



26 | 212.097, F.S., relating to the Urban High-Crime Area  
27 | Job Tax Credit Program; amending ss. 212.098, 212.20,  
28 | 218.61, 218.64, 220.02, 220.13, 220.183, and 220.1895,  
29 | F.S.; conforming provisions to changes made by the  
30 | act; conforming a cross-reference; repealing ss.  
31 | 220.1899 and 220.191, F.S., relating to an  
32 | entertainment industry tax credit and a capital  
33 | investment tax credit, respectively; amending s.  
34 | 220.194, F.S.; conforming a cross-reference; amending  
35 | ss. 220.196, 272.11, 287.0947, 287.137, and 288.0001,  
36 | F.S.; conforming provisions to changes made by the  
37 | act; repealing s. 288.001, F.S., relating to the  
38 | Florida Small Business Development Center Network;  
39 | amending s. 288.012, F.S.; conforming provisions to  
40 | changes made by the act; repealing s. 288.017, F.S.,  
41 | relating to a cooperative advertising matching grants  
42 | program; amending ss. 288.018, 288.047, 288.061,  
43 | 288.0655, 288.0656, 288.0658, 288.075, 288.076, and  
44 | 288.095, F.S.; conforming provisions to changes made  
45 | by the act; conforming a cross-reference; amending s.  
46 | 288.101, F.S.; removing a provision authorizing the  
47 | Governor to approve certain infrastructure funding;  
48 | repealing ss. 288.1045, 288.106, 288.107, 288.108,  
49 | 288.1081, 288.1082, 288.1088, and 288.1089, F.S.,  
50 | relating to the qualified defense contractor and space

51 flight business tax refund program, a tax refund  
52 program for qualified target industry businesses,  
53 brownfield redevelopment bonus refunds, high-impact  
54 business, the Economic Gardening Business Loan Pilot  
55 Program, the Economic Gardening Technical Assistance  
56 Pilot Program, the Quick Action Closing Fund, and the  
57 Innovation Incentive Program, respectively; amending  
58 s. 288.111, F.S.; conforming a provision to changes  
59 made by the act; repealing ss. 288.1162, 288.11621,  
60 288.11631, 288.1169, and 288.1171, F.S., relating to  
61 professional sports franchises, spring training  
62 baseball franchises, retention of Major League  
63 Baseball spring training baseball franchises, the  
64 International Game Fish Association World Center  
65 facility, and motorsports entertainment complexes,  
66 respectively; amending s. 288.12265, F.S.;

67 transferring responsibility for administering and  
68 operating welcome centers from Enterprise Florida,  
69 Inc., to the Florida Tourism Industry Marketing  
70 Corporation; repealing ss. 288.125, 288.1251,  
71 288.1252, 288.1253, 288.1254, and 288.1258, F.S.,  
72 relating to a definition of the term "entertainment  
73 industry," the promotion and development of the  
74 entertainment industry by the Office of Film and  
75 Entertainment, the Florida Film and Entertainment

76 | Advisory Council, certain travel and entertainment  
 77 | expenses, an entertainment industry financial  
 78 | incentive program, and entertainment industry  
 79 | qualified production companies, respectively; amending  
 80 | ss. 288.7015, 288.706, 288.773, 288.776, 288.7771,  
 81 | 288.816, and 288.826, F.S.; conforming provisions to  
 82 | changes made by the act; repealing ss. 288.901,  
 83 | 288.9015, 288.903, 288.904, 288.905, and 288.906,  
 84 | F.S., relating to Enterprise Florida, Inc., powers of  
 85 | board of directors of Enterprise Florida, Inc., duties  
 86 | of Enterprise Florida, Inc., funding for Enterprise  
 87 | Florida, Inc., the president and employees of  
 88 | Enterprise Florida, Inc., and the annual report and  
 89 | audits of Enterprise Florida, Inc., and its divisions,  
 90 | respectively; transferring, renumbering, and amending  
 91 | s. 288.907, F.S.; conforming provisions to changes  
 92 | made by the act; repealing s. 288.911, F.S., relating  
 93 | to the creation and implementation of a marketing and  
 94 | image campaign; transferring, renumbering, and  
 95 | amending s. 288.912, F.S.; conforming provisions to  
 96 | changes made by the act; repealing s. 288.92, F.S.,  
 97 | relating to the divisions of Enterprise Florida, Inc.;  
 98 | amending s. 288.923, F.S.; conforming provisions to  
 99 | changes made by the act; repealing ss. 288.95155,  
 100 | 288.9519, 288.9520, and 288.955, F.S., relating to the

101 Florida Small Business Technology Growth Program, a  
 102 not-for-profit corporation intended to promote the  
 103 competitiveness and profitability of high-technology  
 104 business and industry, public records exemption, and  
 105 the Scripps Florida Funding Corporation, respectively;  
 106 amending ss. 288.9603, 288.9605, 288.9614, and  
 107 288.9624, F.S.; conforming provisions to changes made  
 108 by the act; amending s. 288.96255, F.S.; conforming a  
 109 cross-reference; amending s. 288.980, F.S.; conforming  
 110 a provision to changes made by the act; repealing ss.  
 111 288.991, 288.9912, 288.9913, 288.9914, 288.9915,  
 112 288.9916, 288.9917, 288.9918, 288.9919, 288.9920,  
 113 288.9921, and 288.9922, F.S., relating to the New  
 114 Markets Development Program; repealing ss. 288.993,  
 115 288.9931, 288.9932, 288.9933, 288.9934, 288.9935,  
 116 288.9936, and 288.9937, F.S., relating to the Florida  
 117 Microfinance Act, definitions relating to certain  
 118 programs, the Microfinance Loan Program, the  
 119 Microfinance Guarantee Program, annual reports for  
 120 certain programs, and the evaluation of certain  
 121 programs, respectively; amending ss. 288.9961,  
 122 290.0056, 290.0065, 290.00677, 290.007, 290.053, and  
 123 295.22, F.S.; conforming provisions to changes made by  
 124 the act; conforming cross-references; amending ss.  
 125 320.08058, 331.3051, 331.3081, and 339.08, F.S.;

126 conforming provisions to changes made by the act;  
 127 repealing s. 339.2821, F.S., relating to economic  
 128 development transportation projects; amending ss.  
 129 376.82, 377.703, 377.804, 377.809, 380.0657, 401.23,  
 130 403.7032, 403.973, 443.091, 445.004, 445.045, 446.44,  
 131 465.003, 477.0135, 570.81, 570.85, and 624.5105, F.S.;  
 132 conforming provisions to changes made by the act;  
 133 conforming a cross-reference; repealing s. 625.3255,  
 134 F.S., relating to a capital participation instrument;  
 135 amending ss. 657.042, 658.67, 1004.015, 1004.65,  
 136 1004.78, 1011.76, and 1011.94, F.S.; conforming  
 137 provisions to changes made by the act; conforming a  
 138 cross-reference; providing an effective date.

139

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

141

142 Section 1. Paragraph (i) of subsection (3) of section  
 143 11.45, Florida Statutes, is amended to read:

144 11.45 Definitions; duties; authorities; reports; rules.—

145 (3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.—The  
 146 Auditor General may, pursuant to his or her own authority, or at  
 147 the direction of the Legislative Auditing Committee, conduct  
 148 audits or other engagements as determined appropriate by the  
 149 Auditor General of:

150 ~~(i) Enterprise Florida, Inc., including any of its boards,~~

151 ~~advisory committees, or similar groups created by Enterprise~~  
 152 ~~Florida, Inc., and programs. The audit report may not reveal the~~  
 153 ~~identity of any person who has anonymously made a donation to~~  
 154 ~~Enterprise Florida, Inc., pursuant to this paragraph. The~~  
 155 ~~identity of a donor or prospective donor to Enterprise Florida,~~  
 156 ~~Inc., who desires to remain anonymous and all information~~  
 157 ~~identifying such donor or prospective donor are confidential and~~  
 158 ~~exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I~~  
 159 ~~of the State Constitution. Such anonymity shall be maintained in~~  
 160 ~~the auditor's report.~~

161 Section 2. Paragraph (a) of subsection (3) of section  
 162 14.32, Florida Statutes, is amended to read:

163 14.32 Office of Chief Inspector General.—

164 (3) Related to public-private partnerships, the Chief  
 165 Inspector General:

166 (a) Shall advise public-private partnerships, ~~including~~  
 167 ~~Enterprise Florida, Inc.,~~ in their development, utilization, and  
 168 improvement of internal control measures necessary to ensure  
 169 fiscal accountability.

170 Section 3. Section 15.18, Florida Statutes, is amended to  
 171 read:

172 15.18 International and cultural relations.—The Divisions  
 173 of Arts and Culture, Historical Resources, and Library and  
 174 Information Services of the Department of State promote programs  
 175 having substantial cultural, artistic, and indirect economic

176 significance that emphasize American creativity. The Secretary  
177 of State, as the head administrator of these divisions, shall  
178 hereafter be known as "Florida's Chief Arts and Culture  
179 Officer." As this officer, the Secretary of State is encouraged  
180 to initiate and develop relationships between the state and  
181 foreign cultural officers, their representatives, and other  
182 foreign governmental officials in order to promote Florida as  
183 the center of American creativity. The Secretary of State shall  
184 coordinate international activities pursuant to this section  
185 with ~~Enterprise Florida, Inc.~~, and any ~~other~~ organization the  
186 secretary deems appropriate. For the accomplishment of this  
187 purpose, the Secretary of State shall have the power and  
188 authority to:

189 (1) Disseminate any information pertaining to the State of  
190 Florida which promotes the state's cultural assets.

191 (2) Plan and carry out activities designed to cause  
192 improved cultural and governmental programs and exchanges with  
193 foreign countries.

194 (3) Plan and implement cultural and social activities for  
195 visiting foreign heads of state, diplomats, dignitaries, and  
196 exchange groups.

197 (4) Encourage and cooperate with other public and private  
198 organizations or groups in their efforts to promote the cultural  
199 advantages of Florida.

200 (5) Serve as the liaison with all foreign consular and

201 ambassadorial corps, as well as international organizations,  
 202 that are consistent with the purposes of this section.

203 (6) Provide, arrange, and make expenditures for the  
 204 achievement of any or all of the purposes specified in this  
 205 section.

206 Section 4. Subsection (2) of section 15.182, Florida  
 207 Statutes, is amended to read:

208 15.182 International travel by state-funded musical,  
 209 cultural, or artistic organizations; notification to the  
 210 Department of State.—

211 (2) The Department of State, in conjunction with the  
 212 Department of Economic Opportunity ~~and Enterprise Florida, Inc.~~,  
 213 shall act as an intermediary between performing musical,  
 214 cultural, and artistic organizations and Florida businesses to  
 215 encourage and coordinate joint undertakings. Such coordination  
 216 may include, but is not limited to, encouraging business and  
 217 industry to sponsor cultural events, assistance with travel of  
 218 such organizations, and coordinating travel schedules of  
 219 cultural performance groups and international trade missions.

220 Section 5. Paragraph (a) of subsection (7) of section  
 221 20.435, Florida Statutes, is amended to read:

222 20.435 Department of Health; trust funds.—The following  
 223 trust funds shall be administered by the Department of Health:

224 (7) Biomedical Research Trust Fund.

225 (a) Funds to be credited to the trust fund shall consist

226 of funds appropriated by the Legislature. Funds shall be used  
 227 for the purposes of the James and Esther King Biomedical  
 228 Research Program, the Casey DeSantis Cancer Research Program,  
 229 and the William G. "Bill" Bankhead, Jr., and David Coley Cancer  
 230 Research Program as specified in ss. 215.5602, ~~288.955~~, 381.915,  
 231 and 381.922. The trust fund is exempt from the service charges  
 232 imposed by s. 215.20.

233 Section 6. Subsection (4), paragraph (a) of subsection  
 234 (5), paragraph (b) of subsection (9), and subsections (10) and  
 235 (11) of section 20.60, Florida Statutes, are amended to read:

236 20.60 Department of Economic Opportunity; creation; powers  
 237 and duties.—

238 (4) The purpose of the department is to assist the  
 239 Governor in working with the Legislature, state agencies,  
 240 business leaders, and economic development professionals to  
 241 formulate and implement coherent and consistent policies and  
 242 strategies designed to promote economic opportunities for all  
 243 Floridians. To accomplish such purposes, the department shall:

244 (a) Facilitate the direct involvement of the Governor and  
 245 the Lieutenant Governor in economic development and workforce  
 246 development projects designed to create, expand, and retain  
 247 businesses in this state, to recruit business from around the  
 248 world, and to facilitate other job-creating efforts.

249 (b) Recruit new businesses to this state and promote the  
 250 expansion of existing businesses by expediting permitting and

251 location decisions, worker placement and training, and incentive  
252 awards.

253 (c) Promote viable, sustainable communities by providing  
254 technical assistance and guidance on growth and development  
255 issues, grants, and other assistance to local communities.

256 (d) Ensure that the state's goals and policies relating to  
257 economic development, workforce development, community planning  
258 and development, and affordable housing are fully integrated  
259 with appropriate implementation strategies.

260 (e) Manage the activities of public-private partnerships  
261 and state agencies in order to avoid duplication and promote  
262 coordinated and consistent implementation of programs in areas  
263 including, but not limited to, tourism; international trade and  
264 investment; business recruitment, creation, retention, and  
265 expansion; minority and small business development; rural  
266 community development; and the development and promotion of  
267 professional and amateur sporting events.

268 (f) Coordinate with state agencies on the processing of  
269 state development approvals or permits to minimize the  
270 duplication of information provided by the applicant and the  
271 time before approval or disapproval.

272 (5) The divisions within the department have specific  
273 responsibilities to achieve the duties, responsibilities, and  
274 goals of the department. Specifically:

275 (a) The Division of Strategic Business Development shall:

276 1. Analyze and evaluate business prospects identified by  
277 the Governor and, ~~the secretary, and Enterprise Florida, Inc.~~

278 2. Administer certain tax refund, tax credit, and grant  
279 programs created in law. Notwithstanding any other provision of  
280 law, the department may expend interest earned from the  
281 investment of program funds deposited in the Grants and  
282 Donations Trust Fund to contract for the administration of those  
283 programs, or portions of the programs, assigned to the  
284 department by law, by the appropriations process, or by the  
285 Governor. Such expenditures shall be subject to review under  
286 chapter 216.

287 3. Develop measurement protocols for the state incentive  
288 programs and for the contracted entities which will be used to  
289 determine their performance and competitive value to the state.  
290 Performance measures, benchmarks, and sanctions must be  
291 developed in consultation with the legislative appropriations  
292 committees and the appropriate substantive committees, and are  
293 subject to the review and approval process provided in s.  
294 216.177. The approved performance measures, standards, and  
295 sanctions shall be included and made a part of the strategic  
296 plan for contracts entered into for delivery of programs  
297 authorized by this section.

298 4. Develop a 5-year statewide strategic plan. The  
299 strategic plan must include, but need not be limited to:

300 a. Strategies for the promotion of business formation,

301 expansion, recruitment, and retention through aggressive  
302 marketing, international development, and export assistance,  
303 which lead to more and better jobs and higher wages for all  
304 geographic regions, disadvantaged communities, and populations  
305 of the state, including rural areas, minority businesses, and  
306 urban core areas.

307 b. The development of realistic policies and programs to  
308 further the economic diversity of the state, its regions, and  
309 their associated industrial clusters.

310 c. Specific provisions for the stimulation of economic  
311 development and job creation in rural areas and midsize cities  
312 and counties of the state, including strategies for rural  
313 marketing and the development of infrastructure in rural areas.

314 d. Provisions for the promotion of the successful long-  
315 term economic development of the state with increased emphasis  
316 in market research and information.

317 e. Plans for the generation of foreign investment in the  
318 state which create jobs paying above-average wages and which  
319 result in reverse investment in the state, including programs  
320 that establish viable overseas markets, assist in meeting the  
321 financing requirements of export-ready firms, broaden  
322 opportunities for international joint venture relationships, use  
323 the resources of academic and other institutions, coordinate  
324 trade assistance and facilitation services, and facilitate  
325 availability of and access to education and training programs

326 that assure requisite skills and competencies necessary to  
 327 compete successfully in the global marketplace.

328 f. The identification of business sectors that are of  
 329 current or future importance to the state's economy and to the  
 330 state's global business image, and development of specific  
 331 strategies to promote the development of such sectors.

332 g. Strategies for talent development necessary in the  
 333 state to encourage economic development growth, taking into  
 334 account factors such as the state's talent supply chain,  
 335 education and training opportunities, and available workforce.

336 5. Update the strategic plan every 5 years.

337 6. Involve ~~Enterprise Florida, Inc.;~~ CareerSource Florida,  
 338 Inc.; local governments; the general public; local and regional  
 339 economic development organizations; other local, state, and  
 340 federal economic, international, and workforce development  
 341 entities; the business community; and educational institutions  
 342 to assist with the strategic plan.

343 (9) The secretary shall:

344 (b) Serve as the manager for the state with respect to  
 345 contracts with ~~Enterprise Florida, Inc.,~~ and all applicable  
 346 direct-support organizations. To accomplish the provisions of  
 347 this section and applicable provisions of chapter 288, and  
 348 notwithstanding the provisions of part I of chapter 287, the  
 349 secretary shall enter into specific contracts with ~~Enterprise~~  
 350 ~~Florida, Inc.,~~ and other appropriate direct-support

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351 organizations. Such contracts may be for multiyear terms and  
352 must include specific performance measures for each year. For  
353 purposes of this section, the Florida Tourism Industry Marketing  
354 Corporation and the Institute for Commercialization of Florida  
355 Technology are not appropriate direct-support organizations.

356 (10) The department, ~~with assistance from Enterprise~~  
357 ~~Florida, Inc.~~, shall, by November 1 of each year, submit an  
358 annual report to the Governor, the President of the Senate, and  
359 the Speaker of the House of Representatives on the condition of  
360 the business climate and economic development in the state.

361 (a) The report must include the identification of problems  
362 and a prioritized list of recommendations.

363 (b) The report must incorporate annual reports of other  
364 programs, including:

365 1. Information provided by the Department of Revenue under  
366 s. 290.014.

367 2. Information provided by enterprise zone development  
368 agencies under s. 290.0056 and an analysis of the activities and  
369 accomplishments of each enterprise zone.

370 ~~3. The Economic Gardening Business Loan Pilot Program~~  
371 ~~established under s. 288.1081 and the Economic Gardening~~  
372 ~~Technical Assistance Pilot Program established under s.~~  
373 ~~288.1082.~~

374 3.4. A detailed report of the performance of the Black  
375 Business Loan Program and a cumulative summary of quarterly

376 report data required under s. 288.714.

377 ~~4.5.~~ The Rural Economic Development Initiative established  
378 under s. 288.0656.

379 ~~5.6.~~ The Florida Unique Abilities Partner Program.

380 ~~6.7.~~ A detailed report of the performance of the Florida  
381 Development Finance Corporation and a summary of the  
382 corporation's report required under s. 288.9610.

383 (11) The department shall establish annual performance  
384 standards for ~~Enterprise Florida, Inc.;~~ CareerSource Florida,  
385 Inc.; the Florida Tourism Industry Marketing Corporation; Space  
386 Florida; and the Florida Development Finance Corporation and  
387 report annually on how these performance measures are being met  
388 in the annual report required under subsection (10).

389 Section 7. Section 20.601, Florida Statutes, is repealed.

390 Section 8. (1) All duties, functions, records, pending  
391 issues, existing contracts, administrative authority,  
392 administrative rules, and unexpended balances of appropriations,  
393 allocations, and other public funds relating to the programs in  
394 Enterprise Florida, Inc., are transferred by a type two transfer  
395 to the Department of Economic Opportunity.

396 (2) (a) The Florida Sports Foundation, incorporated under  
397 chapter 617, Florida Statutes, which was previously merged into  
398 and transferred to Enterprise Florida, Inc., may enter into an  
399 agreement with the Department of Economic Opportunity to  
400 continue any existing program, activity, duty, or function

401 necessary for the operation of that foundation.

402 (b) Any funds held in trust which were donated to or  
403 earned by the Florida Sports Foundation may be used by that  
404 foundation for the original purposes for which the funds were  
405 received.

406 (3) It is the intent of the Legislature that the changes  
407 made by this act be accomplished with minimal disruption of  
408 services provided to the public and with minimal disruption to  
409 employees of any organization.

410 Section 9. For programs established pursuant to ss.  
411 212.097, 220.1899, 220.191, 288.1045, 288.106, 288.107, 288.108,  
412 288.1081, 288.1082, 288.1088, 288.1089, 288.1162, 288.11621,  
413 288.11631, 288.1169, 288.1171, 288.95155, 288.9916, 288.9934,  
414 288.9935, and 339.2821, Florida Statutes, no new or additional  
415 applications or certifications shall be approved, no new letters  
416 of certification may be issued, no new contracts or agreements  
417 may be executed, and no new awards may be made. All  
418 certifications are rescinded except for those certified  
419 applicants or projects that continue to meet the criteria in  
420 effect before July 1, 2023. Any existing contracts or agreements  
421 authorized under any of these programs shall continue in full  
422 force and effect in accordance with the statutory requirements  
423 in effect when the contract or agreement was executed or last  
424 modified. However, no further modifications, extensions, or  
425 waivers may be made or granted relating to such contracts or

426 agreements except computations by the Department of Revenue of  
 427 the income generated by or arising out of the qualifying  
 428 project.

429 Section 10. Paragraph (n) of subsection (3) of section  
 430 125.0104, Florida Statutes, is amended to read:

431 125.0104 Tourist development tax; procedure for levying;  
 432 authorized uses; referendum; enforcement.—

433 (3) TAXABLE PRIVILEGES; EXEMPTIONS; LEVY; RATE.—

434 (n) In addition to any other tax that is imposed under  
 435 this section, a county that has imposed the tax under paragraph  
 436 (1) may impose an additional tax that is no greater than 1  
 437 percent on the exercise of the privilege described in paragraph  
 438 (a) by a majority plus one vote of the membership of the board  
 439 of county commissioners in order to:

440 1. Pay the debt service on bonds issued to finance:

441 a. The construction, reconstruction, or renovation of a  
 442 facility either publicly owned and operated, or publicly owned  
 443 and operated by the owner of a professional sports franchise or  
 444 other lessee with sufficient expertise or financial capability  
 445 to operate such facility, and to pay the planning and design  
 446 costs incurred prior to the issuance of such bonds for a new  
 447 professional sports franchise ~~as defined in s. 288.1162.~~ As used  
 448 in this sub-subparagraph, the term "new professional sports  
 449 franchise" means a professional sports franchise that was not  
 450 based in this state before April 1, 1987.

451           b. The acquisition, construction, reconstruction, or  
 452 renovation of a facility either publicly owned and operated, or  
 453 publicly owned and operated by the owner of a professional  
 454 sports franchise or other lessee with sufficient expertise or  
 455 financial capability to operate such facility, and to pay the  
 456 planning and design costs incurred prior to the issuance of such  
 457 bonds for a retained spring training franchise.

458           2. Promote and advertise tourism in the State of Florida  
 459 and nationally and internationally; however, if tax revenues are  
 460 expended for an activity, service, venue, or event, the  
 461 activity, service, venue, or event shall have as one of its main  
 462 purposes the attraction of tourists as evidenced by the  
 463 promotion of the activity, service, venue, or event to tourists.  
 464

465 A county that imposes the tax authorized in this paragraph may  
 466 not expend any ad valorem tax revenues for the acquisition,  
 467 construction, reconstruction, or renovation of a facility for  
 468 which tax revenues are used pursuant to subparagraph 1. The  
 469 provision of paragraph (b) which prohibits any county authorized  
 470 to levy a convention development tax pursuant to s. 212.0305  
 471 from levying more than the 2-percent tax authorized by this  
 472 section shall not apply to the additional tax authorized by this  
 473 paragraph in counties which levy convention development taxes  
 474 pursuant to s. 212.0305(4)(a). Subsection (4) does not apply to  
 475 the adoption of the additional tax authorized in this paragraph.

476 The effective date of the levy and imposition of the tax  
 477 authorized under this paragraph is the first day of the second  
 478 month following approval of the ordinance by the board of county  
 479 commissioners or the first day of any subsequent month specified  
 480 in the ordinance. A certified copy of such ordinance shall be  
 481 furnished by the county to the Department of Revenue within 10  
 482 days after approval of the ordinance.

483 Section 11. Subsection (11) of section 159.803, Florida  
 484 Statutes, is amended to read:

485 159.803 Definitions.—As used in this part, the term:

486 (11) "Florida First Business project" means any project  
 487 which is certified by the Department of Economic Opportunity as  
 488 eligible to receive an allocation from the Florida First  
 489 Business allocation pool established pursuant to s. 159.8083.  
 490 The Department of Economic Opportunity may certify ~~these~~  
 491 ~~projects meeting the criteria set forth in s. 288.106(4)(b) or~~  
 492 any project providing a substantial economic benefit to this  
 493 state.

494 Section 12. Paragraph (a) of subsection (8) of section  
 495 166.231, Florida Statutes, is amended to read:

496 166.231 Municipalities; public service tax.—

497 (8)(a) Beginning July 1, 1995, a municipality may by  
 498 ordinance exempt not less than 50 percent of the tax imposed  
 499 under this section on purchasers of electrical energy who are  
 500 determined to be eligible for the exemption provided by s.

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501 212.08(14) ~~s. 212.08(15)~~ by the Department of Revenue. The  
 502 exemption shall be administered as provided in that section. A  
 503 copy of any ordinance adopted pursuant to this subsection shall  
 504 be provided to the Department of Revenue not less than 14 days  
 505 prior to its effective date.

