or her interests or the interests~~
905 ~~of his or her principals, including corporate parents and~~
906 ~~subsidiaries of his or her principal, in the private match~~
907 ~~requirements. This annual disclosure requirement satisfies the~~
908 ~~disclosure requirement of s. 112.3143(4). This disclosure must~~
909 ~~be placed either on the Florida Tourism Industry Marketing~~
910 ~~Corporation's website or included in the minutes of each meeting~~
911 ~~of the Florida Tourism Industry Marketing Corporation's board of~~
912 ~~directors at which the private match requirements are discussed~~
913 ~~or voted upon.~~

914 Section 20. Section 288.923, Florida Statutes, is amended
915 to read:

916 288.923 ~~Division of~~ Tourism marketing; definitions;
917 responsibilities.—

918 (1) ~~There is created within Enterprise Florida, Inc., the~~
919 ~~Division of Tourism Marketing.~~

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

921 (a) "Tourism marketing" means any effort exercised to
922 attract domestic and international visitors from outside the
923 state to destinations in this state and to stimulate Florida
924 resident tourism to areas within the state.

925 (b) "Tourist" means any person who participates in trade



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926 or recreation activities outside the county of his or her
927 permanent residence or who rents or leases transient living
928 quarters or accommodations as described in s. 125.0104(3)(a).

929 (c) "County destination marketing organization" means a
930 public or private agency that is funded by local option tourist
931 development tax revenues under s. 125.0104, or local option
932 convention development tax revenues under s. 212.0305, and is
933 officially designated by a county commission to market and
934 promote the area for tourism or convention business or, in any
935 county that has not levied such taxes, a public or private
936 agency that is officially designated by the county commission to
937 market and promote the area for tourism or convention business.

938 (d) "Direct-support organization" means the Florida
939 Tourism Industry Marketing Corporation.

940 (2)(3) The Department of Economic Opportunity Enterprise
941 Florida, Inc., shall contract with the Florida Tourism Industry
942 Marketing Corporation, a direct-support organization established
943 in s. 288.1226, to execute tourism promotion and marketing
944 services, functions, and programs for the state, including, but
945 not limited to, the activities prescribed by the 4-year
946 marketing plan. ~~The division shall assist to maintain and~~
947 ~~implement the contract.~~

948 (3)(4) The department's ~~division's~~ responsibilities and
949 duties include, but are not limited to:

950 (a) Maintaining and implementing the contract with the



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951 Florida Tourism Industry Marketing Corporation.

952 (b) Ensuring that the corporation develops ~~Advising the~~
953 ~~department and Enterprise Florida, Inc., on development of~~
954 domestic and international tourism marketing campaigns featuring
955 Florida.

956 (c) Developing, in collaboration with the corporation, a
957 4-year marketing plan.

958 1. At a minimum, the marketing plan shall discuss the
959 following:

960 a. Continuation of overall tourism growth in this state.

961 b. Expansion to new or under-represented tourist markets.

962 c. Maintenance of traditional and loyal tourist markets.

963 d. Coordination of efforts with county destination
964 marketing organizations, other local government marketing
965 groups, privately owned attractions and destinations, and other
966 private sector partners to create a seamless, four-season
967 advertising campaign for the state and its regions.

968 e. Development of innovative techniques or promotions to
969 build repeat visitation by targeted segments of the tourist
970 population.

971 f. Consideration of innovative sources of state funding
972 for tourism marketing.

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

974 h. Development of a component to address emergency
975 response to natural and manmade disasters from a marketing



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976 standpoint.

977 2. The plan shall be annual in construction and ongoing in
978 nature. Any annual revisions of the plan shall carry forward the
979 concepts of the remaining 3-year portion of the plan and
980 consider a continuum portion to preserve the 4-year timeframe of
981 the plan. The plan also shall include recommendations for
982 specific performance standards and measurable outcomes for the
983 ~~division and~~ direct-support organization. The department, ~~in~~
984 ~~consultation with the board of directors of Enterprise Florida,~~
985 ~~Inc.~~, shall base the actual performance metrics on these
986 recommendations.

987 3. The 4-year marketing plan shall be developed in
988 collaboration with the Florida Tourism Industry Marketing
989 Corporation. The plan shall be annually reviewed and approved by
990 the department ~~board of directors of Enterprise Florida, Inc.~~

991 (d) Drafting and submitting an annual report ~~required by~~
992 ~~s. 288.92~~. The annual report shall set forth for the department
993 ~~division~~ and the direct-support organization:

994 1. Operations and accomplishments during the fiscal year,
995 including the economic benefit of the state's investment and
996 effectiveness of the marketing plan.

997 2. The 4-year marketing plan, including recommendations on
998 methods for implementing and funding the plan.

999 3. The assets and liabilities of the direct-support
1000 organization at the end of its most recent fiscal year.



1001 4. A copy of the annual financial and compliance audit
 1002 conducted under s. 288.1226(7) ~~288.1226(6)~~.

1003 ~~(5) Notwithstanding s. 288.92, the division shall be~~
 1004 ~~staffed by the Florida Tourism Industry Marketing Corporation.~~
 1005 ~~Such staff shall not be considered to be employees of the~~
 1006 ~~division and shall remain employees of the Florida Tourism~~
 1007 ~~Industry Marketing Corporation. Section 288.905 does not apply~~
 1008 ~~to the Florida Tourism Industry Marketing Corporation.~~

1009 (4) ~~(6)~~ This section is repealed October 1, 2019, unless
 1010 reviewed and saved from repeal by the Legislature.

1011 Section 21. This act shall take effect July 1, 2017.