506 Section 13. Section 189.033, Florida Statutes, is amended  
 507 to read:

508 189.033 Independent special district services in  
 509 disproportionately affected county; rate reduction for providers  
 510 providing economic benefits.—If the governing body of an  
 511 independent special district that provides water, wastewater,  
 512 and sanitation services in a disproportionately affected county~~7~~  
 513 ~~as defined in s. 288.106(8)~~, determines that a new user or the  
 514 expansion of an existing user of one or more of its utility  
 515 systems will provide a significant benefit to the community in  
 516 terms of increased job opportunities, economies of scale, or  
 517 economic development in the area, the governing body may  
 518 authorize a reduction of its rates, fees, or charges for that  
 519 user for a specified period of time. A governing body that  
 520 exercises this power must do so by resolution that states the  
 521 anticipated economic benefit justifying the reduction as well as  
 522 the period of time that the reduction will remain in place. As  
 523 used in this section, the term "disproportionally affected  
 524 county" means Bay County, Escambia County, Franklin County, Gulf  
 525 County, Okaloosa County, Santa Rosa County, Walton County, or

526 Wakulla County.

527 Section 14. Subsections (11) through (19) of section  
528 196.012, Florida Statutes, are renumbered as subsections (12)  
529 through (20), respectively, paragraph (a) of present subsection  
530 (14), paragraph (a) of present subsection (15), and present  
531 subsection (16) of that section are amended, and a new  
532 subsection (11) is added to that section, to read:

533 196.012 Definitions.—For the purpose of this chapter, the  
534 following terms are defined as follows, except where the context  
535 clearly indicates otherwise:

536 (11) "Target industry business" means a corporate  
537 headquarters business or any business that is engaged in one of  
538 the target industries identified pursuant to the following  
539 criteria developed by the Department of Economic Opportunity:

540 (a) Future growth.—The industry forecast indicates strong  
541 expectation for future growth in employment and output,  
542 according to the most recent available data. Special  
543 consideration should be given to businesses that export goods  
544 to, or provide services in, international markets and businesses  
545 that onshore business operations to replace domestic and  
546 international imports of goods or services.

547 (b) Stability.—The industry is not subject to periodic  
548 layoffs, whether due to seasonality or sensitivity to volatile  
549 economic variables such as weather. The industry is also  
550 relatively resistant to recession, so that the demand for

551 products of this industry is not typically subject to decline  
552 during an economic downturn.

553 (c) High wage.—The industry pays relatively high wages  
554 compared to statewide or area averages.

555 (d) Market and resource independent.—The industry business  
556 location is not dependent on markets or resources in the state  
557 as indicated by industry analysis, except for businesses in the  
558 renewable energy industry.

559 (e) Industrial base diversification and strengthening.—The  
560 industry contributes toward expanding or diversifying the  
561 state's or area's economic base, as indicated by analysis of  
562 employment and output shares compared to national and regional  
563 trends. Special consideration should be given to industries that  
564 strengthen regional economies by adding value to basic products  
565 or building regional industrial clusters as indicated by  
566 industry analysis. Special consideration should also be given to  
567 the development of strong industrial clusters that include  
568 defense and homeland security businesses.

569 (f) Positive economic impact.—The industry has strong  
570 positive economic impacts on or benefits to the state or  
571 regional economies. Special consideration should be given to  
572 industries that facilitate the development of the state as a hub  
573 for domestic and global trade and logistics.

574  
575 The term does not include any business engaged in retail

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576 industry activities; any electrical utility company as defined  
577 in s. 366.02(4); any phosphate or other solid minerals  
578 severance, mining, or processing operation; any oil or gas  
579 exploration or production operation; or any business subject to  
580 regulation by the Division of Hotels and Restaurants of the  
581 Department of Business and Professional Regulation. Any business  
582 within NAICS code 5611 or 5614, office administrative services  
583 and business support services, respectively, may be considered a  
584 target industry business only after the local governing body and  
585 the Department of Economic Opportunity determine that the  
586 community in which the business may locate has conditions  
587 affecting the fiscal and economic viability of the local  
588 community or area, including, but not limited to, low per capita  
589 income, high unemployment, high underemployment, and a lack of  
590 year-round stable employment opportunities, and such conditions  
591 may be improved by the business locating in such community. By  
592 January 1 of every 3rd year, beginning January 1, 2011, the  
593 Department of Economic Opportunity, in consultation with  
594 economic development organizations, the State University System,  
595 local governments, employee and employer organizations, market  
596 analysts, and economists, shall review and, as appropriate,  
597 revise the list of target industries and submit the list to the  
598 Governor, the President of the Senate, and the Speaker of the  
599 House of Representatives.

600 (15)-(14) "New business" means:

601 (a)1. A business or organization establishing 10 or more  
 602 new jobs to employ 10 or more full-time employees in this state,  
 603 paying an average wage for such new jobs that is above the  
 604 average wage in the area, which principally engages in any one  
 605 or more of the following operations:

606 a. manufactures, processes, compounds, fabricates, or  
 607 produces for sale items of tangible personal property at a fixed  
 608 location and which comprises an industrial or manufacturing  
 609 plant; or

610 b. Is a target industry business as defined in subsection  
 611 (11) ~~s. 288.106(2)(a)~~;

612 2. A business or organization establishing 25 or more new  
 613 jobs to employ 25 or more full-time employees in this state, the  
 614 sales factor of which, as defined by s. 220.15(5), for the  
 615 facility with respect to which it requests an economic  
 616 development ad valorem tax exemption is less than 0.50 for each  
 617 year the exemption is claimed; or

618 3. An office space in this state owned and used by a  
 619 business or organization newly domiciled in this state; provided  
 620 such office space houses 50 or more full-time employees of such  
 621 business or organization; provided that such business or  
 622 organization office first begins operation on a site clearly  
 623 separate from any other commercial or industrial operation owned  
 624 by the same business or organization.

625 (16) ~~(15)~~ "Expansion of an existing business" means:

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626 (a)1. A business or organization establishing 10 or more  
627 new jobs to employ 10 or more full-time employees in this state,  
628 paying an average wage for such new jobs that is above the  
629 average wage in the area, which principally engages in any of  
630 the operations referred to in subparagraph (15) (a)1. ~~(14) (a)1.~~;  
631 or

632 2. A business or organization establishing 25 or more new  
633 jobs to employ 25 or more full-time employees in this state, the  
634 sales factor of which, as defined by s. 220.15(5), for the  
635 facility with respect to which it requests an economic  
636 development ad valorem tax exemption is less than 0.50 for each  
637 year the exemption is claimed; provided that such business  
638 increases operations on a site located within the same county,  
639 municipality, or both colocated with a commercial or industrial  
640 operation owned by the same business or organization under  
641 common control with the same business or organization, resulting  
642 in a net increase in employment of not less than 10 percent or  
643 an increase in productive output or sales of not less than 10  
644 percent.

645 (17) ~~(16)~~ "Permanent resident" means a person who has  
646 established a permanent residence as defined in subsection (18)  
647 ~~(17)~~.

648 Section 15. Subsection (2) of section 196.101, Florida  
649 Statutes, is amended to read:

650 196.101 Exemption for totally and permanently disabled

651 persons.—

652 (2) Any real estate used and owned as a homestead by a  
 653 paraplegic, hemiplegic, or other totally and permanently  
 654 disabled person, as defined in s. 196.012(12) ~~s. 196.012(11)~~,  
 655 who must use a wheelchair for mobility or who is legally blind,  
 656 is exempt from taxation.

657 Section 16. Subsection (2) of section 196.121, Florida  
 658 Statutes, is amended to read:

659 196.121 Homestead exemptions; forms.—

660 (2) The forms shall require the taxpayer to furnish  
 661 certain information to the property appraiser for the purpose of  
 662 determining that the taxpayer is a permanent resident as defined  
 663 in s. 196.012(17) ~~s. 196.012(16)~~. Such information may include,  
 664 but need not be limited to, the factors enumerated in s.  
 665 196.015.

666 Section 17. Section 196.198, Florida Statutes, is amended  
 667 to read:

668 196.198 Educational property exemption.—Educational  
 669 institutions within this state and their property used by them  
 670 or by any other exempt entity or educational institution  
 671 exclusively for educational purposes are exempt from taxation.  
 672 Sheltered workshops providing rehabilitation and retraining of  
 673 individuals who have disabilities and exempted by a certificate  
 674 under s. (d) of the federal Fair Labor Standards Act of 1938, as  
 675 amended, are declared wholly educational in purpose and are

676 exempt from certification, accreditation, and membership  
 677 requirements set forth in s. 196.012. Those portions of property  
 678 of college fraternities and sororities certified by the  
 679 president of the college or university to the appropriate  
 680 property appraiser as being essential to the educational process  
 681 are exempt from ad valorem taxation. The use of property by  
 682 public fairs and expositions chartered by chapter 616 is  
 683 presumed to be an educational use of such property and is exempt  
 684 from ad valorem taxation to the extent of such use. Property  
 685 used exclusively for educational purposes shall be deemed owned  
 686 by an educational institution if the entity owning 100 percent  
 687 of the educational institution is owned by the identical persons  
 688 who own the property, or if the entity owning 100 percent of the  
 689 educational institution and the entity owning the property are  
 690 owned by the identical natural persons. Land, buildings, and  
 691 other improvements to real property used exclusively for  
 692 educational purposes shall be deemed owned by an educational  
 693 institution if the entity owning 100 percent of the land is a  
 694 nonprofit entity and the land is used, under a ground lease or  
 695 other contractual arrangement, by an educational institution  
 696 that owns the buildings and other improvements to the real  
 697 property, is a nonprofit entity under s. 501(c)(3) of the  
 698 Internal Revenue Code, and provides education limited to  
 699 students in prekindergarten through grade 8. ~~Land, buildings,~~  
 700 ~~and other improvements to real property used exclusively for~~

701 ~~educational purposes are deemed owned by an educational~~  
702 ~~institution if the educational institution that currently uses~~  
703 ~~the land, buildings, and other improvements for educational~~  
704 ~~purposes is an educational institution described in s. 212.0602,~~  
705 ~~and, under a lease, the educational institution is responsible~~  
706 ~~for any taxes owed and for ongoing maintenance and operational~~  
707 ~~expenses for the land, buildings, and other improvements. For~~  
708 ~~such leasehold properties, the educational institution shall~~  
709 ~~receive the full benefit of the exemption. The owner of the~~  
710 ~~property shall disclose to the educational institution the full~~  
711 ~~amount of the benefit derived from the exemption and the method~~  
712 ~~for ensuring that the educational institution receives the~~  
713 ~~benefit.~~ Notwithstanding ss. 196.195 and 196.196, property owned  
714 by a house of public worship and used by an educational  
715 institution for educational purposes limited to students in  
716 preschool through grade 8 shall be exempt from ad valorem taxes.  
717 If legal title to property is held by a governmental agency that  
718 leases the property to a lessee, the property shall be deemed to  
719 be owned by the governmental agency and used exclusively for  
720 educational purposes if the governmental agency continues to use  
721 such property exclusively for educational purposes pursuant to a  
722 sublease or other contractual agreement with that lessee. If the  
723 title to land is held by the trustee of an irrevocable inter  
724 vivos trust and if the trust grantor owns 100 percent of the  
725 entity that owns an educational institution that is using the

726 land exclusively for educational purposes, the land is deemed to  
 727 be property owned by the educational institution for purposes of  
 728 this exemption. Property owned by an educational institution  
 729 shall be deemed to be used for an educational purpose if the  
 730 institution has taken affirmative steps to prepare the property  
 731 for educational use. The term "affirmative steps" means  
 732 environmental or land use permitting activities, creation of  
 733 architectural plans or schematic drawings, land clearing or site  
 734 preparation, construction or renovation activities, or other  
 735 similar activities that demonstrate commitment of the property  
 736 to an educational use.

737 Section 18. Subsections (6) and (11) of section 196.1995,  
 738 Florida Statutes, are amended to read:

739 196.1995 Economic development ad valorem tax exemption.—

740 (6) With respect to a new business as defined in s.  
 741 196.012(15)(c) ~~by s. 196.012(14)(e)~~, the municipality annexing  
 742 the property on which the business is situated may grant an  
 743 economic development ad valorem tax exemption under this section  
 744 to that business for a period that will expire upon the  
 745 expiration of the exemption granted by the county. If the county  
 746 renews the exemption under subsection (7), the municipality may  
 747 also extend its exemption. A municipal economic development ad  
 748 valorem tax exemption granted under this subsection may not  
 749 extend beyond the duration of the county exemption.

750 (11) An ordinance granting an exemption under this section

751 shall be adopted in the same manner as any other ordinance of  
 752 the county or municipality and shall include the following:

753 (a) The name and address of the new business or expansion  
 754 of an existing business to which the exemption is granted;

755 (b) The total amount of revenue available to the county or  
 756 municipality from ad valorem tax sources for the current fiscal  
 757 year, the total amount of revenue lost to the county or  
 758 municipality for the current fiscal year by virtue of economic  
 759 development ad valorem tax exemptions currently in effect, and  
 760 the estimated revenue loss to the county or municipality for the  
 761 current fiscal year attributable to the exemption of the  
 762 business named in the ordinance;

763 (c) The period of time for which the exemption will remain  
 764 in effect and the expiration date of the exemption, which may be  
 765 any period of time up to 10 years, or up to 20 years for a data  
 766 center; and

767 (d) A finding that the business named in the ordinance  
 768 meets the requirements of s. 196.012(15) or (16) ~~s. 196.012(14)~~  
 769 ~~or (15)~~.

770 Section 19. Paragraph (e) of subsection (1) of section  
 771 197.3181, Florida Statutes, is amended to read:

772 197.3181 Refund of taxes for residential improvements  
 773 rendered uninhabitable by Hurricane Ian or Hurricane Nicole.—

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

775 (e) "Residential improvement" means a residential dwelling

776 or house on real estate used and owned as a homestead as defined  
 777 in s. 196.012(14) ~~s. 196.012(13)~~ or used as nonhomestead  
 778 residential property as defined in s. 193.1554(1). A residential  
 779 improvement does not include a structure that is not essential  
 780 to the use and occupancy of the residential dwelling or house,  
 781 including, but not limited to, a detached utility building,  
 782 detached carport, detached garage, bulkhead, fence, or swimming  
 783 pool, and does not include land.

784 Section 20. Paragraph (f) of subsection (1) of section  
 785 197.319, Florida Statutes, is amended to read:

786 197.319 Refund of taxes for residential improvements  
 787 rendered uninhabitable by a catastrophic event.—

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

789 (f) "Residential improvement" means real estate used and  
 790 owned as a homestead as defined in s. 196.012(14) ~~s. 196.012(13)~~  
 791 or nonhomestead residential property as defined in s.  
 792 193.1554(1). A residential improvement does not include a  
 793 structure that is not essential to the use and occupancy of the  
 794 residential dwelling or house, including, but not limited to, a  
 795 detached utility building, detached carport, detached garage,  
 796 bulkhead, fence, or swimming pool, and does not include land.

797 Section 21. Paragraph (a) of subsection (14) of section  
 798 212.02, Florida Statutes, is amended to read:

799 212.02 Definitions.—The following terms and phrases when  
 800 used in this chapter have the meanings ascribed to them in this

801 section, except where the context clearly indicates a different  
 802 meaning:

803 (14) (a) "Retail sale" or a "sale at retail" means a sale  
 804 to a consumer or to any person for any purpose other than for  
 805 resale in the form of tangible personal property or services  
 806 taxable under this chapter, and includes all such transactions  
 807 that may be made in lieu of retail sales or sales at retail. A  
 808 sale for resale includes a sale of qualifying property. As used  
 809 in this paragraph, the term "qualifying property" means tangible  
 810 personal property, other than electricity, which is used or  
 811 consumed by a government contractor in the performance of a  
 812 qualifying contract as defined in s. 212.08(16)(c) ~~s.~~  
 813 ~~212.08(17)(c)~~, to the extent that the cost of the property is  
 814 allocated or charged as a direct item of cost to such contract,  
 815 title to which property vests in or passes to the government  
 816 under the contract. The term "government contractor" includes  
 817 prime contractors and subcontractors. As used in this paragraph,  
 818 a cost is a "direct item of cost" if it is a "direct cost" as  
 819 defined in 48 C.F.R. s. 9904.418-30(a)(2), or similar successor  
 820 provisions, including costs identified specifically with a  
 821 particular contract.

822 Section 22. Paragraph (a) of subsection (1) of section  
 823 212.031, Florida Statutes, is amended to read:

824 212.031 Tax on rental or license fee for use of real  
 825 property.—

826 (1) (a) It is declared to be the legislative intent that  
 827 every person is exercising a taxable privilege who engages in  
 828 the business of renting, leasing, letting, or granting a license  
 829 for the use of any real property unless such property is:

- 830 1. Assessed as agricultural property under s. 193.461.
- 831 2. Used exclusively as dwelling units.
- 832 3. Property subject to tax on parking, docking, or storage  
 833 spaces under s. 212.03(6).
- 834 4. Recreational property or the common elements of a  
 835 condominium when subject to a lease between the developer or  
 836 owner thereof and the condominium association in its own right  
 837 or as agent for the owners of individual condominium units or  
 838 the owners of individual condominium units. However, only the  
 839 lease payments on such property shall be exempt from the tax  
 840 imposed by this chapter, and any other use made by the owner or  
 841 the condominium association shall be fully taxable under this  
 842 chapter.
- 843 5. A public or private street or right-of-way and poles,  
 844 conduits, fixtures, and similar improvements located on such  
 845 streets or rights-of-way, occupied or used by a utility or  
 846 provider of communications services, as defined by s. 202.11,  
 847 for utility or communications or television purposes. For  
 848 purposes of this subparagraph, the term "utility" means any  
 849 person providing utility services as defined in s. 203.012. This  
 850 exception also applies to property, wherever located, on which

851 the following are placed: towers, antennas, cables, accessory  
852 structures, or equipment, not including switching equipment,  
853 used in the provision of mobile communications services as  
854 defined in s. 202.11. For purposes of this chapter, towers used  
855 in the provision of mobile communications services, as defined  
856 in s. 202.11, are considered to be fixtures.

857 6. A public street or road which is used for  
858 transportation purposes.

859 7. Property used at an airport exclusively for the purpose  
860 of aircraft landing or aircraft taxiing or property used by an  
861 airline for the purpose of loading or unloading passengers or  
862 property onto or from aircraft or for fueling aircraft.

863 8.a. Property used at a port authority, as defined in s.  
864 315.02(2), exclusively for the purpose of oceangoing vessels or  
865 tugs docking, or such vessels mooring on property used by a port  
866 authority for the purpose of loading or unloading passengers or  
867 cargo onto or from such a vessel, or property used at a port  
868 authority for fueling such vessels, or to the extent that the  
869 amount paid for the use of any property at the port is based on  
870 the charge for the amount of tonnage actually imported or  
871 exported through the port by a tenant.

872 b. The amount charged for the use of any property at the  
873 port in excess of the amount charged for tonnage actually  
874 imported or exported shall remain subject to tax except as  
875 provided in sub-subparagraph a.

876 ~~9. Property used as an integral part of the performance of~~  
877 ~~qualified production services. As used in this subparagraph, the~~  
878 ~~term "qualified production services" means any activity or~~  
879 ~~service performed directly in connection with the production of~~  
880 ~~a qualified motion picture, as defined in s. 212.06(1)(b), and~~  
881 ~~includes:~~

882 ~~a. Photography, sound and recording, casting, location~~  
883 ~~managing and scouting, shooting, creation of special and optical~~  
884 ~~effects, animation, adaptation (language, media, electronic, or~~  
885 ~~otherwise), technological modifications, computer graphics, set~~  
886 ~~and stage support (such as electricians, lighting designers and~~  
887 ~~operators, greensmen, prop managers and assistants, and grips),~~  
888 ~~wardrobe (design, preparation, and management), hair and makeup~~  
889 ~~(design, production, and application), performing (such as~~  
890 ~~acting, dancing, and playing), designing and executing stunts,~~  
891 ~~coaching, consulting, writing, scoring, composing,~~  
892 ~~choreographing, script supervising, directing, producing,~~  
893 ~~transmitting dailies, dubbing, mixing, editing, cutting,~~  
894 ~~looping, printing, processing, duplicating, storing, and~~  
895 ~~distributing;~~

896 ~~b. The design, planning, engineering, construction,~~  
897 ~~alteration, repair, and maintenance of real or personal property~~  
898 ~~including stages, sets, props, models, paintings, and facilities~~  
899 ~~principally required for the performance of those services~~  
900 ~~listed in sub-subparagraph a.; and~~

901 ~~e. Property management services directly related to~~  
 902 ~~property used in connection with the services described in sub-~~  
 903 ~~subparagraphs a. and b.~~

904  
 905 ~~This exemption will inure to the taxpayer upon presentation of~~  
 906 ~~the certificate of exemption issued to the taxpayer under the~~  
 907 ~~provisions of s. 288.1258.~~

908 9.10. Leased, subleased, licensed, or rented to a person  
 909 providing food and drink concessionaire services within the  
 910 premises of a convention hall, exhibition hall, auditorium,  
 911 stadium, theater, arena, civic center, performing arts center,  
 912 publicly owned recreational facility, or any business operated  
 913 under a permit issued pursuant to chapter 550. A person  
 914 providing retail concessionaire services involving the sale of  
 915 food and drink or other tangible personal property within the  
 916 premises of an airport shall be subject to tax on the rental of  
 917 real property used for that purpose, but shall not be subject to  
 918 the tax on any license to use the property. For purposes of this  
 919 subparagraph, the term "sale" shall not include the leasing of  
 920 tangible personal property.

921 10.11. Property occupied pursuant to an instrument calling  
 922 for payments which the department has declared, in a Technical  
 923 Assistance Advisement issued on or before March 15, 1993, to be  
 924 nontaxable pursuant to rule 12A-1.070(19)(c), Florida  
 925 Administrative Code; provided that this subparagraph shall only

926 | apply to property occupied by the same person before and after  
 927 | the execution of the subject instrument and only to those  
 928 | payments made pursuant to such instrument, exclusive of renewals  
 929 | and extensions thereof occurring after March 15, 1993.

930 |     ~~11.12.~~ Property used or occupied predominantly for space  
 931 | flight business purposes. As used in this subparagraph, "space  
 932 | flight business" means the manufacturing, processing, or  
 933 | assembly of a space facility, space propulsion system, space  
 934 | vehicle, satellite, or station of any kind possessing the  
 935 | capacity for space flight, as defined by s. 212.02(23), or  
 936 | components thereof, and also means the following activities  
 937 | supporting space flight: vehicle launch activities, flight  
 938 | operations, ground control or ground support, and all  
 939 | administrative activities directly related thereto. Property  
 940 | shall be deemed to be used or occupied predominantly for space  
 941 | flight business purposes if more than 50 percent of the  
 942 | property, or improvements thereon, is used for one or more space  
 943 | flight business purposes. Possession by a landlord, lessor, or  
 944 | licensor of a signed written statement from the tenant, lessee,  
 945 | or licensee claiming the exemption shall relieve the landlord,  
 946 | lessor, or licensor from the responsibility of collecting the  
 947 | tax, and the department shall look solely to the tenant, lessee,  
 948 | or licensee for recovery of such tax if it determines that the  
 949 | exemption was not applicable.

950 |     ~~12.13.~~ Rented, leased, subleased, or licensed to a person

951 providing telecommunications, data systems management, or  
 952 Internet services at a publicly or privately owned convention  
 953 hall, civic center, or meeting space at a public lodging  
 954 establishment as defined in s. 509.013. This subparagraph  
 955 applies only to that portion of the rental, lease, or license  
 956 payment that is based upon a percentage of sales, revenue  
 957 sharing, or royalty payments and not based upon a fixed price.  
 958 This subparagraph is intended to be clarifying and remedial in  
 959 nature and shall apply retroactively. This subparagraph does not  
 960 provide a basis for an assessment of any tax not paid, or create  
 961 a right to a refund of any tax paid, pursuant to this section  
 962 before July 1, 2010.

963 Section 23. Paragraph (b) of subsection (1) of section  
 964 212.06, Florida Statutes, is amended to read:

965 212.06 Sales, storage, use tax; collectible from dealers;  
 966 "dealer" defined; dealers to collect from purchasers;  
 967 legislative intent as to scope of tax.—

968 (1)

969 (b) Except as otherwise provided, any person who  
 970 manufactures, produces, compounds, processes, or fabricates in  
 971 any manner tangible personal property for his or her own use  
 972 shall pay a tax upon the cost of the product manufactured,  
 973 produced, compounded, processed, or fabricated without any  
 974 deduction therefrom on account of the cost of material used,  
 975 labor or service costs, or transportation charges,

976 notwithstanding the provisions of s. 212.02 defining "cost  
 977 price." However, the tax levied under this paragraph shall not  
 978 be imposed upon any person who manufactures or produces  
 979 electrical power or energy, steam energy, or other energy at a  
 980 single location, when such power or energy is used directly and  
 981 exclusively at such location, or at other locations if the  
 982 energy is transferred through facilities of the owner in the  
 983 operation of machinery or equipment that is used to manufacture,  
 984 process, compound, produce, fabricate, or prepare for shipment  
 985 tangible personal property for sale or to operate pollution  
 986 control equipment, maintenance equipment, or monitoring or  
 987 control equipment used in such operations. The manufacture or  
 988 production of electrical power or energy that is used for space  
 989 heating, lighting, office equipment, or air-conditioning or any  
 990 other, nonprocessing, noncompounding, nonproducing,  
 991 nonfabricating, or nonshipping activity is taxable. Electrical  
 992 power or energy consumed or dissipated in the transmission or  
 993 distribution of electrical power or energy for resale is also  
 994 not taxable. ~~Fabrication labor shall not be taxable when a~~  
 995 ~~person is using his or her own equipment and personnel, for his~~  
 996 ~~or her own account, as a producer, subproducer, or coproducer of~~  
 997 ~~a qualified motion picture. For purposes of this chapter, the~~  
 998 ~~term "qualified motion picture" means all or any part of a~~  
 999 ~~series of related images, either on film, tape, or other~~  
 1000 ~~embodiment, including, but not limited to, all items comprising~~

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1001 ~~part of the original work and film-related products derived~~  
1002 ~~therefrom as well as duplicates and prints thereof and all sound~~  
1003 ~~recordings created to accompany a motion picture, which is~~  
1004 ~~produced, adapted, or altered for exploitation in, on, or~~  
1005 ~~through any medium or device and at any location, primarily for~~  
1006 ~~entertainment, commercial, industrial, or educational purposes.~~  
1007 ~~This exemption for fabrication labor associated with production~~  
1008 ~~of a qualified motion picture will inure to the taxpayer upon~~  
1009 ~~presentation of the certificate of exemption issued to the~~  
1010 ~~taxpayer under the provisions of s. 288.1258. A person who~~  
1011 manufactures factory-built buildings for his or her own use in  
1012 the performance of contracts for the construction or improvement  
1013 of real property shall pay a tax only upon the person's cost  
1014 price of items used in the manufacture of such buildings.

1015 Section 24. Section 212.0602, Florida Statutes, is  
1016 repealed.

1017 Section 25. Paragraphs (g) through (p) and (r) through (u)  
1018 of subsection (5) of section 212.08, Florida Statutes, are  
1019 redesignated as paragraphs (f) through (o) and (p) through (s),  
1020 respectively, subsections (13) through (18) are renumbered as  
1021 subsections (12) through (17), respectively, and paragraph (f)  
1022 and present paragraphs (h), (j), and (q) of subsection (5),  
1023 present subsection (12), and paragraph (f) of present subsection  
1024 (15) of that section are amended to read:

1025 212.08 Sales, rental, use, consumption, distribution, and

1026 storage tax; specified exemptions.—The sale at retail, the  
1027 rental, the use, the consumption, the distribution, and the  
1028 storage to be used or consumed in this state of the following  
1029 are hereby specifically exempt from the tax imposed by this  
1030 chapter.

1031 (5) EXEMPTIONS; ACCOUNT OF USE.—

1032 ~~(f) Motion picture or video equipment used in motion~~  
1033 ~~picture or television production activities and sound recording~~  
1034 ~~equipment used in the production of master tapes and master~~  
1035 ~~records.—~~

1036 ~~1. Motion picture or video equipment and sound recording~~  
1037 ~~equipment purchased or leased for use in this state in~~  
1038 ~~production activities is exempt from the tax imposed by this~~  
1039 ~~chapter. The exemption provided by this paragraph shall inure to~~  
1040 ~~the taxpayer upon presentation of the certificate of exemption~~  
1041 ~~issued to the taxpayer under the provisions of s. 288.1258.~~

1042 ~~2. For the purpose of the exemption provided in~~  
1043 ~~subparagraph 1.:~~

1044 ~~a. "Motion picture or video equipment" and "sound~~  
1045 ~~recording equipment" includes only tangible personal property or~~  
1046 ~~other property that has a depreciable life of 3 years or more~~  
1047 ~~and that is used by the lessee or purchaser exclusively as an~~  
1048 ~~integral part of production activities; however, motion picture~~  
1049 ~~or video equipment and sound recording equipment does not~~  
1050 ~~include supplies, tape, records, film, or video tape used in~~

1051 ~~productions or other similar items; vehicles or vessels; or~~  
 1052 ~~general office equipment not specifically suited to production~~  
 1053 ~~activities. In addition, the term does not include equipment~~  
 1054 ~~purchased or leased by television or radio broadcasting or cable~~  
 1055 ~~companies licensed by the Federal Communications Commission.~~  
 1056 ~~Furthermore, a building and its structural components are not~~  
 1057 ~~motion picture or video equipment and sound recording equipment~~  
 1058 ~~unless the building or structural component is so closely~~  
 1059 ~~related to the motion picture or video equipment and sound~~  
 1060 ~~recording equipment that it houses or supports that the building~~  
 1061 ~~or structural component can be expected to be replaced when the~~  
 1062 ~~motion picture or video equipment and sound recording equipment~~  
 1063 ~~are replaced. Heating and air-conditioning systems are not~~  
 1064 ~~motion picture or video equipment and sound recording equipment~~  
 1065 ~~unless the sole justification for their installation is to meet~~  
 1066 ~~the requirements of the production activities, even though the~~  
 1067 ~~system may provide incidental comfort to employees or serve, to~~  
 1068 ~~an insubstantial degree, nonproduction activities.~~

1069 ~~b. "Production activities" means activities directed~~  
 1070 ~~toward the preparation of a:~~  
 1071 ~~(I) Master tape or master record embodying sound; or~~  
 1072 ~~(II) Motion picture or television production which is~~  
 1073 ~~produced for theatrical, commercial, advertising, or educational~~  
 1074 ~~purposes and utilizes live or animated actions or a combination~~  
 1075 ~~of live and animated actions. The motion picture or television~~

1076 ~~production shall be commercially produced for sale or for~~  
 1077 ~~showing on screens or broadcasting on television and may be on~~  
 1078 ~~film or video tape.~~

1079 (g)~~(h)~~ Business property used in an enterprise zone.—

1080 1. Business property purchased for use by businesses  
 1081 located in an enterprise zone which is subsequently used in an  
 1082 enterprise zone shall be exempt from the tax imposed by this  
 1083 chapter. This exemption inures to the business only through a  
 1084 refund of previously paid taxes. A refund shall be authorized  
 1085 upon an affirmative showing by the taxpayer to the satisfaction  
 1086 of the department that the requirements of this paragraph have  
 1087 been met.

1088 2. To receive a refund, the business must file under oath  
 1089 with the governing body or enterprise zone development agency  
 1090 having jurisdiction over the enterprise zone where the business  
 1091 is located, as applicable, an application which includes:

1092 a. The name and address of the business claiming the  
 1093 refund.

1094 b. The identifying number assigned pursuant to s. 290.0065  
 1095 to the enterprise zone in which the business is located.

1096 c. A specific description of the property for which a  
 1097 refund is sought, including its serial number or other permanent  
 1098 identification number.

1099 d. The location of the property.

1100 e. The sales invoice or other proof of purchase of the

1101 property, showing the amount of sales tax paid, the date of  
1102 purchase, and the name and address of the sales tax dealer from  
1103 whom the property was purchased.

1104 f. Whether the business is a small business as defined by  
1105 s. 288.703.

1106 g. If applicable, the name and address of each permanent  
1107 employee of the business, including, for each employee who is a  
1108 resident of an enterprise zone, the identifying number assigned  
1109 pursuant to s. 290.0065 to the enterprise zone in which the  
1110 employee resides.

1111 3. Within 10 working days after receipt of an application,  
1112 the governing body or enterprise zone development agency shall  
1113 review the application to determine if it contains all the  
1114 information required pursuant to subparagraph 2. and meets the  
1115 criteria set out in this paragraph. The governing body or agency  
1116 shall certify all applications that contain the information  
1117 required pursuant to subparagraph 2. and meet the criteria set  
1118 out in this paragraph as eligible to receive a refund. If  
1119 applicable, the governing body or agency shall also certify if  
1120 20 percent of the employees of the business are residents of an  
1121 enterprise zone, excluding temporary and part-time employees.  
1122 The certification shall be in writing, and a copy of the  
1123 certification shall be transmitted to the executive director of  
1124 the Department of Revenue. The business shall be responsible for  
1125 forwarding a certified application to the department within the

1126 | time specified in subparagraph 4.

1127 |         4. An application for a refund pursuant to this paragraph  
1128 | must be submitted to the department within 6 months after the  
1129 | tax is due on the business property that is purchased.

1130 |         5. The amount refunded on purchases of business property  
1131 | under this paragraph shall be the lesser of 97 percent of the  
1132 | sales tax paid on such business property or \$5,000, or, if no  
1133 | less than 20 percent of the employees of the business are  
1134 | residents of an enterprise zone, excluding temporary and part-  
1135 | time employees, the amount refunded on purchases of business  
1136 | property under this paragraph shall be the lesser of 97 percent  
1137 | of the sales tax paid on such business property or \$10,000. A  
1138 | refund approved pursuant to this paragraph shall be made within  
1139 | 30 days after formal approval by the department of the  
1140 | application for the refund. A refund may not be granted under  
1141 | this paragraph unless the amount to be refunded exceeds \$100 in  
1142 | sales tax paid on purchases made within a 60-day time period.

1143 |         6. The department shall adopt rules governing the manner  
1144 | and form of refund applications and may establish guidelines as  
1145 | to the requisites for an affirmative showing of qualification  
1146 | for exemption under this paragraph.

1147 |         7. If the department determines that the business property  
1148 | is used outside an enterprise zone within 3 years from the date  
1149 | of purchase, the amount of taxes refunded to the business  
1150 | purchasing such business property shall immediately be due and

1151 payable to the department by the business, together with the  
 1152 appropriate interest and penalty, computed from the date of  
 1153 purchase, in the manner provided by this chapter.

1154 Notwithstanding this subparagraph, business property used  
 1155 exclusively in:

- 1156 a. Licensed commercial fishing vessels,
- 1157 b. Fishing guide boats, or
- 1158 c. Ecotourism guide boats

1159  
 1160 that leave and return to a fixed location within an area  
 1161 designated under s. 379.2353, Florida Statutes 2010, are  
 1162 eligible for the exemption provided under this paragraph if all  
 1163 requirements of this paragraph are met. Such vessels and boats  
 1164 must be owned by a business that is eligible to receive the  
 1165 exemption provided under this paragraph. This exemption does not  
 1166 apply to the purchase of a vessel or boat.

1167 8. The department shall deduct an amount equal to 10  
 1168 percent of each refund granted under this paragraph from the  
 1169 amount transferred into the Local Government Half-cent Sales Tax  
 1170 Clearing Trust Fund pursuant to s. 212.20 for the county area in  
 1171 which the business property is located and shall transfer that  
 1172 amount to the General Revenue Fund.

1173 9. For the purposes of this exemption, "business property"  
 1174 means new or used property defined as "recovery property" in s.  
 1175 168(c) of the Internal Revenue Code of 1954, as amended, except:

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- 1176 a. Property classified as 3-year property under s.  
 1177 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;  
 1178 b. Industrial machinery and equipment as defined in sub-  
 1179 subparagraph (b)6.a. and eligible for exemption under paragraph  
 1180 (b);  
 1181 c. Building materials as defined in sub-subparagraph  
 1182 (f)8.a. ~~sub-subparagraph (g)8.a.~~; and  
 1183 d. Business property having a sales price of under \$5,000  
 1184 per unit.  
 1185 10. This paragraph expires on the date specified in s.  
 1186 290.016 for the expiration of the Florida Enterprise Zone Act.  
 1187 (i)~~(j)~~ Machinery and equipment used in semiconductor,  
 1188 defense, or space technology production.—  
 1189 1.a. Industrial machinery and equipment used in  
 1190 semiconductor technology facilities certified under subparagraph  
 1191 5. to manufacture, process, compound, or produce semiconductor  
 1192 technology products for sale or for use by these facilities are  
 1193 exempt from the tax imposed by this chapter. For purposes of  
 1194 this paragraph, industrial machinery and equipment includes  
 1195 molds, dies, machine tooling, other appurtenances or accessories  
 1196 to machinery and equipment, testing equipment, test beds,  
 1197 computers, and software, whether purchased or self-fabricated,  
 1198 and, if self-fabricated, includes materials and labor for  
 1199 design, fabrication, and assembly.  
 1200 b. Industrial machinery and equipment used in defense or

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1201 space technology facilities certified under subparagraph 5. to  
 1202 design, manufacture, assemble, process, compound, or produce  
 1203 defense technology products or space technology products for  
 1204 sale or for use by these facilities are exempt from the tax  
 1205 imposed by this chapter.

1206 2. Building materials purchased for use in manufacturing  
 1207 or expanding clean rooms in semiconductor-manufacturing  
 1208 facilities are exempt from the tax imposed by this chapter.

1209 3. In addition to meeting the criteria mandated by  
 1210 subparagraph 1. or subparagraph 2., a business must be certified  
 1211 by the Department of Economic Opportunity in order to qualify  
 1212 for exemption under this paragraph.

1213 4. For items purchased tax-exempt pursuant to this  
 1214 paragraph, possession of a written certification from the  
 1215 purchaser, certifying the purchaser's entitlement to the  
 1216 exemption, relieves the seller of the responsibility of  
 1217 collecting the tax on the sale of such items, and the department  
 1218 shall look solely to the purchaser for recovery of the tax if it  
 1219 determines that the purchaser was not entitled to the exemption.

1220 5.a. To be eligible to receive the exemption provided by  
 1221 subparagraph 1. or subparagraph 2., a qualifying business entity  
 1222 shall initially apply to the Department of Economic Opportunity  
 1223 ~~Enterprise Florida, Inc.~~ The original certification is valid for  
 1224 a period of 2 years. In lieu of submitting a new application,  
 1225 the original certification may be renewed biennially by

1226 submitting to the Department of Economic Opportunity a  
1227 statement, certified under oath, that there has not been a  
1228 material change in the conditions or circumstances entitling the  
1229 business entity to the original certification. The initial  
1230 application and the certification renewal statement shall be  
1231 developed by the Department of Economic Opportunity.

1232 b. ~~The Division of Strategic Business Development of the~~  
1233 Department of Economic Opportunity shall review each submitted  
1234 initial application and determine whether or not the application  
1235 is complete within 5 working days. Once complete, the division  
1236 shall, within 10 working days, evaluate the application and  
1237 recommend approval or disapproval to the Department of Economic  
1238 Opportunity.

1239 c. Upon receipt of the initial application and  
1240 recommendation from the division or upon receipt of a  
1241 certification renewal statement, the Department of Economic  
1242 Opportunity shall certify within 5 working days those applicants  
1243 who are found to meet the requirements of this section and  
1244 notify the applicant of the original certification or  
1245 certification renewal. If the Department of Economic Opportunity  
1246 finds that the applicant does not meet the requirements, it  
1247 shall notify the applicant ~~and Enterprise Florida, Inc.,~~ within  
1248 10 working days that the application for certification has been  
1249 denied and the reasons for denial. The Department of Economic  
1250 Opportunity has final approval authority for certification under

1251 | this section.

1252 |         d. The initial application and certification renewal  
 1253 | statement must indicate, for program evaluation purposes only,  
 1254 | the average number of full-time equivalent employees at the  
 1255 | facility over the preceding calendar year, the average wage and  
 1256 | benefits paid to those employees over the preceding calendar  
 1257 | year, the total investment made in real and tangible personal  
 1258 | property over the preceding calendar year, and the total value  
 1259 | of tax-exempt purchases and taxes exempted during the previous  
 1260 | year. The department shall assist the Department of Economic  
 1261 | Opportunity in evaluating and verifying information provided in  
 1262 | the application for exemption.

1263 |         e. The Department of Economic Opportunity may use the  
 1264 | information reported on the initial application and  
 1265 | certification renewal statement for evaluation purposes only.

1266 |         6. A business certified to receive this exemption may  
 1267 | elect to designate one or more state universities or community  
 1268 | colleges as recipients of up to 100 percent of the amount of the  
 1269 | exemption. To receive these funds, the institution must agree to  
 1270 | match the funds with equivalent cash, programs, services, or  
 1271 | other in-kind support on a one-to-one basis for research and  
 1272 | development projects requested by the certified business. The  
 1273 | rights to any patents, royalties, or real or intellectual  
 1274 | property must be vested in the business unless otherwise agreed  
 1275 | to by the business and the university or community college.

- 1276           7. As used in this paragraph, the term:
- 1277           a. "Semiconductor technology products" means raw
- 1278 semiconductor wafers or semiconductor thin films that are
- 1279 transformed into semiconductor memory or logic wafers, including
- 1280 wafers containing mixed memory and logic circuits; related
- 1281 assembly and test operations; active-matrix flat panel displays;
- 1282 semiconductor chips; semiconductor lasers; optoelectronic
- 1283 elements; and related semiconductor technology products as
- 1284 determined by the Department of Economic Opportunity.
- 1285           b. "Clean rooms" means manufacturing facilities enclosed
- 1286 in a manner that meets the clean manufacturing requirements
- 1287 necessary for high-technology semiconductor-manufacturing
- 1288 environments.
- 1289           c. "Defense technology products" means products that have
- 1290 a military application, including, but not limited to, weapons,
- 1291 weapons systems, guidance systems, surveillance systems,
- 1292 communications or information systems, munitions, aircraft,
- 1293 vessels, or boats, or components thereof, which are intended for
- 1294 military use and manufactured in performance of a contract with
- 1295 the United States Department of Defense or the military branch
- 1296 of a recognized foreign government or a subcontract thereunder
- 1297 which relates to matters of national defense.
- 1298           d. "Space technology products" means products that are
- 1299 specifically designed or manufactured for application in space
- 1300 activities, including, but not limited to, space launch

1301 vehicles, space flight vehicles, missiles, satellites or  
 1302 research payloads, avionics, and associated control systems and  
 1303 processing systems and components of any of the foregoing. The  
 1304 term does not include products that are designed or manufactured  
 1305 for general commercial aviation or other uses even though those  
 1306 products may also serve an incidental use in space applications.

1307 ~~(q) Entertainment industry tax credit; authorization;~~  
 1308 ~~eligibility for credits. The credits against the state sales tax~~  
 1309 ~~authorized pursuant to s. 288.1254 shall be deducted from any~~  
 1310 ~~sales and use tax remitted by the dealer to the department by~~  
 1311 ~~electronic funds transfer and may only be deducted on a sales~~  
 1312 ~~and use tax return initiated through electronic data~~  
 1313 ~~interchange. The dealer shall separately state the credit on the~~  
 1314 ~~electronic return. The net amount of tax due and payable must be~~  
 1315 ~~remitted by electronic funds transfer. If the credit for the~~  
 1316 ~~qualified expenditures is larger than the amount owed on the~~  
 1317 ~~sales and use tax return that is eligible for the credit, the~~  
 1318 ~~unused amount of the credit may be carried forward to a~~  
 1319 ~~succeeding reporting period as provided in s. 288.1254(4)(c). A~~  
 1320 ~~dealer may only obtain a credit using the method described in~~  
 1321 ~~this subparagraph. A dealer is not authorized to obtain a credit~~  
 1322 ~~by applying for a refund.~~

1323 ~~(12) PARTIAL EXEMPTION; MASTER TAPES, RECORDS, FILMS, OR~~  
 1324 ~~VIDEO TAPES.—~~

1325 ~~(a) There are exempt from the taxes imposed by this~~

1326 ~~chapter the gross receipts from the sale or lease of, and the~~  
1327 ~~storage, use, or other consumption in this state of, master~~  
1328 ~~tapes or master records embodying sound, or master films or~~  
1329 ~~master video tapes; except that amounts paid to recording~~  
1330 ~~studios or motion picture or television studios for the tangible~~  
1331 ~~elements of such master tapes, records, films, or video tapes~~  
1332 ~~are taxable as otherwise provided in this chapter. This~~  
1333 ~~exemption will inure to the taxpayer upon presentation of the~~  
1334 ~~certificate of exemption issued to the taxpayer under the~~  
1335 ~~provisions of s. 288.1258.~~

1336 ~~(b) For the purposes of this subsection, the term:~~

1337 ~~1. "Amounts paid for the tangible elements" does not~~  
1338 ~~include any amounts paid for the copyrightable, artistic, or~~  
1339 ~~other intangible elements of such master tapes, records, films,~~  
1340 ~~or video tapes, whether designated as royalties or otherwise,~~  
1341 ~~including, but not limited to, services rendered in producing,~~  
1342 ~~fabricating, processing, or imprinting tangible personal~~  
1343 ~~property or any other services or production expenses in~~  
1344 ~~connection therewith which may otherwise be construed as~~  
1345 ~~constituting a "sale" under s. 212.02.~~

1346 ~~2. "Master films or master video tapes" means films or~~  
1347 ~~video tapes utilized by the motion picture and television~~  
1348 ~~production industries in making visual images for reproduction.~~

1349 ~~3. "Master tapes or master records embodying sound" means~~  
1350 ~~tapes, records, and other devices utilized by the recording~~

1351 ~~industry in making recordings embodying sound.~~

1352 4. ~~"Motion picture or television studio" means a facility~~  
1353 ~~in which film or video tape productions or parts of productions~~  
1354 ~~are made and which contains the necessary equipment and~~  
1355 ~~personnel for this purpose and includes a mobile unit or vehicle~~  
1356 ~~that is equipped in much the same manner as a stationary studio~~  
1357 ~~and used in the making of film or video tape productions.~~

1358 5. ~~"Recording studio" means a place where, by means of~~  
1359 ~~mechanical or electronic devices, voices, music, or other sounds~~  
1360 ~~are transmitted to tapes, records, or other devices capable of~~  
1361 ~~reproducing sound.~~

1362 6. ~~"Recording industry" means any person engaged in an~~  
1363 ~~occupation or business of making recordings embodying sound for~~  
1364 ~~a livelihood or for a profit.~~

1365 7. ~~"Motion picture or television production industry"~~  
1366 ~~means any person engaged in an occupation or business for a~~  
1367 ~~livelihood or for profit of making visual motion picture or~~  
1368 ~~television visual images for showing on screen or television for~~  
1369 ~~theatrical, commercial, advertising, or educational purposes.~~

1370 (14) ~~(15)~~ ELECTRICAL ENERGY USED IN AN ENTERPRISE ZONE.—

1371 (f) For the purpose of the exemption provided in this  
1372 subsection, the term "qualified business" means a business which  
1373 is:

1374 1. First occupying a new structure to which electrical  
1375 service, other than that used for construction purposes, has not

1376 | been previously provided or furnished;

1377 |         2. Newly occupying an existing, remodeled, renovated, or  
 1378 | rehabilitated structure to which electrical service, other than  
 1379 | that used for remodeling, renovation, or rehabilitation of the  
 1380 | structure, has not been provided or furnished in the three  
 1381 | preceding billing periods; or

1382 |         3. Occupying a new, remodeled, rebuilt, renovated, or  
 1383 | rehabilitated structure for which a refund has been granted  
 1384 | pursuant to paragraph (5) (f) ~~(5) (g)~~.

1385 |         Section 26. Section 212.097, Florida Statutes, is  
 1386 | repealed.

1387 |         Section 27. Paragraph (a) of subsection (1) of section  
 1388 | 212.098, Florida Statutes, is amended to read:

1389 |         212.098 Rural Job Tax Credit Program.—

1390 |         (1) As used in this section, the term:

1391 |         (a) "Eligible business" means any sole proprietorship,  
 1392 | firm, partnership, or corporation that is located in a qualified  
 1393 | county and is predominantly engaged in, or is headquarters for a  
 1394 | business predominantly engaged in, activities usually provided  
 1395 | for consideration by firms classified within the following  
 1396 | standard industrial classifications: SIC 01-SIC 09 (agriculture,  
 1397 | forestry, and fishing); SIC 20-SIC 39 (manufacturing); SIC 422  
 1398 | (public warehousing and storage); SIC 70 (hotels and other  
 1399 | lodging places); SIC 7391 (research and development); SIC 781  
 1400 | (motion picture production and allied services); SIC 7992

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1401 (public golf courses); and SIC 7996 (amusement parks); ~~and a~~  
1402 ~~targeted industry eligible for the qualified target industry~~  
1403 ~~business tax refund under s. 288.106.~~ A call center or similar  
1404 customer service operation that services a multistate market or  
1405 an international market is also an eligible business. In  
1406 addition, the Department of Economic Opportunity may, as part of  
1407 its final budget request submitted pursuant to s. 216.023,  
1408 recommend additions to or deletions from the list of standard  
1409 industrial classifications used to determine an eligible  
1410 business, and the Legislature may implement such  
1411 recommendations. Excluded from eligible receipts are receipts  
1412 from retail sales, except such receipts for hotels and other  
1413 lodging places classified in SIC 70, public golf courses in SIC  
1414 7992, and amusement parks in SIC 7996. For purposes of this  
1415 paragraph, the term "predominantly" means that more than 50  
1416 percent of the business's gross receipts from all sources is  
1417 generated by those activities usually provided for consideration  
1418 by firms in the specified standard industrial classification.  
1419 The determination of whether the business is located in a  
1420 qualified county and the tier ranking of that county must be  
1421 based on the date of application for the credit under this  
1422 section. Commonly owned and controlled entities are to be  
1423 considered a single business entity.

1424 Section 28. Paragraph (d) of subsection (6) of section  
1425 212.20, Florida Statutes, is amended to read:

1426           212.20 Funds collected, disposition; additional powers of  
 1427 department; operational expense; refund of taxes adjudicated  
 1428 unconstitutionally collected.—

1429           (6) Distribution of all proceeds under this chapter and  
 1430 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

1431           (d) The proceeds of all other taxes and fees imposed  
 1432 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)  
 1433 and (2)(b) shall be distributed as follows:

1434           1. In any fiscal year, the greater of \$500 million, minus  
 1435 an amount equal to 4.6 percent of the proceeds of the taxes  
 1436 collected pursuant to chapter 201, or 5.2 percent of all other  
 1437 taxes and fees imposed pursuant to this chapter or remitted  
 1438 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in  
 1439 monthly installments into the General Revenue Fund.

1440           2. After the distribution under subparagraph 1., 8.9744  
 1441 percent of the amount remitted by a sales tax dealer located  
 1442 within a participating county pursuant to s. 218.61 shall be  
 1443 transferred into the Local Government Half-cent Sales Tax  
 1444 Clearing Trust Fund. Beginning July 1, 2003, the amount to be  
 1445 transferred shall be reduced by 0.1 percent, and the department  
 1446 shall distribute this amount to the Public Employees Relations  
 1447 Commission Trust Fund less \$5,000 each month, which shall be  
 1448 added to the amount calculated in subparagraph 3. and  
 1449 distributed accordingly.

1450           3. After the distribution under subparagraphs 1. and 2.,

1451 0.0966 percent shall be transferred to the Local Government  
 1452 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
 1453 to s. 218.65.

1454 4. After the distributions under subparagraphs 1., 2., and  
 1455 3., 2.0810 percent of the available proceeds shall be  
 1456 transferred monthly to the Revenue Sharing Trust Fund for  
 1457 Counties pursuant to s. 218.215.

1458 5. After the distributions under subparagraphs 1., 2., and  
 1459 3., 1.3653 percent of the available proceeds shall be  
 1460 transferred monthly to the Revenue Sharing Trust Fund for  
 1461 Municipalities pursuant to s. 218.215. If the total revenue to  
 1462 be distributed pursuant to this subparagraph is at least as  
 1463 great as the amount due from the Revenue Sharing Trust Fund for  
 1464 Municipalities and the former Municipal Financial Assistance  
 1465 Trust Fund in state fiscal year 1999-2000, no municipality shall  
 1466 receive less than the amount due from the Revenue Sharing Trust  
 1467 Fund for Municipalities and the former Municipal Financial  
 1468 Assistance Trust Fund in state fiscal year 1999-2000. If the  
 1469 total proceeds to be distributed are less than the amount  
 1470 received in combination from the Revenue Sharing Trust Fund for  
 1471 Municipalities and the former Municipal Financial Assistance  
 1472 Trust Fund in state fiscal year 1999-2000, each municipality  
 1473 shall receive an amount proportionate to the amount it was due  
 1474 in state fiscal year 1999-2000.

1475 6. Of the remaining proceeds:

1476 a. In each fiscal year, the sum of \$29,915,500 shall be  
 1477 divided into as many equal parts as there are counties in the  
 1478 state, and one part shall be distributed to each county. The  
 1479 distribution among the several counties must begin each fiscal  
 1480 year on or before January 5th and continue monthly for a total  
 1481 of 4 months. If a local or special law required that any moneys  
 1482 accruing to a county in fiscal year 1999-2000 under the then-  
 1483 existing provisions of s. 550.135 be paid directly to the  
 1484 district school board, special district, or a municipal  
 1485 government, such payment must continue until the local or  
 1486 special law is amended or repealed. The state covenants with  
 1487 holders of bonds or other instruments of indebtedness issued by  
 1488 local governments, special districts, or district school boards  
 1489 before July 1, 2000, that it is not the intent of this  
 1490 subparagraph to adversely affect the rights of those holders or  
 1491 relieve local governments, special districts, or district school  
 1492 boards of the duty to meet their obligations as a result of  
 1493 previous pledges or assignments or trusts entered into which  
 1494 obligated funds received from the distribution to county  
 1495 governments under then-existing s. 550.135. This distribution  
 1496 specifically is in lieu of funds distributed under s. 550.135  
 1497 before July 1, 2000.

1498 b. The department shall distribute \$166,667 monthly to  
 1499 each applicant certified as a facility for a new or retained  
 1500 professional sports franchise pursuant to former s. 288.1162. Up

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1501 to \$41,667 shall be distributed monthly by the department to  
1502 each certified applicant as defined in former s. 288.11621 for a  
1503 facility for a spring training franchise. However, not more than  
1504 \$416,670 may be distributed monthly in the aggregate to all  
1505 certified applicants for facilities for spring training  
1506 franchises. Distributions begin 60 days after such certification  
1507 and continue for not more than 30 years, except as otherwise  
1508 provided in former s. 288.11621. A certified applicant  
1509 identified in this sub-subparagraph may not receive more in  
1510 distributions than expended by the applicant for the public  
1511 purposes provided in former s. 288.1162(5) or former s.  
1512 288.11621(3).

1513 c. Beginning 30 days after notice by the Department of  
1514 Economic Opportunity to the Department of Revenue that an  
1515 applicant has been certified as the professional golf hall of  
1516 fame pursuant to s. 288.1168 and is open to the public, \$166,667  
1517 shall be distributed monthly, for up to 300 months, to the  
1518 applicant.

1519 ~~d. Beginning 30 days after notice by the Department of~~  
1520 ~~Economic Opportunity to the Department of Revenue that the~~  
1521 ~~applicant has been certified as the International Game Fish~~  
1522 ~~Association World Center facility pursuant to s. 288.1169, and~~  
1523 ~~the facility is open to the public, \$83,333 shall be distributed~~  
1524 ~~monthly, for up to 168 months, to the applicant. This~~  
1525 ~~distribution is subject to reduction pursuant to s. 288.1169.~~

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1526        ~~d.e.~~ The department shall distribute up to \$83,333 monthly  
1527 to each certified applicant as defined in former s. 288.11631  
1528 for a facility used by a single spring training franchise, or up  
1529 to \$166,667 monthly to each certified applicant as defined in  
1530 former s. 288.11631 for a facility used by more than one spring  
1531 training franchise. Monthly distributions begin 60 days after  
1532 such certification or July 1, 2016, whichever is later, and  
1533 continue for not more than 20 years to each certified applicant  
1534 as defined in former s. 288.11631 for a facility used by a  
1535 single spring training franchise or not more than 25 years to  
1536 each certified applicant as defined in former s. 288.11631 for a  
1537 facility used by more than one spring training franchise. A  
1538 certified applicant identified in this sub-subparagraph may not  
1539 receive more in distributions than expended by the applicant for  
1540 the public purposes provided in former s. 288.11631(3).

1541        ~~e.f.~~ The Department shall distribute \$15,333 monthly to the  
1542 State Transportation Trust Fund.

1543        ~~f.g.~~(I) On or before July 25, 2021, August 25, 2021, and  
1544 September 25, 2021, the department shall distribute \$324,533,334  
1545 in each of those months to the Unemployment Compensation Trust  
1546 Fund, less an adjustment for refunds issued from the General  
1547 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the  
1548 distribution. The adjustments made by the department to the  
1549 total distributions shall be equal to the total refunds made  
1550 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be

1551 subtracted from any single distribution exceeds the  
 1552 distribution, the department may not make that distribution and  
 1553 must subtract the remaining balance from the next distribution.

1554 (II) Beginning July 2022, and on or before the 25th day of  
 1555 each month, the department shall distribute \$90 million monthly  
 1556 to the Unemployment Compensation Trust Fund.

1557 (III) If the ending balance of the Unemployment  
 1558 Compensation Trust Fund exceeds \$4,071,519,600 on the last day  
 1559 of any month, as determined from United States Department of the  
 1560 Treasury data, the Office of Economic and Demographic Research  
 1561 shall certify to the department that the ending balance of the  
 1562 trust fund exceeds such amount.

1563 (IV) This sub-subparagraph is repealed, and the department  
 1564 shall end monthly distributions under sub-sub-subparagraph (II),  
 1565 on the date the department receives certification under sub-sub-  
 1566 subparagraph (III).

1567 7. All other proceeds must remain in the General Revenue  
 1568 Fund.

1569 Section 29. Subsection (2) of section 218.61, Florida  
 1570 Statutes, is amended to read:

1571 218.61 Local government half-cent sales tax; designated  
 1572 proceeds; trust fund.—

1573 (2) Money remitted by a sales tax dealer located within  
 1574 the county and transferred into the Local Government Half-cent  
 1575 Sales Tax Clearing Trust Fund shall be earmarked for

1576 distribution to the governing body of that county and of each  
 1577 municipality within that county. ~~Such distributions shall be~~  
 1578 ~~made after funding is provided pursuant to s. 218.64(3), if~~  
 1579 ~~applicable.~~ Such moneys shall be known as the "local government  
 1580 half-cent sales tax."

1581 Section 30. Subsection (3) of section 218.64, Florida  
 1582 Statutes, is amended to read:

1583 218.64 Local government half-cent sales tax; uses;  
 1584 limitations.—

1585 (3) Subject to ordinances enacted by the majority of the  
 1586 members of the county governing authority and by the majority of  
 1587 the members of the governing authorities of municipalities  
 1588 representing at least 50 percent of the municipal population of  
 1589 such county, counties may use up to \$3 million annually of the  
 1590 local government half-cent sales tax allocated to that county  
 1591 for any of the following purposes:

1592 (a) Funding a certified applicant as a facility for a new  
 1593 or retained professional sports franchise under former s.  
 1594 288.1162 or a certified applicant as defined in former s.  
 1595 288.11621 for a facility for a spring training franchise. ~~It is~~  
 1596 ~~the Legislature's intent that the provisions of s. 288.1162,~~  
 1597 ~~including, but not limited to, the evaluation process by the~~  
 1598 ~~Department of Economic Opportunity except for the limitation on~~  
 1599 ~~the number of certified applicants or facilities as provided in~~  
 1600 ~~that section and the restrictions set forth in s. 288.1162(8),~~

1601 ~~shall apply to an applicant's facility to be funded by local~~  
 1602 ~~government as provided in this subsection.~~

1603 (b) Funding a certified applicant as a "motorsport  
 1604 entertainment complex," as provided for in former s. 288.1171.  
 1605 Funding for each franchise or motorsport complex shall begin 60  
 1606 days after certification and shall continue for not more than 30  
 1607 years.

1608 Section 31. Subsection (8) of section 220.02, Florida  
 1609 Statutes, is amended to read:

1610 220.02 Legislative intent.—

1611 (8) It is the intent of the Legislature that credits  
 1612 against either the corporate income tax or the franchise tax be  
 1613 applied in the following order: those enumerated in s. 631.828,  
 1614 those enumerated in former s. 220.191, those enumerated in s.  
 1615 220.181, those enumerated in s. 220.183, those enumerated in s.  
 1616 220.182, those enumerated in s. 220.1895, those enumerated in s.  
 1617 220.195, those enumerated in s. 220.184, those enumerated in s.  
 1618 220.186, those enumerated in s. 220.1845, those enumerated in s.  
 1619 220.19, those enumerated in s. 220.185, those enumerated in s.  
 1620 220.1875, those enumerated in s. 220.1876, those enumerated in  
 1621 s. 220.1877, those enumerated in s. 220.193, those enumerated in  
 1622 former s. 288.9916, those enumerated in former s. 220.1899,  
 1623 those enumerated in s. 220.194, those enumerated in s. 220.196,  
 1624 those enumerated in s. 220.198, and those enumerated in s.  
 1625 220.1915.

1626 Section 32. Paragraph (a) of subsection (1) of section  
 1627 220.13, Florida Statutes, is amended to read:

1628 220.13 "Adjusted federal income" defined.—

1629 (1) The term "adjusted federal income" means an amount  
 1630 equal to the taxpayer's taxable income as defined in subsection  
 1631 (2), or such taxable income of more than one taxpayer as  
 1632 provided in s. 220.131, for the taxable year, adjusted as  
 1633 follows:

1634 (a) Additions.—There shall be added to such taxable  
 1635 income:

1636 1.a. The amount of any tax upon or measured by income,  
 1637 excluding taxes based on gross receipts or revenues, paid or  
 1638 accrued as a liability to the District of Columbia or any state  
 1639 of the United States which is deductible from gross income in  
 1640 the computation of taxable income for the taxable year.

1641 b. Notwithstanding sub-subparagraph a., if a credit taken  
 1642 under s. 220.1875, s. 220.1876, or s. 220.1877 is added to  
 1643 taxable income in a previous taxable year under subparagraph 11.  
 1644 and is taken as a deduction for federal tax purposes in the  
 1645 current taxable year, the amount of the deduction allowed shall  
 1646 not be added to taxable income in the current year. The  
 1647 exception in this sub-subparagraph is intended to ensure that  
 1648 the credit under s. 220.1875, s. 220.1876, or s. 220.1877 is  
 1649 added in the applicable taxable year and does not result in a  
 1650 duplicate addition in a subsequent year.

1651           2. The amount of interest which is excluded from taxable  
1652 income under s. 103(a) of the Internal Revenue Code or any other  
1653 federal law, less the associated expenses disallowed in the  
1654 computation of taxable income under s. 265 of the Internal  
1655 Revenue Code or any other law, excluding 60 percent of any  
1656 amounts included in alternative minimum taxable income, as  
1657 defined in s. 55(b)(2) of the Internal Revenue Code, if the  
1658 taxpayer pays tax under s. 220.11(3).

1659           3. In the case of a regulated investment company or real  
1660 estate investment trust, an amount equal to the excess of the  
1661 net long-term capital gain for the taxable year over the amount  
1662 of the capital gain dividends attributable to the taxable year.

1663           4. That portion of the wages or salaries paid or incurred  
1664 for the taxable year which is equal to the amount of the credit  
1665 allowable for the taxable year under s. 220.181. This  
1666 subparagraph shall expire on the date specified in s. 290.016  
1667 for the expiration of the Florida Enterprise Zone Act.

1668           5. That portion of the ad valorem school taxes paid or  
1669 incurred for the taxable year which is equal to the amount of  
1670 the credit allowable for the taxable year under s. 220.182. This  
1671 subparagraph shall expire on the date specified in s. 290.016  
1672 for the expiration of the Florida Enterprise Zone Act.

1673           6. The amount taken as a credit under s. 220.195 which is  
1674 deductible from gross income in the computation of taxable  
1675 income for the taxable year.

1676           7. That portion of assessments to fund a guaranty  
 1677 association incurred for the taxable year which is equal to the  
 1678 amount of the credit allowable for the taxable year.

1679           8. In the case of a nonprofit corporation which holds a  
 1680 pari-mutuel permit and which is exempt from federal income tax  
 1681 as a farmers' cooperative, an amount equal to the excess of the  
 1682 gross income attributable to the pari-mutuel operations over the  
 1683 attributable expenses for the taxable year.

1684           9. The amount taken as a credit for the taxable year under  
 1685 s. 220.1895.

1686           10. Up to nine percent of the eligible basis of any  
 1687 designated project which is equal to the credit allowable for  
 1688 the taxable year under s. 220.185.

1689           11. Any amount taken as a credit for the taxable year under  
 1690 s. 220.1875, s. 220.1876, or s. 220.1877. The addition in this  
 1691 subparagraph is intended to ensure that the same amount is not  
 1692 allowed for the tax purposes of this state as both a deduction  
 1693 from income and a credit against the tax. This addition is not  
 1694 intended to result in adding the same expense back to income  
 1695 more than once.

1696           12. The amount taken as a credit for the taxable year  
 1697 under s. 220.193.

1698           ~~13. Any portion of a qualified investment, as defined in~~  
 1699 ~~s. 288.9913, which is claimed as a deduction by the taxpayer and~~  
 1700 ~~taken as a credit against income tax pursuant to s. 288.9916.~~

1701 ~~14. The costs to acquire a tax credit pursuant to s.~~  
 1702 ~~288.1254(5) that are deducted from or otherwise reduce federal~~  
 1703 ~~taxable income for the taxable year.~~

1704 13.15. The amount taken as a credit for the taxable year  
 1705 pursuant to s. 220.194.

1706 14.16. The amount taken as a credit for the taxable year  
 1707 under s. 220.196. The addition in this subparagraph is intended  
 1708 to ensure that the same amount is not allowed for the tax  
 1709 purposes of this state as both a deduction from income and a  
 1710 credit against the tax. The addition is not intended to result  
 1711 in adding the same expense back to income more than once.

1712 15.17. The amount taken as a credit for the taxable year  
 1713 pursuant to s. 220.198.

1714 16.18. The amount taken as a credit for the taxable year  
 1715 pursuant to s. 220.1915.

1716 Section 33. Paragraph (c) of subsection (1) of section  
 1717 220.183, Florida Statutes, is amended to read:

1718 220.183 Community contribution tax credit.—

1719 (1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX  
 1720 CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM  
 1721 SPENDING.—

1722 (c) The total amount of tax credit which may be granted  
 1723 for all programs approved under this section and ss.  
 1724 212.08(5)(o) and 624.5105 ~~ss. 212.08(5)(p) and 624.5105~~ is \$14.5  
 1725 million in the 2022-2023 fiscal year and in each fiscal year

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2023

1726 thereafter for projects that provide housing opportunities for  
1727 persons with special needs as defined in s. 420.0004 and  
1728 homeownership opportunities for low-income households or very-  
1729 low-income households as defined in s. 420.9071 and \$4.5 million  
1730 in the 2022-2023 fiscal year and in each fiscal year thereafter  
1731 for all other projects.

1732 Section 34. Section 220.1895, Florida Statutes, is amended  
1733 to read:

1734 220.1895 Rural Job Tax Credit ~~and Urban High-Crime Area~~  
1735 ~~Job Tax Credit.~~—There shall be allowed a credit against the tax  
1736 imposed by this chapter amounts approved by the Department of  
1737 Economic Opportunity pursuant to the Rural Job Tax Credit  
1738 Program in s. 212.098 ~~and the Urban High-Crime Area Job Tax~~  
1739 ~~Credit Program in s. 212.097.~~ A corporation that uses its credit  
1740 against the tax imposed by this chapter may not take the credit  
1741 against the tax imposed by chapter 212. If any credit granted  
1742 under this section is not fully used in the first year for which  
1743 it becomes available, the unused amount may be carried forward  
1744 for a period not to exceed 5 years. The carryover may be used in  
1745 a subsequent year when the tax imposed by this chapter for such  
1746 year exceeds the credit for such year under this section after  
1747 applying the other credits and unused credit carryovers in the  
1748 order provided in s. 220.02(8).

1749 Section 35. Section 220.1899, Florida Statutes, is  
1750 repealed.

1751 Section 36. Section 220.191, Florida Statutes, is  
 1752 repealed.

1753 Section 37. Subsection (9) of section 220.194, Florida  
 1754 Statutes, is amended to read:

1755 220.194 Corporate income tax credits for spaceflight  
 1756 projects.—

1757 (9) ANNUAL REPORT.—Beginning in 2014, the Department of  
 1758 Economic Opportunity, in cooperation with Space Florida and the  
 1759 department, shall include in the annual incentives report  
 1760 required under s. 288.0065 ~~s. 288.907~~ a summary of activities  
 1761 relating to the Florida Space Business Incentives Act  
 1762 established under this section.

1763 Section 38. Subsection (1) and paragraph (a) of subsection  
 1764 (2) of section 220.196, Florida Statutes, are amended to read:

1765 220.196 Research and development tax credit.—

1766 (1) DEFINITIONS.—As used in this section, the term:

1767 (a) "Base amount" means the average of the business  
 1768 enterprise's qualified research expenses in this state allowed  
 1769 under 26 U.S.C. s. 41 for the 4 taxable years preceding the  
 1770 taxable year for which the credit is determined. The qualified  
 1771 research expenses taken into account in computing the base  
 1772 amount shall be determined on a basis consistent with the  
 1773 determination of qualified research expenses for the taxable  
 1774 year.

1775 (b) "Business enterprise" means any corporation as defined

1776 in s. 220.03 which meets the definition of a target industry  
1777 business as defined in paragraph (c) s. 288.106.

1778 (c) "Target industry business" means a corporate  
1779 headquarters business or any business that is engaged in one of  
1780 the target industries identified pursuant to the following  
1781 criteria developed by the Department of Economic Opportunity:

1782 1. Future growth.—The industry forecast indicates strong  
1783 expectation for future growth in employment and output,  
1784 according to the most recent available data. Special  
1785 consideration shall be given to businesses that export goods to,  
1786 or provide services in, international markets and businesses  
1787 that replace domestic and international imports of goods or  
1788 services.

1789 2. Stability.—The industry is not subject to periodic  
1790 layoffs, whether due to seasonality or sensitivity to volatile  
1791 economic variables such as weather. The industry is also  
1792 relatively resistant to recession, so that the demand for  
1793 products of this industry is not typically subject to decline  
1794 during an economic downturn.

1795 3. High wage.—The industry pays relatively high wages  
1796 compared to statewide or area averages.

1797 4. Market and resource independent.—The industry business  
1798 location is not dependent on markets or resources in the state  
1799 as indicated by industry analysis, except for businesses in the  
1800 renewable energy industry.

1801 5. Industrial base diversification and strengthening.—The  
1802 industry contributes toward expanding or diversifying the  
1803 state's or area's economic base, as indicated by analysis of  
1804 employment and output shares compared to national and regional  
1805 trends. Special consideration shall be given to industries that  
1806 strengthen regional economies by adding value to basic products  
1807 or building regional industrial clusters as indicated by  
1808 industry analysis. Special consideration shall also be given to  
1809 the development of strong industrial clusters that include  
1810 defense and homeland security businesses.

1811 6. Positive economic impact.—The industry has strong  
1812 positive economic impacts on or benefits to the state or  
1813 regional economies. Special consideration shall be given to  
1814 industries that facilitate the development of the state as a hub  
1815 for domestic and global trade and logistics.

1816  
1817 The term does not include any business engaged in retail  
1818 industry activities; any electrical utility company as defined  
1819 in s. 366.02(4); any phosphate or other solid minerals  
1820 severance, mining, or processing operation; any oil or gas  
1821 exploration or production operation; or any business subject to  
1822 regulation by the Division of Hotels and Restaurants of the  
1823 Department of Business and Professional Regulation. Any business  
1824 within NAICS code 5611 or 5614, office administrative services  
1825 and business support services, respectively, may be considered a

1826 target industry business only after the local governing body and  
1827 the Department of Economic Opportunity determine that the  
1828 community in which the business may locate has conditions  
1829 affecting the fiscal and economic viability of the local  
1830 community or area, including, but not limited to, low per capita  
1831 income, high unemployment, high underemployment, and a lack of  
1832 year-round stable employment opportunities, and such conditions  
1833 may be improved by the business locating in such community. By  
1834 January 1 of every 3rd year, beginning January 1, 2011, the  
1835 Department of Economic Opportunity, in consultation with  
1836 economic development organizations, the State University System,  
1837 local governments, employee and employer organizations, market  
1838 analysts, and economists, shall review and, as appropriate,  
1839 revise the list of target industries and submit the list to the  
1840 Governor, the President of the Senate, and the Speaker of the  
1841 House of Representatives.

1842 (d)-(e) "Qualified research expenses" means research  
1843 expenses qualifying for the credit under 26 U.S.C. s. 41 for in-  
1844 house research expenses incurred in this state or contract  
1845 research expenses incurred in this state. The term does not  
1846 include research conducted outside this state or research  
1847 expenses that do not qualify for a credit under 26 U.S.C. s. 41.

1848 (2) TAX CREDIT.—

1849 (a) As provided in this section, a business enterprise is  
1850 eligible for a credit against the tax imposed by this chapter if

1851 it:

1852 1. Has qualified research expenses in this state in the  
1853 taxable year exceeding the base amount;

1854 2. Claims and is allowed a research credit for such  
1855 qualified research expenses under 26 U.S.C. s. 41 for the same  
1856 taxable year as subparagraph 1.; and

1857 3. Is a ~~qualified~~ target industry business as defined in  
1858 paragraph (c) s. 288.106(2)(n). Only ~~qualified~~ target industry  
1859 businesses in the manufacturing, life sciences, information  
1860 technology, aviation and aerospace, homeland security and  
1861 defense, cloud information technology, marine sciences,  
1862 materials science, and nanotechnology industries may qualify for  
1863 a tax credit under this section. A business applying for a  
1864 credit pursuant to this section shall include a letter from the  
1865 Department of Economic Opportunity certifying whether the  
1866 business meets the requirements of this subparagraph with its  
1867 application for credit. The Department of Economic Opportunity  
1868 shall provide such a letter upon receiving a request.

1869 Section 39. Section 272.11, Florida Statutes, is amended  
1870 to read:

1871 272.11 Capitol information center.—The Department of  
1872 Economic Opportunity Enterprise Florida, Inc., shall establish,  
1873 maintain, and operate a Capitol information center somewhere  
1874 within the area of the Capitol Center and employ personnel or  
1875 enter into contracts to maintain same.

1876 Section 40. Paragraph (f) of subsection (1) of section  
 1877 287.0947, Florida Statutes, is amended to read:

1878 287.0947 Florida Advisory Council on Small and Minority  
 1879 Business Development; creation; membership; duties.—

1880 (1) The Secretary of Management Services may create the  
 1881 Florida Advisory Council on Small and Minority Business  
 1882 Development with the purpose of advising and assisting the  
 1883 secretary in carrying out the secretary's duties with respect to  
 1884 minority businesses and economic and business development. It is  
 1885 the intent of the Legislature that the membership of such  
 1886 council include practitioners, laypersons, financiers, and  
 1887 others with business development experience who can provide  
 1888 invaluable insight and expertise for this state in the  
 1889 diversification of its markets and networking of business  
 1890 opportunities. The council shall initially consist of 19  
 1891 persons, each of whom is or has been actively engaged in small  
 1892 and minority business development, either in private industry,  
 1893 in governmental service, or as a scholar of recognized  
 1894 achievement in the study of such matters. Initially, the council  
 1895 shall consist of members representing all regions of the state  
 1896 and shall include at least one member from each group identified  
 1897 within the definition of "minority person" in s. 288.703(4),  
 1898 considering also gender and nationality subgroups, and shall  
 1899 consist of the following:

1900 (f) A member from the Department of Economic Opportunity

1901 ~~board of directors of Enterprise Florida, Inc.~~

1902

1903 A candidate for appointment may be considered if eligible to be  
 1904 certified as an owner of a minority business enterprise, or if  
 1905 otherwise qualified under the criteria above. Vacancies may be  
 1906 filled by appointment of the secretary, in the manner of the  
 1907 original appointment.

1908 Section 41. Paragraph (e) of subsection (1) of section  
 1909 287.137, Florida Statutes, is amended to read:

1910 287.137 Antitrust violations; denial or revocation of the  
 1911 right to transact business with public entities; denial of  
 1912 economic benefits.—

1913 (1) As used in this section, the term:

1914 (e) "Economic incentives" means state grants, cash grants,  
 1915 tax exemptions, tax refunds, tax credits, state funds, and other  
 1916 state incentives under chapter 288 or administered by the  
 1917 Department of Economic Opportunity ~~Enterprise Florida, Inc.~~

1918 Section 42. Subsections (2) and (4) of section 288.0001,  
 1919 Florida Statutes, are amended to read:

1920 288.0001 Economic Development Programs Evaluation.—The  
 1921 Office of Economic and Demographic Research and the Office of  
 1922 Program Policy Analysis and Government Accountability (OPPAGA)  
 1923 shall develop and present to the Governor, the President of the  
 1924 Senate, the Speaker of the House of Representatives, and the  
 1925 chairs of the legislative appropriations committees the Economic

1926 Development Programs Evaluation.

1927 (2) The Office of Economic and Demographic Research and  
 1928 OPPAGA shall provide a detailed analysis of economic development  
 1929 programs as provided in the following schedule:

1930 (a) By January 1, 2014, and every 3 years thereafter, an  
 1931 analysis of the following:

1932 ~~1. The capital investment tax credit established under s.~~  
 1933 ~~220.191.~~

1934 ~~2. The qualified target industry tax refund established~~  
 1935 ~~under s. 288.106.~~

1936 ~~3. The brownfield redevelopment bonus refund established~~  
 1937 ~~under s. 288.107.~~

1938 ~~4. High-impact business performance grants established~~  
 1939 ~~under s. 288.108.~~

1940 ~~5. The Quick Action Closing Fund established under s.~~  
 1941 ~~288.1088.~~

1942 ~~6. The Innovation Incentive Program established under s.~~  
 1943 ~~288.1089.~~

1944 ~~1.7.~~ Enterprise Zone Program incentives established under  
 1945 ss. 212.08(5) and (14)~~(15)~~, 212.096, 220.181, and 220.182.

1946 ~~2.8.~~ The New Markets Development Program established under  
 1947 ss. 288.991-288.9922.

1948 (b) By January 1, 2015, and every 3 years thereafter, an  
 1949 analysis of ~~the following:~~

1950 ~~1. The entertainment industry financial incentive program~~

1951 | ~~established under s. 288.1254.~~

1952 |       ~~2. The entertainment industry sales tax exemption program~~

1953 | ~~established under s. 288.1258.~~

1954 |       ~~1.3.~~ VISIT Florida and its programs established or funded

1955 | under ss. 288.122, 288.1226, 288.12265, and 288.124.

1956 |       ~~2.4.~~ The Florida Sports Foundation and related programs

1957 | established under ss. ~~288.1162, 288.11621,~~ 288.1166, 288.1167,

1958 | and 288.1168, ~~288.1169, and 288.1171.~~

1959 |       (c) By January 1, 2016, and every 3 years thereafter, an

1960 | analysis of the following:

1961 |       ~~1. The qualified defense contractor and space flight~~

1962 | ~~business tax refund program established under s. 288.1045.~~

1963 |       ~~1.2.~~ The tax exemption for semiconductor, defense, or

1964 | space technology sales established under s. 212.08(5)(i) ~~s.~~

1965 | ~~212.08(5)(j).~~

1966 |       ~~2.3.~~ The Military Base Protection Program established

1967 | under s. 288.980.

1968 |       ~~3.4.~~ The Quick Response Training Program established under

1969 | s. 288.047.

1970 |       ~~4.5.~~ The Incumbent Worker Training Program established

1971 | under s. 445.003.

1972 |       ~~5.6.~~ International trade and business development programs

1973 | established or funded under s. 288.826.

1974 |       (d) By January 1, 2019, and every 3 years thereafter, an

1975 | analysis of the grant and entrepreneur initiative programs

1976 | established under s. 295.22(3)(d) and (e).

1977 |         (4) Pursuant to the schedule established in subsection  
 1978 | (2), OPPAGA shall evaluate each program over the previous 3  
 1979 | years for its effectiveness and value to the taxpayers of this  
 1980 | state and include recommendations on each program for  
 1981 | consideration by the Legislature. The analysis may include  
 1982 | relevant economic development reports or analyses prepared by  
 1983 | the department ~~of Economic Opportunity, Enterprise Florida,~~  
 1984 | ~~Inc.~~ or local or regional economic development organizations, +  
 1985 | interviews with the parties involved, + or any other relevant  
 1986 | data.

1987 |         Section 43. Section 288.001, Florida Statutes, is  
 1988 | repealed.

1989 |         Section 44. Subsections (3) and (6) of section 288.012,  
 1990 | Florida Statutes, are amended to read:

1991 |         288.012 State of Florida international offices.—The  
 1992 | Legislature finds that the expansion of international trade and  
 1993 | tourism is vital to the overall health and growth of the economy  
 1994 | of this state. This expansion is hampered by the lack of  
 1995 | technical and business assistance, financial assistance, and  
 1996 | information services for businesses in this state. The  
 1997 | Legislature finds that these businesses could be assisted by  
 1998 | providing these services at State of Florida international  
 1999 | offices. The Legislature further finds that the accessibility  
 2000 | and provision of services at these offices can be enhanced

2001 through cooperative agreements or strategic alliances between  
 2002 private businesses and state, local, and international  
 2003 governmental entities.

2004 (3) Each international office shall annually submit to the  
 2005 department ~~Enterprise Florida, Inc.~~, a complete and detailed  
 2006 report on its activities and accomplishments during the previous  
 2007 fiscal year. ~~for inclusion in the annual report required under~~  
 2008 ~~s. 288.906. In the format and by the annual date prescribed by~~  
 2009 ~~Enterprise Florida, Inc.~~ The report must set forth information  
 2010 on:

2011 (a) The number of Florida companies assisted.

2012 (b) The number of inquiries received about investment  
 2013 opportunities in this state.

2014 (c) The number of trade leads generated.

2015 (d) The number of investment projects announced.

2016 (e) The estimated U.S. dollar value of sales  
 2017 confirmations.

2018 (f) The number of representation agreements.

2019 (g) The number of company consultations.

2020 (h) Barriers or other issues affecting the effective  
 2021 operation of the office.

2022 (i) Changes in office operations which are planned for the  
 2023 current fiscal year.

2024 (j) Marketing activities conducted.

2025 (k) Strategic alliances formed with organizations in the

2026 country in which the office is located.

2027 (l) Activities conducted with Florida's other  
2028 international offices.

2029 (m) Any other information that the office believes would  
2030 contribute to an understanding of its activities.

2031 ~~(6) The department is authorized to make and to enter into~~  
2032 ~~contracts with Enterprise Florida, Inc., to carry out the~~  
2033 ~~provisions of this section. The authority, duties, and~~  
2034 ~~exemptions provided in this section apply to Enterprise Florida,~~  
2035 ~~Inc., to the same degree and subject to the same conditions as~~  
2036 ~~applied to the department. To the greatest extent possible, such~~  
2037 ~~contracts shall include provisions for cooperative agreements or~~  
2038 ~~strategic alliances between private businesses and state,~~  
2039 ~~international, and local governmental entities to operate~~  
2040 ~~international offices.~~

2041 Section 45. Section 288.017, Florida Statutes, is  
2042 repealed.

2043 Section 46. Subsection (4) of section 288.018, Florida  
2044 Statutes, is amended to read:

2045 288.018 Regional Rural Development Grants Program.—

2046 (4) The department may expend up to \$750,000 each fiscal  
2047 year from funds appropriated to the Rural Community Development  
2048 Revolving Loan Fund for the purposes outlined in this section.  
2049 ~~The department may contract with Enterprise Florida, Inc., for~~  
2050 ~~the administration of the purposes specified in this section.~~

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2051 ~~Funds released to Enterprise Florida, Inc., for this purpose~~  
 2052 ~~shall be released quarterly and shall be calculated based on the~~  
 2053 ~~applications in process.~~

2054 Section 47. Subsections (1), (9), and (10) of section  
 2055 288.047, Florida Statutes, are amended, to read:

2056 288.047 Quick-response training for economic development.—

2057 (1) The Quick-Response Training Program is created to meet  
 2058 the workforce-skill needs of existing, new, and expanding  
 2059 industries. The program shall be administered by CareerSource  
 2060 Florida, Inc., in conjunction with ~~Enterprise Florida, Inc., and~~  
 2061 the Department of Education. CareerSource Florida, Inc., shall  
 2062 adopt guidelines for the administration of this program, shall  
 2063 provide technical services, and shall identify businesses that  
 2064 seek services through the program. ~~CareerSource Florida, Inc.,~~  
 2065 ~~may contract with Enterprise Florida, Inc., or administer this~~  
 2066 ~~program directly, if it is determined that such an arrangement~~  
 2067 ~~maximizes the amount of the Quick Response grant going to direct~~  
 2068 ~~services.~~

2069 ~~(9) Notwithstanding any other provision of law, eligible~~  
 2070 ~~matching contributions received under this section from the~~  
 2071 ~~Quick-Response Training Program may be counted toward the~~  
 2072 ~~private sector support of Enterprise Florida, Inc., under s.~~  
 2073 ~~288.904.~~

2074 ~~(10) CareerSource Florida, Inc., and Enterprise Florida,~~  
 2075 ~~Inc., shall coordinate and cooperate in administering this~~

2076 ~~section so that any division of responsibility between the two~~  
 2077 ~~organizations which relates to marketing or administering the~~  
 2078 ~~Quick-Response Training Program is not apparent to a business~~  
 2079 ~~that inquires about or applies for funding under this section. A~~  
 2080 ~~business shall be provided with a single point of contact for~~  
 2081 ~~information and assistance.~~

2082 Section 48. Subsections (1) and (4) of section 288.061,  
 2083 Florida Statutes, are amended to read:

2084 288.061 Economic development incentive application  
 2085 process.—

2086 (1) Upon receiving a submitted economic development  
 2087 incentive application, ~~the Division of Strategic Business~~  
 2088 ~~Development of the department of Economic Opportunity and~~  
 2089 ~~designated staff of Enterprise Florida, Inc.,~~ shall review the  
 2090 application to ensure that the application is complete, whether  
 2091 and what type of state and local permits may be necessary for  
 2092 the applicant's project, whether it is possible to waive such  
 2093 permits, and what state incentives and amounts of such  
 2094 incentives may be available to the applicant. The department  
 2095 shall recommend to the Secretary of Economic Opportunity to  
 2096 approve or disapprove an applicant business. If review of the  
 2097 application demonstrates that the application is incomplete, the  
 2098 secretary shall notify the applicant business within the first 5  
 2099 business days after receiving the application.

2100 (4) The department shall validate contractor performance

2101 and report such validation in the annual incentives report  
 2102 required under s. 288.0065 ~~s. 288.907~~.

2103 Section 49. Subsection (5) of section 288.0655, Florida  
 2104 Statutes, is renumbered as subsection (4), and paragraph (e) of  
 2105 subsection (2) and subsection (3) and present subsection (4) of  
 2106 that section are amended, to read:

2107 288.0655 Rural Infrastructure Fund.—

2108 (2)

2109 (e) To enable local governments to access the resources  
 2110 available pursuant to s. 403.973(17) ~~s. 403.973(18)~~, the  
 2111 department may award grants for surveys, feasibility studies,  
 2112 and other activities related to the identification and  
 2113 preclearance review of land which is suitable for preclearance  
 2114 review. Authorized grants under this paragraph may not exceed  
 2115 \$75,000 each, except in the case of a project in a rural area of  
 2116 opportunity, in which case the grant may not exceed \$300,000.  
 2117 Any funds awarded under this paragraph must be matched at a  
 2118 level of 50 percent with local funds, except that any funds  
 2119 awarded for a project in a rural area of opportunity must be  
 2120 matched at a level of 33percent with local funds. If an  
 2121 application for funding is for a catalyst site, as defined in s.  
 2122 288.0656, the requirement for local match may be waived pursuant  
 2123 to the process in s. 288.06561. In evaluating applications under  
 2124 this paragraph, the department shall consider the extent to  
 2125 which the application seeks to minimize administrative and

2126 consultant expenses.

2127 (3) The department, in consultation with ~~Enterprise~~  
 2128 ~~Florida, Inc.,~~ the Florida Tourism Industry Marketing  
 2129 Corporation, the Department of Environmental Protection, and the  
 2130 Florida Fish and Wildlife Conservation Commission, as  
 2131 appropriate, shall review and certify applications pursuant to  
 2132 s. 288.061. The review shall include an evaluation of the  
 2133 economic benefit of the projects and their long-term viability.  
 2134 The department shall have final approval for any grant under  
 2135 this section.

2136 ~~(4) By September 1, 2021, the department shall, in~~  
 2137 ~~consultation with the organizations listed in subsection (3),~~  
 2138 ~~and other organizations, reevaluate existing guidelines and~~  
 2139 ~~criteria governing submission of applications for funding,~~  
 2140 ~~review and evaluation of such applications, and approval of~~  
 2141 ~~funding under this section. The department shall consider~~  
 2142 ~~factors including, but not limited to, the project's potential~~  
 2143 ~~for enhanced job creation or increased capital investment, the~~  
 2144 ~~demonstration and level of local public and private commitment,~~  
 2145 ~~whether the project is located in a community development~~  
 2146 ~~corporation service area, or in an urban high-crime area as~~  
 2147 ~~designated under s. 212.097, the unemployment rate of the county~~  
 2148 ~~in which the project would be located, and the poverty rate of~~  
 2149 ~~the community.~~

2150 Section 50. Paragraph (a) of subsection (6) and paragraphs

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2151 (a) and (c) of subsection (7) of section 288.0656, Florida  
 2152 Statutes, are amended to read:

2153 288.0656 Rural Economic Development Initiative.—

2154 (6)(a) By August 1 of each year, the head of each of the  
 2155 following agencies and organizations shall designate a deputy  
 2156 secretary or higher-level staff person from within the agency or  
 2157 organization to serve as the REDI representative for the agency  
 2158 or organization:

- 2159 1. The Department of Transportation.
- 2160 2. The Department of Environmental Protection.
- 2161 3. The Department of Agriculture and Consumer Services.
- 2162 4. The Department of State.
- 2163 5. The Department of Health.
- 2164 6. The Department of Children and Families.
- 2165 7. The Department of Corrections.
- 2166 8. The Department of Education.
- 2167 9. The Department of Juvenile Justice.
- 2168 10. The Fish and Wildlife Conservation Commission.
- 2169 11. Each water management district.
- 2170 ~~12. Enterprise Florida, Inc.~~
- 2171 12.13. CareerSource Florida, Inc.
- 2172 13.14. VISIT Florida.
- 2173 14.15. The Florida Regional Planning Council Association.
- 2174 15.16. The Agency for Health Care Administration.
- 2175 16.17. The Institute of Food and Agricultural Sciences

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2176 (IFAS).

2177

2178 An alternate for each designee shall also be chosen, and the  
 2179 names of the designees and alternates shall be sent to the  
 2180 Secretary of Economic Opportunity.

2181 (7)

2182 (a) REDI may recommend to the Governor up to three rural  
 2183 areas of opportunity. The Governor may by executive order  
 2184 designate up to three rural areas of opportunity which will  
 2185 establish these areas as priority assignments for REDI as well  
 2186 as to allow the Governor, acting through REDI, to waive  
 2187 criteria, requirements, or similar provisions of any economic  
 2188 development incentive. Such incentives shall include, but are  
 2189 not limited to, ~~the Qualified Target Industry Tax Refund Program~~  
 2190 ~~under s. 288.106,~~ the Quick Response Training Program under s.  
 2191 288.047, the Quick Response Training Program for participants in  
 2192 the welfare transition program under s. 288.047(8),  
 2193 ~~transportation projects under s. 339.2821, the brownfield~~  
 2194 ~~redevelopment bonus refund under s. 288.107,~~ and the rural job  
 2195 tax credit program under ss. 212.098 and 220.1895.

2196 (c) Each rural area of opportunity may designate catalyst  
 2197 projects, provided that each catalyst project is specifically  
 2198 recommended by REDI, ~~identified as a catalyst project by~~  
 2199 ~~Enterprise Florida, Inc.,~~ and confirmed as a catalyst project by  
 2200 the department. All state agencies and departments shall use all

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2201 available tools and resources to the extent permissible by law  
 2202 to promote the creation and development of each catalyst project  
 2203 and the development of catalyst sites.

2204 Section 51. Section 288.0658, Florida Statutes, is amended  
 2205 to read:

2206 288.0658 Nature-based recreation; promotion and other  
 2207 assistance by Fish and Wildlife Conservation Commission.—The  
 2208 Florida Fish and Wildlife Conservation Commission is directed to  
 2209 assist ~~Enterprise Florida, Inc.;~~ the Florida Tourism Industry  
 2210 Marketing Corporation, doing business as VISIT Florida;  
 2211 convention and visitor bureaus,; tourist development councils,;  
 2212 economic development organizations,; and local governments  
 2213 through the provision of marketing advice, technical expertise,  
 2214 promotional support, and product development related to nature-  
 2215 based recreation and sustainable use of natural resources. In  
 2216 carrying out this responsibility, the Florida Fish and Wildlife  
 2217 Conservation Commission shall focus its efforts on fostering  
 2218 nature-based recreation in rural communities and regions  
 2219 encompassing rural communities. As used in this section, the  
 2220 term "nature-based recreation" means leisure activities related  
 2221 to the state's lands, waters, and fish and wildlife resources,  
 2222 including, but not limited to, wildlife viewing, fishing,  
 2223 hiking, canoeing, kayaking, camping, hunting, backpacking, and  
 2224 nature photography.

2225 Section 52. Subsection (6) of section 288.075, Florida

2226 Statutes, is amended to read:  
 2227       288.075 Confidentiality of records.—  
 2228       (6) ECONOMIC INCENTIVE PROGRAMS.—  
 2229       (a) The following information held by an economic  
 2230 development agency pursuant to the administration of an economic  
 2231 incentive program for qualified businesses is confidential and  
 2232 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 2233 Constitution for a period not to exceed the duration of the  
 2234 incentive agreement, including an agreement authorizing a tax  
 2235 refund or tax credit, or upon termination of the incentive  
 2236 agreement:  
 2237       1. The percentage of the business's sales occurring  
 2238 outside this state ~~and, for businesses applying under s.~~  
 2239 ~~288.1045, the percentage of the business's gross receipts~~  
 2240 ~~derived from Department of Defense contracts during the 5 years~~  
 2241 ~~immediately preceding the date the business's application is~~  
 2242 ~~submitted.~~  
 2243       2. An individual employee's personal identifying  
 2244 information that is held as evidence of the achievement or  
 2245 nonachievement of the wage requirements of the tax refund, tax  
 2246 credit, or incentive agreement programs or of the job creation  
 2247 requirements of such programs.  
 2248       3. The amount of:  
 2249       a. Taxes on sales, use, and other transactions paid  
 2250 pursuant to chapter 212;

- 2251 b. Corporate income taxes paid pursuant to chapter 220;
- 2252 c. Intangible personal property taxes paid pursuant to
- 2253 chapter 199;
- 2254 d. Insurance premium taxes paid pursuant to chapter 624;
- 2255 e. Excise taxes paid on documents pursuant to chapter 201;
- 2256 f. Ad valorem taxes paid, as defined in s. 220.03(1); or
- 2257 g. State communications services taxes paid pursuant to
- 2258 chapter 202.

2259

2260 However, an economic development agency may disclose in the

2261 annual incentives report required under s. 288.0065 ~~s. 288.907~~

2262 the aggregate amount of each tax identified in this subparagraph

2263 and paid by all businesses participating in each economic

2264 incentive program.

2265 (b)~~1.~~ The following information held by an economic

2266 development agency relating to a specific business participating

2267 in an economic incentive program is no longer confidential or

2268 exempt 180 days after a final project order for an economic

2269 incentive agreement is issued, until a date specified in the

2270 final project order, or if the information is otherwise

2271 disclosed, whichever occurs first:

- 2272 1.a. The name of the qualified business.
- 2273 2.b. The total number of jobs the business committed to
- 2274 create or retain.
- 2275 3.e. The total number of jobs created or retained by the

2276 business.

2277 ~~4.d.~~ Notwithstanding s. 213.053(2), the amount of tax  
 2278 refunds, tax credits, or incentives awarded to, claimed by, or,  
 2279 if applicable, refunded to the state by the business.

2280 ~~5.e.~~ The anticipated total annual wages of employees the  
 2281 business committed to hire or retain.

2282 ~~2. For a business applying for certification under s.~~  
 2283 ~~288.1045 which is based on obtaining a new Department of Defense~~  
 2284 ~~contract, the total number of jobs expected and the amount of~~  
 2285 ~~tax refunds claimed may not be released until the new Department~~  
 2286 ~~of Defense contract is awarded.~~

2287 Section 53. Subsections (7) through (10) of section  
 2288 288.076, Florida Statutes, are renumbered as subsections (6)  
 2289 through (9), respectively, and paragraphs (a), (c), and (e) of  
 2290 subsection (1) and present subsections (6) and (7) of that  
 2291 section are amended, to read:

2292 288.076 Return on investment reporting for economic  
 2293 development programs.-

2294 (1) As used in this section, the term:

2295 (a) "Jobs" means full-time equivalent positions,  
 2296 including, but not limited to, positions obtained from a  
 2297 temporary employment agency or employee leasing company or  
 2298 through a union agreement or coemployment under a professional  
 2299 employer organization agreement that result directly from a  
 2300 project in this state. The term does not include temporary

2301 construction jobs involved with the construction of facilities  
2302 for the project or any jobs previously included in any  
2303 application for tax refunds ~~has the same meaning as provided in~~  
2304 ~~s. 288.106(2)(i).~~

2305 (c) "Project" means the creation of a new business or  
2306 expansion of an existing business ~~has the same meaning as~~  
2307 ~~provided in s. 288.106(2)(m).~~

2308 (e) "State investment" means any state grants, tax  
2309 exemptions, tax refunds, tax credits, or other state incentives  
2310 provided to a business under a program administered by the  
2311 department, ~~including the capital investment tax credit under s.~~  
2312 ~~220.191.~~

2313 ~~(6) Annually, the department shall publish information~~  
2314 ~~relating to the progress of Quick Action Closing Fund projects,~~  
2315 ~~including the average number of days between the date the~~  
2316 ~~department receives a completed application and the date on~~  
2317 ~~which the application is approved.~~

2318 ~~(6)(7)(a)~~ Within 48 hours after expiration of the period  
2319 of confidentiality provided under s. 288.075, the department  
2320 shall publish the contract or agreement described in s. 288.061,  
2321 redacted to protect the participant business from disclosure of  
2322 information that remains confidential or exempt by law.

2323 ~~(b) Within 48 hours after submitting any report of~~  
2324 ~~findings and recommendations made pursuant to s. 288.106(7)(d)~~  
2325 ~~concerning a business's failure to complete a tax refund~~

2326 ~~agreement pursuant to the tax refund program for qualified~~  
 2327 ~~target industry businesses, the department shall publish such~~  
 2328 ~~report.~~

2329 Section 54. Section 288.095, Florida Statutes, is amended  
 2330 to read:

2331 288.095 Economic Development Trust Fund.—

2332 (1) The Economic Development Trust Fund is created within  
 2333 the department ~~of Economic Opportunity~~. Moneys deposited into  
 2334 the fund must be used only to support the authorized activities  
 2335 and operations of the department.

2336 (2) There is created, within the Economic Development  
 2337 Trust Fund, the Economic Development Incentives Account. The  
 2338 Economic Development Incentives Account consists of moneys  
 2339 appropriated to the account for purposes of the tax incentives  
 2340 programs formerly authorized under ss. 288.1045 and 288.106, and  
 2341 local financial support provided under former ss. 288.1045 and  
 2342 288.106. Moneys in the Economic Development Incentives Account  
 2343 shall be subject to the provisions of s. 216.301(1)(a).

2344 (3)(a) ~~The department may approve applications for~~  
 2345 ~~certification pursuant to ss. 288.1045(3) and 288.106. However,~~  
 2346 The total state share of tax refund payments may not exceed \$35  
 2347 million.

2348 (b) The total amount of tax refund claims approved for  
 2349 payment by the department based on actual project performance  
 2350 may not exceed the amount appropriated to the Economic

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2351 Development Incentives Account for such purposes for the fiscal  
 2352 year. Claims for tax refunds under former ss. 288.1045 and  
 2353 288.106 shall be paid in the order the claims are approved by  
 2354 the department. In the event the Legislature does not  
 2355 appropriate an amount sufficient to satisfy the tax refunds  
 2356 under former ss. 288.1045 and 288.106 in a fiscal year, the  
 2357 department shall pay the tax refunds from the appropriation for  
 2358 the following fiscal year. By March 1 of each year, the  
 2359 department shall notify the legislative appropriations  
 2360 committees of the Senate and House of Representatives of any  
 2361 anticipated shortfall in the amount of funds needed to satisfy  
 2362 claims for tax refunds from the appropriation for the current  
 2363 fiscal year.

2364 (c) Moneys in the Economic Development Incentives Account  
 2365 may be used only to pay tax refunds and make other payments on  
 2366 agreements executed prior to July 1, 2023, authorized under  
 2367 former s. 288.1045, s. 288.106, or s. 288.107.

2368 (d) The department may adopt rules necessary to carry out  
 2369 ~~the provisions of~~ this subsection, including rules providing for  
 2370 the use of moneys in the Economic Development Incentives Account  
 2371 and for the administration of the Economic Development  
 2372 Incentives Account.

2373 Section 55. Subsection (2) and paragraph (c) of subsection  
 2374 (3) of section 288.101, Florida Statutes, are amended to read:

2375 288.101 Florida Job Growth Grant Fund.—

2376 (2) The department ~~and Enterprise Florida, Inc.,~~ may  
 2377 identify projects, solicit proposals, and make funding  
 2378 recommendations to the Governor, who is authorized to approve:

2379 (a) State or local public infrastructure projects to  
 2380 promote economic recovery in specific regions of the state,  
 2381 economic diversification, ~~or~~ economic enhancement in a targeted  
 2382 industry.

2383 ~~(b) Infrastructure funding to accelerate the~~  
 2384 ~~rehabilitation of the Herbert Hoover Dike. The department or the~~  
 2385 ~~South Florida Water Management District may enter into~~  
 2386 ~~agreements, as necessary, with the United States Army Corps of~~  
 2387 ~~Engineers to implement this paragraph.~~

2388 (b)(e) Workforce training grants to support programs at  
 2389 state colleges and state technical centers that provide  
 2390 participants with transferable, sustainable workforce skills  
 2391 applicable to more than a single employer, and for equipment  
 2392 associated with these programs. The department shall work with  
 2393 CareerSource Florida, Inc., to ensure programs are offered to  
 2394 the public based on criteria established by the state college or  
 2395 state technical center and do not exclude applicants who are  
 2396 unemployed or underemployed.

2397 (3) For purposes of this section:

2398 (c) "Targeted industry" means any industry identified in  
 2399 the most recent list provided to the Governor, the President of  
 2400 the Senate, and the Speaker of the House of Representatives in

2401 accordance with s. 196.012(11) ~~s. 288.106(2)(g)~~.

2402       Section 56. Section 288.1045, Florida Statutes, is

2403 repealed.

2404       Section 57. Section 288.106, Florida Statutes, is

2405 repealed.

2406       Section 58. Section 288.107, Florida Statutes, is

2407 repealed.

2408       Section 59. Section 288.108, Florida Statutes, is

2409 repealed.

2410       Section 60. Section 288.1081, Florida Statutes, is

2411 repealed.

2412       Section 61. Section 288.1082, Florida Statutes, is

2413 repealed.

2414       Section 62. Section 288.1088, Florida Statutes, is

2415 repealed.

2416       Section 63. Section 288.1089, Florida Statutes, is

2417 repealed.

2418       Section 64. Section 288.111, Florida Statutes, is amended

2419 to read:

2420       288.111 Information concerning local manufacturing

2421 development programs.—The department shall develop materials

2422 that identify each local government that establishes a local

2423 manufacturing development program under s. 163.3252. The

2424 materials, which the department may elect to develop and

2425 maintain in electronic format or in any other format deemed by

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2426 | the department to provide public access, must be updated at  
 2427 | least annually. ~~Enterprise Florida, Inc., shall, and other State~~  
 2428 | agencies may~~7~~ distribute the materials to prospective, new,  
 2429 | expanding, and relocating businesses seeking to conduct business  
 2430 | in this state.

2431 |       Section 65. Section 288.1162, Florida Statutes, is  
 2432 | repealed.

2433 |       Section 66. Section 288.11621, Florida Statutes, is  
 2434 | repealed.

2435 |       Section 67. Section 288.11631, Florida Statutes, is  
 2436 | repealed.

2437 |       Section 68. Section 288.1169, Florida Statutes, is  
 2438 | repealed.

2439 |       Section 69. Section 288.1171, Florida Statutes, is  
 2440 | repealed.

2441 |       Section 70. Section 288.12265, Florida Statutes, is  
 2442 | amended to read:

2443 |             288.12265 Welcome centers.—

2444 |             (1) Responsibility for the welcome centers is assigned to  
 2445 | ~~Enterprise Florida, Inc., which shall contract with the Florida~~  
 2446 | ~~Tourism Industry Marketing Corporation to employ all welcome~~  
 2447 | ~~center staff.~~

2448 |             (2) The Florida Tourism Industry Marketing Corporation  
 2449 | ~~Enterprise Florida, Inc.,~~ shall administer and operate the  
 2450 | welcome centers and,~~7~~ pursuant to a contract with the Department

2451 of Transportation, ~~Enterprise Florida, Inc.~~, shall be  
 2452 responsible for routine repair, replacement, or improvement and  
 2453 the day-to-day management of interior areas occupied by the  
 2454 welcome centers. All other repairs, replacements, or  
 2455 improvements to the welcome centers shall be the responsibility  
 2456 of the Department of Transportation. ~~Enterprise Florida, Inc.~~  
 2457 ~~may contract with the Florida Tourism Industry Marketing~~  
 2458 ~~Corporation for the management and operation of the welcome~~  
 2459 ~~centers.~~

2460 Section 71. Section 288.125, Florida Statutes, is  
 2461 repealed.

2462 Section 72. Section 288.1251, Florida Statutes, is  
 2463 repealed.

2464 Section 73. Section 288.1252, Florida Statutes, is  
 2465 repealed.

2466 Section 74. Section 288.1253, Florida Statutes, is  
 2467 repealed.

2468 Section 75. Section 288.1254, Florida Statutes, is  
 2469 repealed.

2470 Section 76. Section 288.1258, Florida Statutes, is  
 2471 repealed.

2472 Section 77. Section 288.7015, Florida Statutes, is amended  
 2473 to read:

2474 288.7015 Appointment of rules ombudsman; duties.—The  
 2475 Governor shall appoint a rules ombudsman, as defined in s.

2476 | 288.703, in the Executive Office of the Governor, for  
 2477 | considering the impact of agency rules on the state's citizens  
 2478 | and businesses. ~~In carrying out duties as provided by law, the~~  
 2479 | ~~ombudsman shall consult with Enterprise Florida, Inc., at which~~  
 2480 | ~~point the department may recommend to improve the regulatory~~  
 2481 | ~~environment of this state.~~ The duties of the rules ombudsman are  
 2482 | to:

2483 |       (1) Carry out the responsibility provided in s.  
 2484 | 120.54(3) (b), with respect to small businesses.

2485 |       (2) Review state agency rules that adversely or  
 2486 | disproportionately impact businesses, particularly those  
 2487 | relating to small and minority businesses.

2488 |       (3) Make recommendations on any existing or proposed rules  
 2489 | to alleviate unnecessary or disproportionate adverse effects to  
 2490 | businesses.

2491 |       (4) Each state agency shall cooperate fully with the rules  
 2492 | ombudsman in identifying such rules. Further, each agency shall  
 2493 | take the necessary steps to waive, modify, or otherwise minimize  
 2494 | such adverse effects of any such rules. However, nothing in this  
 2495 | section authorizes any state agency to waive, modify, provide  
 2496 | exceptions to, or otherwise alter any rule that is:

2497 |           (a) Expressly required to implement or enforce any  
 2498 | statutory provision or the express legislative intent thereof;

2499 |           (b) Designed to protect persons against discrimination on  
 2500 | the basis of race, color, national origin, religion, sex, age,

2501 | handicap, or marital status; or

2502 |       (c) Likely to prevent a significant risk or danger to the  
2503 | public health, the public safety, or the environment of the  
2504 | state.

2505 |       (5) The modification or waiver of any such rule pursuant  
2506 | to this section must be accomplished in accordance with the  
2507 | provisions of chapter 120.

2508 |       Section 78. Subsection (11) of section 288.706, Florida  
2509 | Statutes, is amended to read:

2510 |       288.706 Florida Minority Business Loan Mobilization  
2511 | Program.—

2512 |       (11) The Department of Management Services shall  
2513 | collaborate with ~~Enterprise Florida, Inc.~~, and the department to  
2514 | assist in the development and enhancement of black business  
2515 | enterprises.

2516 |       Section 79. Subsection (1) of section 288.773, Florida  
2517 | Statutes, is amended to read:

2518 |       288.773 Florida Export Finance Corporation.—The Florida  
2519 | Export Finance Corporation is hereby created as a corporation  
2520 | not for profit, to be incorporated under the provisions of  
2521 | chapter 617 and approved by the Department of State. The  
2522 | corporation is organized on a nonstock basis. The purpose of the  
2523 | corporation is to expand employment and income opportunities for  
2524 | residents of this state through increased exports of goods and  
2525 | services, by providing businesses domiciled in this state

2526 information and technical assistance on export opportunities,  
 2527 exporting techniques, and financial assistance through  
 2528 guarantees and direct loan originations for sale in support of  
 2529 export transactions. The corporation shall have the power and  
 2530 authority to carry out the following functions:

2531 (1) To coordinate the efforts of the corporation with  
 2532 programs and goals of the United States Export-Import Bank, the  
 2533 International Trade Administration of the United States  
 2534 Department of Commerce, the Foreign Credit Insurance  
 2535 Association, the department ~~Enterprise Florida, Inc.~~, and other  
 2536 private and public programs and organizations, domestic and  
 2537 foreign, designed to provide export assistance and export-  
 2538 related financing.

2539 Section 80. Paragraph (a) of subsection (1) and paragraphs  
 2540 (a), (c), and (g) of subsection (3) of section 288.776, Florida  
 2541 Statutes, are amended to read:

2542 288.776 Board of directors; powers and duties.—

2543 (1)(a) The corporation shall have a board of directors  
 2544 consisting of 15 members representing all geographic areas of  
 2545 the state. Minority and gender representation must be considered  
 2546 when making appointments to the board. The board membership must  
 2547 include:

2548 1. A representative of the following businesses, all of  
 2549 which must be registered to do business in this state: a foreign  
 2550 bank, a state bank, a federal bank, an insurance company

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2551 involved in covering trade financing risks, and a small or  
2552 medium-sized exporter.

2553 2. The following persons or their designee: ~~the President~~  
2554 ~~of Enterprise Florida, Inc.,~~ the Chief Financial Officer, the  
2555 Secretary of State, and a senior official of the United States  
2556 Department of Commerce.

2557 (3) The board shall:

2558 (a) Prior to the expenditure of funds from the export  
2559 finance account, adopt bylaws and policies which are necessary  
2560 to carry out the responsibilities under this part, particularly  
2561 with respect to the implementation of the corporation's programs  
2562 to insure, coinsure, lend, provide loan guarantees, and make  
2563 direct, guaranteed, or collateralized loans by the corporation  
2564 to support export transactions. The corporation's bylaws and  
2565 policies shall be reviewed and approved by Enterprise Florida,  
2566 Inc., prior to final adoption by the board.

2567 (c) Issue an annual report to the department ~~Enterprise~~  
2568 ~~Florida, Inc.,~~ on the activities of the corporation, including  
2569 an evaluation of activities and recommendations for change. The  
2570 evaluation shall include the corporation's impact on the  
2571 following:

2572 1. Participation of private banks and other private  
2573 organizations and individuals in the corporation's export  
2574 financing programs.

2575 2. Access of small and medium-sized businesses in this

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2576 state to federal export financing programs.

2577 3. Export volume of the small and medium-sized businesses  
2578 in this state accessing the corporation's programs.

2579 4. Other economic and social benefits to international  
2580 programs in this state.

2581 (g) Consult with the department ~~Enterprise Florida, Inc.~~,  
2582 or any state or federal agency, to ensure that the respective  
2583 loan guarantee or working capital loan origination programs are  
2584 not duplicative and that each program makes full use of, to the  
2585 extent practicable, the resources of the other.

2586 Section 81. Section 288.7771, Florida Statutes, is amended  
2587 to read:

2588 288.7771 Annual report of Florida Export Finance  
2589 Corporation.—The corporation shall annually prepare and submit  
2590 to the department ~~Enterprise Florida, Inc.~~, ~~for inclusion in its~~  
2591 ~~annual report required under s. 288.906,~~ a complete and detailed  
2592 report setting forth:

2593 (1) The report required in s. 288.776(3).

2594 (2) Its assets and liabilities at the end of its most  
2595 recent fiscal year.

2596 Section 82. Subsections (4) and (6) of section 288.816,  
2597 Florida Statutes, are amended to read:

2598 288.816 Intergovernmental relations.—

2599 (4) The state protocol officer shall serve as a contact  
2600 for the state with the Florida Washington Office, the Florida

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2601 Congressional Delegation, and United States Government agencies  
 2602 with respect to laws or policies which may affect the interests  
 2603 of the state in the area of international relations. All  
 2604 inquiries received regarding international economic trade  
 2605 development or reverse investment opportunities shall be  
 2606 referred to the department ~~Enterprise Florida, Inc.~~. In addition,  
 2607 the state protocol officer shall serve as liaison with other  
 2608 states with respect to international programs of interest to  
 2609 Florida. The state protocol officer shall also investigate and  
 2610 make suggestions regarding possible areas of joint action or  
 2611 regional cooperation with these states.

2612 (6) The department ~~and Enterprise Florida, Inc.,~~ shall  
 2613 help to contribute an international perspective to the state's  
 2614 development efforts.

2615 Section 83. Section 288.826, Florida Statutes, is amended  
 2616 to read:

2617 288.826 Florida International Trade and Promotion Trust  
 2618 Fund.—There is hereby established in the State Treasury the  
 2619 Florida International Trade and Promotion Trust Fund. The moneys  
 2620 deposited into this trust fund shall be administered by the  
 2621 department ~~for the operation of Enterprise Florida, Inc., and~~  
 2622 for the operation of Florida international offices under s.  
 2623 288.012.

2624 Section 84. Section 288.901, Florida Statutes, is  
 2625 repealed.

2626           Section 85. Section 288.9015, Florida Statutes, is  
 2627 repealed.

2628           Section 86. Section 288.903, Florida Statutes, is  
 2629 repealed.

2630           Section 87. Section 288.904, Florida Statutes, is  
 2631 repealed.

2632           Section 88. Section 288.905, Florida Statutes, is  
 2633 repealed.

2634           Section 89. Section 288.906, Florida Statutes, is  
 2635 repealed.

2636           Section 90. Section 288.907, Florida Statutes, is  
 2637 transferred, renumbered as section 288.0065, Florida Statutes,  
 2638 and amended to read:

2639           288.0065 ~~288.907~~ Annual incentives report.—By December 30  
 2640 of each year, ~~Enterprise Florida, Inc., in conjunction with the~~  
 2641 ~~department,~~ shall provide the Governor, the President of the  
 2642 Senate, and the Speaker of the House of Representatives a  
 2643 detailed incentives report quantifying the economic benefits for  
 2644 all of the economic development incentive programs offered by  
 2645 the state ~~marketed by Enterprise Florida, Inc.~~ The annual  
 2646 incentives report must include:

2647           (1) For each incentive program:

2648           (a) A brief description of the incentive program.

2649           (b) The amount of awards granted, by year, since inception  
 2650 and the annual amount actually transferred from the state

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2651 treasury to businesses or for the benefit of businesses for each  
 2652 of the previous 3 years.

2653 ~~(c) The actual amount of private capital invested, actual~~  
 2654 ~~number of jobs created, and actual wages paid for incentive~~  
 2655 ~~agreements completed during the previous 3 years for each target~~  
 2656 ~~industry sector.~~

2657 (2) For projects completed during the previous state  
 2658 fiscal year:

2659 (a) The number of economic development incentive  
 2660 applications received.

2661 ~~(b) The number of recommendations made to the department~~  
 2662 ~~by Enterprise Florida, Inc., including the number recommended~~  
 2663 ~~for approval and the number recommended for denial.~~

2664 (b)~~(e)~~ The number of final decisions issued by the  
 2665 department for approval and for denial.

2666 (c)~~(d)~~ The projects for which a tax refund, tax credit, or  
 2667 cash grant agreement was executed, identifying for each project:

- 2668 1. The number of jobs committed to be created.
- 2669 2. The amount of capital investments committed to be made.
- 2670 3. The annual average wage committed to be paid.
- 2671 4. The amount of state economic development incentives
- 2672 committed to the project from each incentive program under the
- 2673 project's terms of agreement with the Department of Economic
- 2674 Opportunity.
- 2675 5. The amount and type of local matching funds committed

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2676 to the project.

2677 ~~(e) Tax refunds paid or other payments made funded out of~~  
2678 ~~the Economic Development Incentives Account for each project.~~

2679 (d)~~(f)~~ The types of projects supported.

2680 (3) For economic development projects that received tax  
2681 refunds, tax credits, or cash grants under the terms of an  
2682 agreement for incentives:

2683 (a) The number of jobs actually created.

2684 (b) The amount of capital investments actually made.

2685 (c) The annual average wage paid.

2686 (4) For a project receiving economic development  
2687 incentives approved by the department and receiving federal or  
2688 local incentives, a description of the federal or local  
2689 incentives, if available.

2690 (5) The number of withdrawn or terminated projects that  
2691 did not fulfill the terms of their agreements with the  
2692 department and, consequently, are not receiving incentives.

2693 ~~(6) For any agreements signed after July 1, 2010, findings~~  
2694 ~~and recommendations on the efforts of the department to~~  
2695 ~~ascertain the causes of any business's inability to complete its~~  
2696 ~~agreement made under s. 288.106.~~

2697 (6)~~(7)~~ The amount of tax refunds, tax credits, or other  
2698 payments made to projects locating or expanding in state  
2699 enterprise zones, rural communities, brownfield areas, or  
2700 distressed urban communities. The report must include a separate

2701 analysis of the impact of such tax refunds on state enterprise  
 2702 zones designated under s. 290.0065, rural communities,  
 2703 brownfield areas, and distressed urban communities.

2704 ~~(8) The name of and tax refund amount for each business~~  
 2705 ~~that has received a tax refund under s. 288.1045 or s. 288.106~~  
 2706 ~~during the preceding fiscal year.~~

2707 ~~(7)-(9)~~ An identification of the ~~target industry businesses~~  
 2708 ~~and~~ high-impact businesses.

2709 ~~(8)-(10)~~ A description of the trends relating to business  
 2710 interest in, and usage of, the various incentives, and the  
 2711 number of minority-owned or woman-owned businesses receiving  
 2712 incentives.

2713 ~~(9)-(11)~~ An identification of incentive programs not used  
 2714 and recommendations for program changes or program elimination.

2715 ~~(10)-(12)~~ Information related to the validation of  
 2716 contractor performance required under s. 288.061.

2717 ~~(11)-(13) Beginning in 2014,~~ A summation of the activities  
 2718 related to the Florida Space Business Incentives Act.

2719 Section 91. Section 288.911, Florida Statutes, is  
 2720 repealed.

2721 Section 92. Section 288.912, Florida Statutes, is  
 2722 transferred, renumbered as section 288.007, Florida Statutes,  
 2723 and amended to read:

2724 288.007 ~~288.912~~ Inventory of communities seeking to  
 2725 recruit businesses.—By September 30 of each year, a county or

2726 municipality that has a population of at least 25,000 or its  
 2727 local economic development organization must submit to the  
 2728 department ~~Enterprise Florida, Inc.~~, a brief overview of the  
 2729 strengths, services, and economic development incentives that  
 2730 its community offers. The local government or its local economic  
 2731 development organization also must identify any industries that  
 2732 it is encouraging to locate or relocate to its area. A county or  
 2733 municipality having a population of 25,000 or fewer or its local  
 2734 economic development organization seeking to recruit businesses  
 2735 may submit information as required in this section and may  
 2736 participate in any activity or initiative resulting from the  
 2737 collection, analysis, and reporting of the information to the  
 2738 department ~~Enterprise Florida, Inc.~~, pursuant to this section.

2739 Section 93. Section 288.92, Florida Statutes, is repealed.

2740 Section 94. Subsection (1), paragraph (d) of subsection  
 2741 (2), subsection (3), paragraphs (b), (c), and (d) of subsection  
 2742 (4), and subsection (5) of section 288.923, Florida Statutes,  
 2743 are amended to read:

2744 288.923 Division of Tourism Marketing; definitions;  
 2745 responsibilities.—

2746 (1) There is created within the Department of Economic  
 2747 Opportunity ~~Enterprise Florida, Inc.~~, the Division of Tourism  
 2748 Marketing.

2749 (2) As used in this section, the term:

2750 (d) "Direct-support organization" means the Florida

2751 Tourism Industry Marketing Corporation, doing business as VISIT  
 2752 Florida.

2753 (3) The department ~~Enterprise Florida, Inc.,~~ shall  
 2754 contract with the Florida Tourism Industry Marketing  
 2755 Corporation, a direct-support organization established in s.  
 2756 288.1226, to execute tourism promotion and marketing services,  
 2757 functions, and programs for the state, including, but not  
 2758 limited to, the activities prescribed by the 4-year marketing  
 2759 plan. The division shall assist to maintain and implement the  
 2760 contract.

2761 (4) The division's responsibilities and duties include,  
 2762 but are not limited to:

2763 (b) Advising the department ~~and Enterprise Florida, Inc.,~~  
 2764 on development of domestic and international tourism marketing  
 2765 campaigns featuring Florida.

2766 (c) Developing a 4-year marketing plan.

2767 1. At a minimum, the marketing plan shall discuss the  
 2768 following:

- 2769 a. Continuation of overall tourism growth in this state.
- 2770 b. Expansion to new or under-represented tourist markets.
- 2771 c. Maintenance of traditional and loyal tourist markets.
- 2772 d. Coordination of efforts with county destination  
 2773 marketing organizations, other local government marketing  
 2774 groups, privately owned attractions and destinations, and other  
 2775 private sector partners to create a seamless, four-season

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2776 advertising campaign for the state and its regions.

2777 e. Development of innovative techniques or promotions to  
2778 build repeat visitation by targeted segments of the tourist  
2779 population.

2780 f. Consideration of innovative sources of state funding  
2781 for tourism marketing.

2782 g. Promotion of nature-based tourism and heritage tourism.

2783 h. Development of a component to address emergency  
2784 response to natural and manmade disasters from a marketing  
2785 standpoint.

2786 2. The plan shall be annual in construction and ongoing in  
2787 nature. Any annual revisions of the plan shall carry forward the  
2788 concepts of the remaining 3-year portion of the plan and  
2789 consider a continuum portion to preserve the 4-year timeframe of  
2790 the plan. The plan also shall include recommendations for  
2791 specific performance standards and measurable outcomes for the  
2792 division and direct-support organization. The department, ~~in~~  
2793 ~~consultation with the board of directors of Enterprise Florida,~~  
2794 ~~Inc.,~~ shall base the actual performance metrics on these  
2795 recommendations.

2796 3. The 4-year marketing plan shall be developed in  
2797 collaboration with the Florida Tourism Industry Marketing  
2798 Corporation. The plan shall be annually reviewed and approved by  
2799 the department ~~board of directors of Enterprise Florida, Inc.~~

2800 (d) Drafting and submitting to the department an annual

2801 report ~~required by s. 288.92~~. The annual report shall set forth  
 2802 for the division and the direct-support organization:

2803 1. Operations and accomplishments during the fiscal year,  
 2804 including the economic benefit of the state's investment and  
 2805 effectiveness of the marketing plan.

2806 2. The 4-year marketing plan, including recommendations on  
 2807 methods for implementing and funding the plan.

2808 3. The assets and liabilities of the direct-support  
 2809 organization at the end of its most recent fiscal year.

2810 4. A copy of the annual financial and compliance audit  
 2811 conducted under s. 288.1226(7).

2812 (5) ~~Notwithstanding s. 288.92~~, The division shall be  
 2813 staffed by the Florida Tourism Industry Marketing Corporation.  
 2814 Such staff shall not be considered to be employees of the  
 2815 division and shall remain employees of the Florida Tourism  
 2816 Industry Marketing Corporation. ~~Section 288.905 does not apply~~  
 2817 ~~to the Florida Tourism Industry Marketing Corporation.~~

2818 Section 95. Section 288.95155, Florida Statutes, is  
 2819 repealed.

2820 Section 96. Section 288.9519, Florida Statutes, is  
 2821 repealed.

2822 Section 97. Section 288.9520, Florida Statutes, is  
 2823 repealed.

2824 Section 98. Section 288.955, Florida Statutes, is  
 2825 repealed.

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2826 Section 99. Subsection (10) of section 288.9603, Florida  
 2827 Statutes, is amended to read:

2828 288.9603 Definitions.—

2829 (10) "Partnership" means the department ~~Enterprise~~  
 2830 ~~Florida, Inc.~~

2831 Section 100. Paragraph (v) of subsection (2) of section  
 2832 288.9605, Florida Statutes, is amended to read:

2833 288.9605 Corporation powers.—

2834 (2) The corporation is authorized and empowered to:

2835 (v) Enter into investment agreements with the department  
 2836 ~~Enterprise Florida, Inc.~~, concerning the issuance of bonds and  
 2837 other forms of indebtedness and capital.

2838 Section 101. Section 288.9614, Florida Statutes, is  
 2839 amended to read:

2840 288.9614 Authorized programs.—The department ~~Enterprise~~  
 2841 ~~Florida, Inc.~~, may take any action that it deems necessary to  
 2842 achieve the purposes of this act in partnership with private  
 2843 enterprises, public agencies, and other organizations,  
 2844 including, but not limited to, efforts to address the long-term  
 2845 debt needs of small-sized and medium-sized firms, to address the  
 2846 needs of microenterprises, to expand availability of venture  
 2847 capital, and to increase international trade and export finance  
 2848 opportunities for firms critical to achieving the purposes of  
 2849 this act.

2850 Section 102. Paragraphs (a) and (b) of subsection (1) of

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2851 section 288.9624, Florida Statutes, are amended to read:  
2852 288.9624 Florida Opportunity Fund; creation; duties.—  
2853 (1) (a) ~~Enterprise Florida, Inc., shall facilitate the~~  
2854 ~~creation of~~ The Florida Opportunity Fund is, a private, not-for-  
2855 profit corporation organized and operated under chapter 617.  
2856 ~~Enterprise Florida, Inc., shall be the fund's sole shareholder~~  
2857 ~~or member.~~ The fund is not a public corporation or  
2858 instrumentality of the state. The fund shall manage its business  
2859 affairs and conduct business consistent with its organizational  
2860 documents and the purposes set forth in this section.  
2861 Notwithstanding the powers granted under chapter 617, the  
2862 corporation may not amend, modify, or repeal a bylaw or article  
2863 of incorporation without the express written consent of the  
2864 department ~~Enterprise Florida, Inc.~~  
2865 (b) The board of directors of the Florida Opportunity Fund  
2866 shall have five members, appointed by the Governor ~~vote of the~~  
2867 ~~board of directors of Enterprise Florida, Inc.~~ Board members  
2868 shall serve terms as provided in the fund's organizational  
2869 documents. Within 90 days before an anticipated vacancy by  
2870 expiration of the term of a board member, the board of directors  
2871 of the fund shall submit a list of three eligible nominees,  
2872 which may include the incumbent, to the Governor. The Governor  
2873 ~~board of directors of Enterprise Florida, Inc.~~ ~~The board of~~  
2874 ~~directors of Enterprise Florida, Inc.,~~ may appoint a board  
2875 member from the nominee list or may request and appoint from a

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2876 new list of three nominees not included on the previous list.

2877 Section 103. Paragraph (c) of subsection (4) of section  
2878 288.96255, Florida Statutes, is amended to read:

2879 288.96255 Florida Technology Seed Capital Fund; creation;  
2880 duties.—

2881 (4) The private fund manager shall use a thorough and  
2882 detailed process that is modeled after investment industry  
2883 practices to evaluate a proposal. In order to approve a company  
2884 for investment, the private fund manager, on behalf of the  
2885 institute, must consider if:

2886 (c) The company is a target industry business as defined  
2887 in s. 196.012(11) ~~s. 288.106(2)~~; and

2888 Section 104. Paragraph (b) of subsection (1) of section  
2889 288.980, Florida Statutes, is amended to read:

2890 288.980 Military base retention; legislative intent;  
2891 grants program.—

2892 (1)

2893 (b) The Florida Defense Alliance, an organization within  
2894 the department ~~Enterprise Florida, Inc.~~, is designated as the  
2895 organization to ensure that Florida, its resident military bases  
2896 and missions, and its military host communities are in  
2897 competitive positions as the United States continues its defense  
2898 realignment and downsizing. The defense alliance shall serve as  
2899 an overall advisory body for defense-related activity of the  
2900 department ~~Enterprise Florida, Inc.~~ The Florida Defense Alliance

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2901 | may receive funding from appropriations made for that purpose  
 2902 | administered by the department.

2903 |       Section 105. Section 288.991, Florida Statutes, is  
 2904 | repealed.

2905 |       Section 106. Section 288.9912, Florida Statutes, is  
 2906 | repealed.

2907 |       Section 107. Section 288.9913, Florida Statutes, is  
 2908 | repealed.

2909 |       Section 108. Section 288.9914, Florida Statutes, is  
 2910 | repealed.

2911 |       Section 109. Section 288.9915, Florida Statutes, is  
 2912 | repealed.

2913 |       Section 110. Section 288.9916, Florida Statutes, is  
 2914 | repealed.

2915 |       Section 111. Section 288.9917, Florida Statutes, is  
 2916 | repealed.

2917 |       Section 112. Section 288.9918, Florida Statutes, is  
 2918 | repealed.

2919 |       Section 113. Section 288.9919, Florida Statutes, is  
 2920 | repealed.

2921 |       Section 114. Section 288.9920, Florida Statutes, is  
 2922 | repealed.

2923 |       Section 115. Section 288.9921, Florida Statutes, is  
 2924 | repealed.

2925 |       Section 116. Section 288.9922, Florida Statutes, is

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2926 repealed.

2927           Section 117. Section 288.993, Florida Statutes, is

2928 repealed.

2929           Section 118. Section 288.9931, Florida Statutes, is

2930 repealed.

2931           Section 119. Section 288.9932, Florida Statutes, is

2932 repealed.

2933           Section 120. Section 288.9933, Florida Statutes, is

2934 repealed.

2935           Section 121. Section 288.9934, Florida Statutes, is

2936 repealed.

2937           Section 122. Section 288.9935, Florida Statutes, is

2938 repealed.

2939           Section 123. Section 288.9936, Florida Statutes, is

2940 repealed.

2941           Section 124. Section 288.9937, Florida Statutes, is

2942 repealed.

2943           Section 125. Subsection (3) of section 288.9961, Florida

2944 Statutes, is amended to read:

2945           288.9961 Promotion of broadband adoption; Florida Office

2946 of Broadband.—

2947           (3) STATE AGENCY.—The department is designated as the lead

2948 state agency to facilitate the expansion of broadband Internet

2949 service in this state. The department shall work collaboratively

2950 with private businesses and receive staffing support and other

2951 resources from ~~Enterprise Florida, Inc.~~, state agencies, local  
 2952 governments, and community organizations.

2953 Section 126. Paragraph (h) of subsection (8) and paragraph  
 2954 (a) of subsection (9) of section 290.0056, Florida Statutes, are  
 2955 amended to read:

2956 290.0056 Enterprise zone development agency.—

2957 (8) The enterprise zone development agency shall have the  
 2958 following powers and responsibilities:

2959 (h) To work with the department ~~and Enterprise Florida,~~  
 2960 ~~Inc.~~, to ensure that the enterprise zone coordinator receives  
 2961 training on an annual basis.

2962 (9) The following powers and responsibilities shall be  
 2963 performed by the governing body creating the enterprise zone  
 2964 development agency acting as the managing agent of the  
 2965 enterprise zone development agency, or, contingent upon approval  
 2966 by such governing body, such powers and responsibilities shall  
 2967 be performed by the enterprise zone development agency:

2968 (a) To review, process, and certify applications for state  
 2969 enterprise zone tax incentives pursuant to ss. 212.08(5)(f) and  
 2970 (g) and (14); 212.096; 220.181; and 220.182 ~~ss. 212.08(5)(g),~~  
 2971 ~~(h), and (15); 212.096; 220.181; and 220.182.~~

2972 Section 127. Paragraph (b) of subsection (4) and  
 2973 subsection (7) of section 290.0065, Florida Statutes, are  
 2974 amended to read:

2975 290.0065 State designation of enterprise zones.—

2976 (4)  
 2977 (b) ~~In consultation with Enterprise Florida, Inc.,~~ The  
 2978 department shall, based on the enterprise zone profile and the  
 2979 grounds for redesignation expressed in the resolution, determine  
 2980 whether the enterprise zone merits redesignation. The department  
 2981 may also examine and consider the following:

- 2982 1. Progress made, if any, in the enterprise zone's
- 2983 strategic plan.
- 2984 2. Use of enterprise zone incentives during the life of
- 2985 the enterprise zone.

2986  
 2987 If the department determines that the enterprise zone merits  
 2988 redesignation, the department shall notify the governing body in  
 2989 writing of its approval of redesignation.

2990 (7) Upon approval by the department of a resolution  
 2991 authorizing an area to be an enterprise zone pursuant to this  
 2992 section, the department shall assign a unique identifying number  
 2993 to that resolution. The department shall provide the Department  
 2994 of Revenue ~~and Enterprise Florida, Inc.,~~ with a copy of each  
 2995 resolution approved, together with its identifying number.

2996 Section 128. Section 290.00677, Florida Statutes, is  
 2997 amended to read:

2998 290.00677 Rural enterprise zones; special qualifications.—

2999 (1) Notwithstanding the enterprise zone residency  
 3000 requirements set out in s. 212.096(1)(c), eligible businesses as

3001 defined in s. 212.096(1)(a) located in rural enterprise zones as  
 3002 defined in s. 290.004 may receive the basic minimum credit  
 3003 provided under s. 212.096 for creating a new job and hiring a  
 3004 person residing within the jurisdiction of a rural community ~~as~~  
 3005 ~~defined in s. 288.106(2)~~. All other provisions of s. 212.096,  
 3006 including, but not limited to, those relating to the award of  
 3007 enhanced credits, apply to such businesses.

3008 (2) Notwithstanding the enterprise zone residency  
 3009 requirements set out in s. 220.03(1)(q), businesses as defined  
 3010 in s. 220.03(1)(c) located in rural enterprise zones as defined  
 3011 in s. 290.004 may receive the basic minimum credit provided  
 3012 under s. 220.181 for creating a new job and hiring a person  
 3013 residing within the jurisdiction of a rural community ~~as defined~~  
 3014 ~~in s. 288.106(2)~~. All other provisions of s. 220.181, including,  
 3015 but not limited to, those relating to the award of enhanced  
 3016 credits, apply to such businesses.

3017 (3) As used in this section, the term "rural community"  
 3018 means:

3019 (a) A county having a population of 75,000 or fewer.

3020 (b) A county having a population of 125,000 or fewer that  
 3021 is contiguous to a county having a population of 75,000 or  
 3022 fewer.

3023 (c) A municipality within a county described in paragraph  
 3024 (a) or paragraph (b).

3025

3026 For purposes of this subsection, population shall be determined  
 3027 in accordance with the most recent official estimate pursuant to  
 3028 s. 186.901.

3029 Section 129. Subsections (4), (5), and (6) of section  
 3030 290.007, Florida Statutes, are amended to read:

3031 290.007 State incentives available in enterprise zones.—  
 3032 The following incentives are provided by the state to encourage  
 3033 the revitalization of enterprise zones:

3034 (4) The sales tax exemption for building materials used in  
 3035 the rehabilitation of real property in enterprise zones provided  
 3036 in s. 212.08(5)(f) ~~s. 212.08(5)(g)~~.

3037 (5) The sales tax exemption for business equipment used in  
 3038 an enterprise zone provided in s. 212.08(5)(g) ~~s. 212.08(5)(h)~~.

3039 (6) The sales tax exemption for electrical energy used in  
 3040 an enterprise zone provided in s. 212.08(14) ~~s. 212.08(15)~~.

3041 Section 130. Subsections (3) and (4) of section 290.053,  
 3042 Florida Statutes, are amended to read:

3043 290.053 Response to economic emergencies in small  
 3044 communities.—

3045 (3) A local government entity shall notify the Governor  
 3046 ~~and~~ the Department of Economic Opportunity, ~~and Enterprise~~  
 3047 ~~Florida, Inc.,~~ when one or more of the conditions specified in  
 3048 subsection (2) have occurred or will occur if action is not  
 3049 taken to assist the local governmental entity or the affected  
 3050 community.

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3051 (4) Upon notification that one or more of the conditions  
 3052 described in subsection (2) exist, the Governor or his or her  
 3053 designee shall contact the local governmental entity to  
 3054 determine what actions have been taken by the local governmental  
 3055 entity or the affected community to resolve the economic  
 3056 emergency. The Governor may waive the eligibility criteria of  
 3057 any program or activity administered by the Department of  
 3058 Economic Opportunity ~~or Enterprise Florida, Inc.~~, to provide  
 3059 economic relief to the affected community by granting  
 3060 participation in such programs or activities. The Governor shall  
 3061 consult with the President of the Senate and the Speaker of the  
 3062 House of Representatives and shall take other action, as  
 3063 necessary, to resolve the economic emergency in the most  
 3064 expedient manner possible. All actions taken pursuant to this  
 3065 section shall be within current appropriations and shall have no  
 3066 annualized impact beyond normal growth.

3067 Section 131. Paragraph (d) of subsection (3) and  
 3068 subsection (4) of section 295.22, Florida Statutes, are amended  
 3069 to read:

3070 295.22 Veterans Employment and Training Services Program.—

3071 (3) ADMINISTRATION.—Florida Is For Veterans, Inc., shall  
 3072 administer the Veterans Employment and Training Services Program  
 3073 and perform all of the following functions:

3074 (d) Create a grant program to provide funding to assist  
 3075 veterans in meeting the workforce-skill needs of businesses

3076 seeking to hire, promote, or generally improve specialized  
 3077 skills of veterans, establish criteria for approval of requests  
 3078 for funding, and maximize the use of funding for this program.  
 3079 Grant funds may be used only in the absence of available  
 3080 veteran-specific federally funded programs. Grants may fund  
 3081 specialized training specific to a particular business.

3082 1. If grant funds are used to provide a technical  
 3083 certificate, a licensure, or a degree, funds may be allocated  
 3084 only upon a review that includes, but is not limited to,  
 3085 documentation of accreditation and licensure. Instruction funded  
 3086 through the program terminates when participants demonstrate  
 3087 competence at the level specified in the request but may not  
 3088 exceed 12 months. Preference shall be given to ~~target industry~~  
 3089 ~~businesses, as defined in s. 288.106,~~ and to businesses in the  
 3090 defense supply, cloud virtualization, or commercial aviation  
 3091 manufacturing industries.

3092 2. Costs and expenditures shall be limited to \$8,000 per  
 3093 veteran trainee. Qualified businesses must cover the entire cost  
 3094 for all of the training provided before receiving reimbursement  
 3095 from the corporation equal to 50 percent of the cost to train a  
 3096 veteran who is a permanent, full-time employee. Eligible costs  
 3097 and expenditures include:

- 3098 a. Tuition and fees.
- 3099 b. Books and classroom materials.
- 3100 c. Rental fees for facilities.

3101           3. Before funds are allocated for a request pursuant to  
 3102 this section, the corporation shall prepare a grant agreement  
 3103 between the business requesting funds and the corporation. Such  
 3104 agreement must include, but need not be limited to:

3105           a. Identification of the personnel necessary to conduct  
 3106 the instructional program, instructional program description,  
 3107 and any vendors used to conduct the instructional program.

3108           b. Identification of the estimated duration of the  
 3109 instructional program.

3110           c. Identification of all direct, training-related costs.

3111           d. Identification of special program requirements that are  
 3112 not otherwise addressed in the agreement.

3113           e. Permission to access aggregate information specific to  
 3114 the wages and performance of participants upon the completion of  
 3115 instruction for evaluation purposes. The agreement must specify  
 3116 that any evaluation published subsequent to the instruction may  
 3117 not identify the employer or any individual participant.

3118           4. A business may receive a grant under the Quick-Response  
 3119 Training Program created under s. 288.047 and a grant under this  
 3120 section for the same veteran trainee. If a business receives  
 3121 funds under both programs, one grant agreement may be entered  
 3122 into with CareerSource Florida, Inc., as the grant  
 3123 administrator.

3124           ~~(4) DUTIES OF ENTERPRISE FLORIDA, INC. Enterprise Florida,~~  
 3125 ~~Inc., shall provide information about the corporation and its~~

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3126 ~~services to prospective, new, expanding, and relocating~~  
3127 ~~businesses seeking to conduct business in this state. Enterprise~~  
3128 ~~Florida, Inc., shall, to the greatest extent possible,~~  
3129 ~~collaborate with the corporation to meet the employment needs,~~  
3130 ~~including meeting the job-creation requirements, of any business~~  
3131 ~~receiving assistance or services from Enterprise Florida, Inc.~~

3132 Section 132. Paragraph (a) of subsection (6), paragraph  
3133 (b) of subsection (9), paragraph (a) of subsection (34),  
3134 subsection (57), and paragraph (b) of subsection (61) of section  
3135 320.08058, Florida Statutes, are amended to read:

3136 320.08058 Specialty license plates.—

3137 (6) FLORIDA UNITED STATES OLYMPIC COMMITTEE LICENSE  
3138 PLATES.—

3139 (a) Because the United States Olympic Committee has  
3140 selected this state to participate in a combined fundraising  
3141 program that provides for one-half of all money raised through  
3142 volunteer giving to stay in this state ~~and be administered by~~  
3143 ~~Enterprise Florida, Inc.,~~ to support amateur sports, ~~and~~ because  
3144 the United States Olympic Committee is a ~~and Enterprise Florida,~~  
3145 ~~Inc.,~~ are nonprofit organization ~~organizations~~ dedicated to  
3146 providing athletes with support and training and preparing  
3147 athletes of all ages and skill levels for sports competition,  
3148 and because ~~Enterprise Florida, Inc.,~~ ~~assists in the bidding for~~  
3149 ~~sports competitions that provide significant impact to the~~  
3150 ~~economy of this state,~~ and the Legislature supports the efforts

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3151 of the United States Olympic Committee ~~and Enterprise Florida,~~  
 3152 ~~Inc.~~, the Legislature establishes a Florida United States  
 3153 Olympic Committee license plate for the purpose of providing a  
 3154 continuous funding source to support this worthwhile effort.  
 3155 Florida United States Olympic Committee license plates must  
 3156 contain the official United States Olympic Committee logo and  
 3157 must bear a design and colors that are approved by the  
 3158 department. The word "Florida" must be centered at the top of  
 3159 the plate.

3160 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

3161 (b) The license plate annual use fees are to be annually  
 3162 distributed as follows:

3163 1. Fifty-five percent of the proceeds from the Florida  
 3164 Professional Sports Team plate must be deposited into the  
 3165 Professional Sports Development Trust Fund within the Department  
 3166 of Economic Opportunity. These funds must be used  
 3167 solely to attract and support major sports events in this state.  
 3168 As used in this subparagraph, the term "major sports events"  
 3169 means, but is not limited to, championship or all-star contests  
 3170 of Major League Baseball, the National Basketball Association,  
 3171 the National Football League, the National Hockey League, Major  
 3172 League Soccer, the men's and women's National Collegiate  
 3173 Athletic Association Final Four basketball championship, or a  
 3174 horseracing or dogracing Breeders' Cup. All funds must be used  
 3175 to support and promote major sporting events, and the uses must

3176 | be approved by the Department of Economic Opportunity.

3177 |         2. The remaining proceeds of the Florida Professional  
 3178 | Sports Team license plate must be allocated to the Florida  
 3179 | Sports Foundation ~~Enterprise Florida, Inc.~~ These funds must be  
 3180 | deposited into the Professional Sports Development Trust Fund  
 3181 | within the Department of Economic Opportunity. These funds must  
 3182 | be used by the Florida Sports Foundation ~~Enterprise Florida,~~  
 3183 | ~~Inc.,~~ to promote the economic development of the sports  
 3184 | industry; to distribute licensing and royalty fees to  
 3185 | participating professional sports teams; to promote education  
 3186 | programs in Florida schools that provide an awareness of the  
 3187 | benefits of physical activity and nutrition standards; to  
 3188 | partner with the Department of Education and the Department of  
 3189 | Health to develop a program that recognizes schools whose  
 3190 | students demonstrate excellent physical fitness or fitness  
 3191 | improvement; to institute a grant program for communities  
 3192 | bidding on minor sporting events that create an economic impact  
 3193 | for the state; to distribute funds to Florida-based charities  
 3194 | designated by the Florida Sports Foundation ~~Enterprise Florida,~~  
 3195 | ~~Inc.,~~ and the participating professional sports teams; and to  
 3196 | fulfill the sports promotion responsibilities of the Department  
 3197 | of Economic Opportunity.

3198 |         3. The Florida Sports Foundation ~~Enterprise Florida, Inc.,~~  
 3199 | shall provide an annual financial audit in accordance with s.  
 3200 | 215.981 of its financial accounts and records by an independent

3201 certified public accountant pursuant to the contract established  
 3202 by the Department of Economic Opportunity. The auditor shall  
 3203 submit the audit report to the Department of Economic  
 3204 Opportunity for review and approval. If the audit report is  
 3205 approved, the Department of Economic Opportunity shall certify  
 3206 the audit report to the Auditor General for review.

3207 4. Notwithstanding the provisions of subparagraphs 1. and  
 3208 2., proceeds from the Professional Sports Development Trust Fund  
 3209 may also be used for operational expenses of the Florida Sports  
 3210 Foundation ~~Enterprise Florida, Inc.~~, and financial support of  
 3211 the Sunshine State Games.

3212 (34) FLORIDA GOLF LICENSE PLATES.—

3213 (a) The Department of Highway Safety and Motor Vehicles  
 3214 shall develop a Florida Golf license plate as provided in this  
 3215 section. The word "Florida" must appear at the bottom of the  
 3216 plate. The Dade Amateur Golf Association, following consultation  
 3217 with the Florida Sports Foundation and the PGA TOUR, ~~Enterprise~~  
 3218 ~~Florida, Inc.~~, the LPGA, and the PGA of America may submit a  
 3219 revised sample plate for consideration by the department.

3220 (57) FLORIDA NASCAR LICENSE PLATES.—

3221 (a) The department shall develop a Florida NASCAR license  
 3222 plate as provided in this section. Florida NASCAR license plates  
 3223 must bear the colors and design approved by the department. The  
 3224 word "Florida" must appear at the top of the plate, and the term  
 3225 "NASCAR" must appear at the bottom of the plate. The National

3226 Association for Stock Car Auto Racing, following consultation  
 3227 with the Florida Sports Foundation ~~Enterprise Florida, Inc.~~, may  
 3228 submit a sample plate for consideration by the department.

3229 (b) The license plate annual use fees shall be distributed  
 3230 to the Florida Sports Foundation ~~Enterprise Florida, Inc.~~. The  
 3231 license plate annual use fees shall be annually allocated as  
 3232 follows:

3233 1. Up to 5 percent of the proceeds from the annual use  
 3234 fees may be used by the Department of Economic Opportunity  
 3235 ~~Enterprise Florida, Inc.~~, for the administration of the NASCAR  
 3236 license plate program.

3237 2. The National Association for Stock Car Auto Racing  
 3238 shall receive up to \$60,000 in proceeds from the annual use fees  
 3239 to be used to pay startup costs, including costs incurred in  
 3240 developing and issuing the plates. Thereafter, 10 percent of the  
 3241 proceeds from the annual use fees shall be provided to the  
 3242 association for the royalty rights for the use of its marks.

3243 3. The remaining proceeds from the annual use fees shall  
 3244 be distributed to the Florida Sports Foundation ~~Enterprise~~  
 3245 ~~Florida, Inc.~~ The Florida Sports Foundation ~~Enterprise Florida,~~  
 3246 ~~Inc.~~ will retain 15 percent to support its regional grant  
 3247 program, attracting sporting events to Florida; 20 percent to  
 3248 support the marketing of motorsports-related tourism in the  
 3249 state; and 50 percent to be paid to the NASCAR Foundation, a s.  
 3250 501(c)(3) charitable organization, to support Florida-based

3251 charitable organizations.

3252 (c) The Florida Sports Foundation ~~Enterprise Florida,~~  
3253 ~~Inc.,~~ shall provide an annual financial audit in accordance with  
3254 s. 215.981 of its financial accounts and records by an  
3255 independent certified public accountant pursuant to the contract  
3256 established by the Department of Economic Opportunity. The  
3257 auditor shall submit the audit report to the Department of  
3258 Economic Opportunity for review and approval. If the audit  
3259 report is approved, the Department of Economic Opportunity shall  
3260 certify the audit report to the Auditor General for review.

3261 (61) FLORIDA TENNIS LICENSE PLATES.—

3262 (b) The department shall distribute the annual use fees to  
3263 the Florida Sports Foundation ~~Enterprise Florida, Inc.~~ The  
3264 license plate annual use fees shall be annually allocated as  
3265 follows:

3266 1. Up to 5 percent of the proceeds from the annual use  
3267 fees may be used by the Florida Sports Foundation ~~Enterprise~~  
3268 ~~Florida, Inc.,~~ to administer the license plate program.

3269 2. The United States Tennis Association Florida Section  
3270 Foundation shall receive the first \$60,000 in proceeds from the  
3271 annual use fees to reimburse it for startup costs,  
3272 administrative costs, and other costs it incurs in the  
3273 development and approval process.

3274 3. Up to 5 percent of the proceeds from the annual use  
3275 fees may be used for promoting and marketing the license plates.

3276 The remaining proceeds shall be available for grants by the  
3277 United States Tennis Association Florida Section Foundation to  
3278 nonprofit organizations to operate youth tennis programs and  
3279 adaptive tennis programs for special populations of all ages,  
3280 and for building, renovating, and maintaining public tennis  
3281 courts.

3282 Section 133. Subsections (2), (3), and (6) of section  
3283 331.3051, Florida Statutes, are amended to read:

3284 331.3051 Duties of Space Florida.—Space Florida shall:

3285 (2) Enter into agreement with the Department of Education,  
3286 the Department of Transportation, ~~Enterprise Florida, Inc.~~, and  
3287 CareerSource Florida, Inc., for the purpose of implementing this  
3288 act.

3289 (3) ~~In cooperation with Enterprise Florida, Inc.~~ Develop  
3290 a plan to retain, expand, attract, and create aerospace industry  
3291 entities, public or private, which results in the creation of  
3292 high-value-added businesses and jobs in this state.

3293 (6) ~~Develop, in cooperation with Enterprise Florida, Inc.~~  
3294 a plan to provide financing assistance to aerospace businesses.  
3295 The plan may include the following activities:

3296 (a) Assembling, publishing, and disseminating information  
3297 concerning financing opportunities and techniques for aerospace  
3298 projects, programs, and activities; sources of public and  
3299 private aerospace financing assistance; and sources of  
3300 aerospace-related financing.

3301 (b) Organizing, hosting, and participating in seminars and  
 3302 other forums designed to disseminate information and technical  
 3303 assistance regarding aerospace-related financing.

3304 (c) Coordinating with programs and goals of the Department  
 3305 of Defense, the National Aeronautics and Space Administration,  
 3306 the Export-Import Bank of the United States, the International  
 3307 Trade Administration of the United States Department of  
 3308 Commerce, the Foreign Credit Insurance Association, and other  
 3309 private and public programs and organizations, domestic and  
 3310 foreign.

3311 (d) Establishing a network of contacts among those  
 3312 domestic and foreign public and private organizations that  
 3313 provide information, technical assistance, and financial support  
 3314 to the aerospace industry.

3315 (e) Financing aerospace business development projects or  
 3316 initiatives using funds provided by the Legislature.

3317 Section 134. Section 331.3081, Florida Statutes, is  
 3318 amended to read:

3319 331.3081 Board of directors.—Space Florida shall be  
 3320 governed by a 13-member independent board of directors. The  
 3321 Governor, or his or her designee, shall serve as an ex officio  
 3322 voting member and chair of the board. The other 12 members shall  
 3323 be appointed from the private sector, six of whom shall be  
 3324 appointed by the Governor, three of whom shall be appointed by  
 3325 the President of the Senate, and three of whom shall be

3326 appointed by the Speaker of the House of Representatives ~~that~~  
 3327 ~~consists of the members appointed to the board of directors of~~  
 3328 ~~Enterprise Florida, Inc., by the Governor, the President of the~~  
 3329 ~~Senate, and the Speaker of the House of Representatives pursuant~~  
 3330 ~~to s. 288.901(5)(a)8. and the Governor, who shall serve ex~~  
 3331 ~~officio, or who may appoint a designee to serve, as the chair~~  
 3332 ~~and a voting member of the board.~~

3333 Section 135. Paragraph (f) of subsection (1) of section  
 3334 339.08, Florida Statutes, is amended to read:

3335 339.08 Use of moneys in State Transportation Trust Fund.—

3336 (1) The department shall expend moneys in the State  
 3337 Transportation Trust Fund accruing to the department, in  
 3338 accordance with its annual budget. The use of such moneys shall  
 3339 be restricted to the following purposes:

3340 ~~(f) To pay the cost of economic development transportation~~  
 3341 ~~projects in accordance with s. 339.2821.~~

3342 Section 136. Section 339.2821, Florida Statutes, is  
 3343 repealed.

3344 Section 137. Paragraph (d) of subsection (1) of section  
 3345 376.82, Florida Statutes, is amended to read:

3346 376.82 Eligibility criteria and liability protection.—

3347 (1) ELIGIBILITY.—Any person who has not caused or  
 3348 contributed to the contamination of a brownfield site on or  
 3349 after July 1, 1997, is eligible to participate in the brownfield  
 3350 program established in ss. 376.77-376.85, subject to the

3351 following:

3352 (d) After July 1, 1997, petroleum and drycleaning  
 3353 contamination sites shall not receive both restoration funding  
 3354 assistance available for the discharge under this chapter ~~and~~  
 3355 ~~any state assistance available under s. 288.107~~. Nothing in this  
 3356 act shall affect the cleanup criteria, priority ranking, and  
 3357 other rights and obligations inherent in petroleum contamination  
 3358 and drycleaning contamination site rehabilitation under ss.  
 3359 376.30-376.317, or the availability of economic incentives  
 3360 otherwise provided for by law.

3361 Section 138. Paragraph (h) of subsection (2) of section  
 3362 377.703, Florida Statutes, is amended to read:

3363 377.703 Additional functions of the Department of  
 3364 Agriculture and Consumer Services.—

3365 (2) DUTIES.—The department shall perform the following  
 3366 functions, unless as otherwise provided, consistent with the  
 3367 development of a state energy policy:

3368 (h) The department shall promote the development and use  
 3369 of renewable energy resources, in conformance with chapter 187  
 3370 and s. 377.601, by:

3371 1. Establishing goals and strategies for increasing the  
 3372 use of renewable energy in this state.

3373 2. Aiding and promoting the commercialization of renewable  
 3374 energy resources, in cooperation with the Florida Energy Systems  
 3375 Consortium, the Florida Solar Energy Center, ~~Enterprise Florida,~~

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3376 ~~Inc.~~ and any other federal, state, or local governmental agency  
3377 that may seek to promote research, development, and the  
3378 demonstration of renewable energy equipment and technology.

3379 3. Identifying barriers to greater use of renewable energy  
3380 resources in this state, and developing specific recommendations  
3381 for overcoming identified barriers, with findings and  
3382 recommendations to be submitted annually in the report to the  
3383 Governor and Legislature required under paragraph (f).

3384 4. In cooperation with the Department of Environmental  
3385 Protection, the Department of Transportation, the Department of  
3386 Economic Opportunity, ~~Enterprise Florida, Inc.~~, the Florida  
3387 Energy Systems Consortium, the Florida Solar Energy Center, and  
3388 the Florida Solar Energy Industries Association, investigating  
3389 opportunities, pursuant to the national Energy Policy Act of  
3390 1992, the Housing and Community Development Act of 1992, and any  
3391 subsequent federal legislation, for renewable energy resources,  
3392 electric vehicles, and other renewable energy manufacturing,  
3393 distribution, installation, and financing efforts that enhance  
3394 this state's position as the leader in renewable energy  
3395 research, development, and use.

3396 5. Undertaking other initiatives to advance the  
3397 development and use of renewable energy resources in this state.

3398  
3399 In the exercise of its responsibilities under this paragraph,  
3400 the department shall seek the assistance of the renewable energy

3401 industry in this state and other interested parties and may  
 3402 enter into contracts, retain professional consulting services,  
 3403 and expend funds appropriated by the Legislature for such  
 3404 purposes.

3405 Section 139. Subsection (5) of section 377.804, Florida  
 3406 Statutes, is amended to read:

3407 377.804 Renewable Energy and Energy-Efficient Technologies  
 3408 Grants Program.—

3409 (5) The department shall solicit the expertise of state  
 3410 agencies, ~~Enterprise Florida, Inc.,~~ and state universities, and  
 3411 may solicit the expertise of other public and private entities  
 3412 it deems appropriate, in evaluating project proposals. State  
 3413 agencies shall cooperate with the department and provide such  
 3414 assistance as requested.

3415 Section 140. Paragraph (a) of subsection (4) of section  
 3416 377.809, Florida Statutes, is amended to read:

3417 377.809 Energy Economic Zone Pilot Program.—

3418 (4)(a) Beginning July 1, 2012, all the incentives and  
 3419 benefits provided for enterprise zones pursuant to state law  
 3420 shall be available to the energy economic zones designated  
 3421 pursuant to this section on or before July 1, 2010. In order to  
 3422 provide incentives, by March 1, 2012, each local governing body  
 3423 that has jurisdiction over an energy economic zone must, by  
 3424 local ordinance, establish the boundary of the energy economic  
 3425 zone, specify applicable energy-efficiency standards, and

3426 determine eligibility criteria for the application of state and  
3427 local incentives and benefits in the energy economic zone.  
3428 ~~However, in order to receive benefits provided under s. 288.106,~~  
3429 ~~a business must be a qualified target industry business under s.~~  
3430 ~~288.106 for state purposes.~~ An energy economic zone's boundary  
3431 may be revised by local ordinance. Such incentives and benefits  
3432 include those in ss. ~~212.08~~, 212.096, 220.181, 220.182, 220.183,  
3433 ~~288.106~~, and 624.5105 and the public utility discounts provided  
3434 in s. 290.007(8). ~~The exemption provided in s. 212.08(5)(c)~~  
3435 ~~shall be for renewable energy as defined in s. 377.803.~~ For  
3436 purposes of this section, any applicable requirements for  
3437 employee residency for higher refund or credit thresholds must  
3438 be based on employee residency in the energy economic zone or an  
3439 enterprise zone. A business in an energy economic zone may also  
3440 be eligible for funding under ss. 288.047 and 445.003, ~~and a~~  
3441 ~~transportation project in an energy economic zone shall be~~  
3442 ~~provided priority in funding under s. 339.2821.~~ Other projects  
3443 shall be given priority ranking to the extent practicable for  
3444 grants administered under state energy programs.

3445 Section 141. Subsections (1) and (5) of section 380.0657,  
3446 Florida Statutes, are amended to read:

3447 380.0657 Expedited permitting process for economic  
3448 development projects.—

3449 (1) The Department of Environmental Protection and, as  
3450 appropriate, the water management districts created under

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3451 chapter 373 shall adopt programs to expedite the processing of  
3452 wetland resource and environmental resource permits for ~~economic~~  
3453 ~~development projects that have been identified by a municipality~~  
3454 ~~or county as meeting the definition of target industry~~  
3455 ~~businesses under s. 288.106, or~~ any intermodal logistics center  
3456 receiving or sending cargo to or from Florida ports, with the  
3457 exception of those projects requiring approval by the Board of  
3458 Trustees of the Internal Improvement Trust Fund.

3459 (5) Notwithstanding the provisions of this section, permit  
3460 applications for projects to be located in a charter county that  
3461 has a population of 1.2 million or more and has entered into a  
3462 delegation agreement with the Department of Environmental  
3463 Protection or the applicable water management district to  
3464 process environmental resource permits, wetland resource  
3465 management permits, or surface water management permits pursuant  
3466 to chapter 373 are eligible for expedited permitting under this  
3467 section only upon designation by resolution of the charter  
3468 county's governing board. ~~Before the governing board decides~~  
3469 ~~that a project is eligible for expedited permitting, it may~~  
3470 ~~require the county's economic development agency, or such other~~  
3471 ~~agency that provides advice to the governing board on economic~~  
3472 ~~matters, to review and recommend whether the project meets the~~  
3473 ~~definition of a target industry business as defined in s.~~  
3474 ~~288.106 and to identify the tangible benefits and impacts of the~~  
3475 ~~project.~~ The governing board's decision shall be made without

3476 consideration of the project's geographic location within the  
3477 charter county. ~~If the governing board designates the project as~~  
3478 ~~a target industry business, the permit application for the~~  
3479 ~~project shall be approved or denied within the timeframe~~  
3480 ~~provided in subsection (4).~~

3481 Section 142. Subsection (1) of section 401.23, Florida  
3482 Statutes, is amended to read:

3483 401.23 Definitions.—As used in this part, the term:

3484 (1) "Acute and postacute hospital care at home" means  
3485 acute and postacute health care services provided in a  
3486 clinically qualified patient's permanent residence, as defined  
3487 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by  
3488 the Centers for Medicare and Medicaid Services and the Agency  
3489 for Health Care Administration.

3490 Section 143. Subsection (5) of section 403.7032, Florida  
3491 Statutes, is amended to read:

3492 403.7032 Recycling.—

3493 (5) The Department of Environmental Protection shall  
3494 create the Recycling Business Assistance Center by December 1,  
3495 2010. In carrying out its duties under this subsection, the  
3496 department shall consult with state agency personnel appointed  
3497 to serve as economic development liaisons under s. 288.021 ~~and~~  
3498 ~~seek technical assistance from Enterprise Florida, Inc.,~~ to  
3499 ensure the Recycling Business Assistance Center is positioned to  
3500 succeed. The purpose of the center shall be to serve as the

3501 mechanism for coordination among state agencies and the private  
 3502 sector in order to coordinate policy and overall strategic  
 3503 planning for developing new markets and expanding and enhancing  
 3504 existing markets for recyclable materials in this state, other  
 3505 states, and foreign countries. The duties of the center must  
 3506 include, at a minimum:

3507 (a) Identifying and developing new markets and expanding  
 3508 and enhancing existing markets for recyclable materials.

3509 (b) Pursuing expanded end uses for recycled materials.

3510 (c) Targeting materials for concentrated market  
 3511 development efforts.

3512 (d) Developing proposals for new incentives for market  
 3513 development, particularly focusing on targeted materials.

3514 (e) Providing guidance on issues such as permitting,  
 3515 finance options for recycling market development, site location,  
 3516 research and development, grant program criteria for recycled  
 3517 materials markets, recycling markets education and information,  
 3518 and minimum content.

3519 (f) Coordinating the efforts of various governmental  
 3520 entities having market development responsibilities in order to  
 3521 optimize supply and demand for recyclable materials.

3522 (g) Evaluating source-reduced products as they relate to  
 3523 state procurement policy. The evaluation shall include, but is  
 3524 not limited to, the environmental and economic impact of source-  
 3525 reduced product purchases to the state. For the purposes of this

3526 paragraph, the term "source-reduced" means any method, process,  
 3527 product, or technology that significantly or substantially  
 3528 reduces the volume or weight of a product while providing, at a  
 3529 minimum, equivalent or generally similar performance and service  
 3530 to and for the users of such materials.

3531 (h) Providing evaluation of solid waste management grants,  
 3532 pursuant to s. 403.7095, to reduce the flow of solid waste to  
 3533 disposal facilities and encourage the sustainable recovery of  
 3534 materials from Florida's waste stream.

3535 (i) Providing below-market financing for companies that  
 3536 manufacture products from recycled materials or convert  
 3537 recyclable materials into raw materials for use in manufacturing  
 3538 pursuant to the Florida Recycling Loan Program as administered  
 3539 by the Florida First Capital Finance Corporation.

3540 (j) Maintaining a continuously updated online directory  
 3541 listing the public and private entities that collect, transport,  
 3542 broker, process, or remanufacture recyclable materials in the  
 3543 state.

3544 (k) Providing information on the availability and benefits  
 3545 of using recycled materials to private entities and industries  
 3546 in the state.

3547 (l) Distributing any materials prepared in implementing  
 3548 this subsection to the public, private entities, industries,  
 3549 governmental entities, or other organizations upon request.

3550 (m) Coordinating with the Department of Economic

3551 Opportunity and its partners to provide job placement and job  
 3552 training services to job seekers through the state's workforce  
 3553 services programs.

3554 Section 144. Paragraphs (f) through (h) of subsection (3)  
 3555 of section 403.973, Florida Statutes, are redesignated as  
 3556 paragraphs (e) through (g), respectively, subsections (16)  
 3557 through (19) are renumbered as subsections (15) through (18),  
 3558 respectively, and present paragraph (e) of subsection (3),  
 3559 paragraph (b) of subsection (14), and present subsections (15)  
 3560 and (17) of that section are amended, to read:

3561 403.973 Expedited permitting; amendments to comprehensive  
 3562 plans.—

3563 (3)

3564 ~~(c) Projects that are part of the state-of-the-art~~  
 3565 ~~biomedical research institution and campus to be established in~~  
 3566 ~~this state by the grantee under s. 288.955 are eligible for the~~  
 3567 ~~expedited permitting process, if the projects are designated as~~  
 3568 ~~part of the institution or campus by the board of county~~  
 3569 ~~commissioners of the county in which the institution and campus~~  
 3570 ~~are established.~~

3571 (14)

3572 (b) Projects identified in paragraphs (3) (e) - (g) ~~(3) (f) -~~  
 3573 ~~(h) or challenges to state agency action in the expedited~~  
 3574 ~~permitting process for establishment of a state-of-the-art~~  
 3575 ~~biomedical research institution and campus in this state by the~~

3576 ~~grantee under s. 288.955~~ are subject to the same requirements as  
3577 challenges brought under paragraph (a), except that,  
3578 notwithstanding s. 120.574, summary proceedings must be  
3579 conducted within 30 days after a party files the motion for  
3580 summary hearing, regardless of whether the parties agree to the  
3581 summary proceeding.

3582 ~~(15) The Department of Economic Opportunity, working with~~  
3583 ~~the agencies providing cooperative assistance and input~~  
3584 ~~regarding the memoranda of agreement, shall review sites~~  
3585 ~~proposed for the location of facilities that the Department of~~  
3586 ~~Economic Opportunity has certified to be eligible for the~~  
3587 ~~Innovation Incentive Program under s. 288.1089. Within 20 days~~  
3588 ~~after the request for the review by the Department of Economic~~  
3589 ~~Opportunity, the agencies shall provide to the Department of~~  
3590 ~~Economic Opportunity a statement as to each site's necessary~~  
3591 ~~permits under local, state, and federal law and an~~  
3592 ~~identification of significant permitting issues, which if~~  
3593 ~~unresolved, may result in the denial of an agency permit or~~  
3594 ~~approval or any significant delay caused by the permitting~~  
3595 ~~process.~~

3596 (16)~~(17)~~ The Department of Economic Opportunity shall be  
3597 responsible for certifying a business as eligible for undergoing  
3598 expedited review under this section. ~~Enterprise Florida, Inc.,~~ A  
3599 county or municipal government, or the Rural Economic  
3600 Development Initiative may recommend to the Department of

3601 Economic Opportunity that a project meeting the minimum job  
 3602 creation threshold undergo expedited review.

3603 Section 145. Paragraph (c) of subsection (1) of section  
 3604 443.091, Florida Statutes, is amended to read:

3605 443.091 Benefit eligibility conditions.—

3606 (1) An unemployed individual is eligible to receive  
 3607 benefits for any week only if the Department of Economic  
 3608 Opportunity finds that:

3609 (c) To make continued claims for benefits, she or he is  
 3610 reporting to the department in accordance with this paragraph  
 3611 and department rules. Department rules may not conflict with s.  
 3612 443.111(1)(b), which requires that each claimant continue to  
 3613 report regardless of any pending appeal relating to her or his  
 3614 eligibility or disqualification for benefits.

3615 1. For each week of unemployment claimed, each report  
 3616 must, at a minimum, include the name and address of each  
 3617 prospective employer contacted, or the date the claimant  
 3618 reported to a one-stop career center, pursuant to paragraph (d).  
 3619 For the purposes of this subparagraph, the term "address" means  
 3620 a website address, a physical address, or an e-mail address.

3621 2. The department shall offer an online assessment aimed  
 3622 at identifying an individual's skills, abilities, and career  
 3623 aptitude. The skills assessment must be voluntary, and the  
 3624 department shall allow a claimant to choose whether to take the  
 3625 skills assessment. The online assessment shall be made available

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3626 to any person seeking services from a local workforce  
3627 development board or a one-stop career center.

3628 a. If the claimant chooses to take the online assessment,  
3629 the outcome of the assessment shall be made available to the  
3630 claimant, local workforce development board, and one-stop career  
3631 center. The department, local workforce development board, or  
3632 one-stop career center shall use the assessment to develop a  
3633 plan for referring individuals to training and employment  
3634 opportunities. Aggregate data on assessment outcomes may be made  
3635 available to CareerSource Florida, Inc., ~~and Enterprise Florida,~~  
3636 ~~Inc.~~, for use in the development of policies related to  
3637 education and training programs that will ensure that businesses  
3638 in this state have access to a skilled and competent workforce.

3639 b. Individuals shall be informed of and offered services  
3640 through the one-stop delivery system, including career  
3641 counseling, the provision of skill match and job market  
3642 information, and skills upgrade and other training  
3643 opportunities, and shall be encouraged to participate in such  
3644 services at no cost to the individuals. The department shall  
3645 coordinate with CareerSource Florida, Inc., the local workforce  
3646 development boards, and the one-stop career centers to identify,  
3647 develop, and use best practices for improving the skills of  
3648 individuals who choose to participate in skills upgrade and  
3649 other training opportunities. The department may contract with  
3650 an entity to create the online assessment in accordance with the

3651 competitive bidding requirements in s. 287.057. The online  
 3652 assessment must work seamlessly with the Reemployment Assistance  
 3653 Claims and Benefits Information System.

3654 Section 146. Paragraphs (b) through (g) of subsection (6)  
 3655 of section 445.004, Florida Statutes, are redesignated as  
 3656 paragraphs (a) through (f), respectively, and paragraph (d) of  
 3657 subsection (3), paragraphs (b) and (c) of subsection (5), and  
 3658 paragraph (a) of subsection (6) of that section are amended, to  
 3659 read:

3660 445.004 CareerSource Florida, Inc., and the state board;  
 3661 creation; purpose; membership; duties and powers.—

3662 (3)

3663 (d) The state board must include the Secretary of Economic  
 3664 Opportunity or his or her designee, ~~the vice chairperson of the~~  
 3665 ~~board of directors of Enterprise Florida, Inc.,~~ and one member  
 3666 representing each of the Workforce Innovation and Opportunity  
 3667 Act partners, including the Division of Career and Adult  
 3668 Education, the Division of Vocational Rehabilitation, the  
 3669 Division of Blind Services, the Department of Children and  
 3670 Families, and other entities representing programs identified in  
 3671 the Workforce Innovation and Opportunity Act, as determined  
 3672 necessary.

3673 (5) The state board has all the powers and authority not  
 3674 explicitly prohibited by statute which are necessary or  
 3675 convenient to carry out and effectuate its purposes as

3676 | determined by statute, Pub. L. No. 113-128, and the Governor, as  
 3677 | well as its functions, duties, and responsibilities, including,  
 3678 | but not limited to, the following:

3679 |       (b) Providing policy direction to ensure that the  
 3680 | following programs are administered by the department consistent  
 3681 | with approved plans:

3682 |           1. Programs authorized under Title I of the Workforce  
 3683 | Innovation and Opportunity Act, Pub. L. No. 113-128, with the  
 3684 | exception of programs funded directly by the United States  
 3685 | Department of Labor under Title I, s. 167.

3686 |           2. Programs authorized under the Wagner-Peyser Act of  
 3687 | 1933, as amended, 29 U.S.C. ss. 49 et seq.

3688 |           3. Activities authorized under Title II of the Trade Act  
 3689 | of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade  
 3690 | Adjustment Assistance Program.

3691 |           4. Activities authorized under 38 U.S.C. chapter 41,  
 3692 | including job counseling, training, and placement for veterans.

3693 |           5. Employment and training activities carried out under  
 3694 | funds awarded to this state by the United States Department of  
 3695 | Housing and Urban Development.

3696 |           6. Welfare transition services funded by the Temporary  
 3697 | Assistance for Needy Families Program, created under the  
 3698 | Personal Responsibility and Work Opportunity Reconciliation Act  
 3699 | of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,  
 3700 | of the Social Security Act, as amended.

3701 7. The Florida Bonding Program, provided under Pub. L. No.  
 3702 97-300, s. 164(a)(1).

3703 8. The Food Assistance Employment and Training Program,  
 3704 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.  
 3705 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;  
 3706 the Hunger Prevention Act, Pub. L. No. 100-435; and the  
 3707 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

3708 9. The Quick-Response Training Program, provided under ss.  
 3709 288.046-288.047. ~~Matching funds and in-kind contributions that~~  
 3710 ~~are provided by clients of the Quick-Response Training Program~~  
 3711 ~~count toward the requirements of s. 288.904, pertaining to the~~  
 3712 ~~return on investment from activities of Enterprise Florida, Inc.~~

3713 10. The Work Opportunity Tax Credit, provided under the  
 3714 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,  
 3715 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

3716 11. Offender placement services, provided under ss.  
 3717 944.707-944.708.

3718 (c) Contracting with public and private entities as  
 3719 necessary to further the directives of this section. All  
 3720 contracts executed by the state board or CareerSource Florida,  
 3721 Inc., must include specific performance expectations and  
 3722 deliverables. All contracts, including those solicited, managed,  
 3723 or paid by the department under s. 20.60(5)(b) ~~s. 20.60(5)(c)~~,  
 3724 are exempt from s. 112.061, but shall be governed by subsection  
 3725 (1).

3726 (6) The state board shall achieve the purposes of this  
 3727 section by:

3728 (a) Creating a state employment, education, and training  
 3729 policy that ensures workforce related programs are responsive to  
 3730 present and future business and industry needs ~~and complement~~  
 3731 ~~the initiatives of Enterprise Florida, Inc.~~

3732 Section 147. Subsection (5) of section 445.045, Florida  
 3733 Statutes, is amended to read:

3734 445.045 Development of an Internet-based system for  
 3735 information technology industry promotion and workforce  
 3736 recruitment.-

3737 (5) In furtherance of the requirements of this section  
 3738 that the website promote and market the information technology  
 3739 industry by communicating information on the scope of the  
 3740 industry in this state, CareerSource Florida, Inc., shall  
 3741 ~~coordinate its efforts with the high-technology industry~~  
 3742 ~~marketing efforts of Enterprise Florida, Inc., under s. 288.911.~~  
 3743 ~~Through links or actual content, the website developed under~~  
 3744 ~~this section shall serve as a forum for distributing the~~  
 3745 ~~marketing campaign developed by Enterprise Florida, Inc., under~~  
 3746 ~~s. 288.911. In addition, CareerSource Florida, Inc., shall~~  
 3747 solicit input from the not-for-profit corporation created to  
 3748 advocate on behalf of the information technology industry as an  
 3749 outgrowth of the Information Service Technology Development Task  
 3750 Force created under chapter 99-354, Laws of Florida.

3751 Section 148. Subsections (2) and (5) of section 446.44,  
 3752 Florida Statutes, are amended to read:

3753 446.44 Duties of Rural Workforce Services Program.—It  
 3754 shall be the direct responsibility of the Rural Workforce  
 3755 Services Program to promote and deliver employment and workforce  
 3756 services and resources to the rural undeveloped and  
 3757 underdeveloped counties of the state in an effort to:

3758 ~~(2) Assist Enterprise Florida, Inc., in attracting light,~~  
 3759 ~~pollution-free industry to the rural counties.~~

3760 (4)~~(5)~~ Develop rural workforce programs that will be  
 3761 evaluated, planned, and implemented through communications and  
 3762 planning with appropriate:

3763 (a) Departments of state and federal governments.

3764 ~~(b) Units of Enterprise Florida, Inc.~~

3765 (b)~~(e)~~ Agencies and organizations of the public and  
 3766 private sectors at the state, regional, and local levels.

3767 Section 149. Subsection (1) of section 465.003, Florida  
 3768 Statutes, is amended to read:

3769 465.003 Definitions.—As used in this chapter, the term:

3770 (1) "Acute and postacute hospital care at home" means  
 3771 acute and postacute health care services provided in a  
 3772 clinically qualified patient's permanent residence, as defined  
 3773 in s. 196.012(18) ~~s. 196.012(17)~~, through a program approved by  
 3774 the Centers for Medicare and Medicaid Services and the Agency  
 3775 for Health Care Administration.

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3776 Section 150. Subsection (5) of section 477.0135, Florida  
 3777 Statutes, is amended to read:

3778 477.0135 Exemptions.—

3779 (5) A license is not required of any individual providing  
 3780 makeup, special effects, or cosmetology services to an actor,  
 3781 stunt person, musician, extra, or other talent during a  
 3782 theatrical, film, or other entertainment production ~~recognized~~  
 3783 ~~by the Office of Film and Entertainment as a qualified~~  
 3784 ~~production as defined in s. 288.1254(1)~~. Such services are not  
 3785 required to be performed in a licensed salon. Individuals exempt  
 3786 under this subsection may not provide such services to the  
 3787 general public.

3788 Section 151. Subsection (1) of section 570.81, Florida  
 3789 Statutes, is amended to read:

3790 570.81 Agricultural Economic Development Project Review  
 3791 Committee; powers and duties.—

3792 (1) There is created an Agricultural Economic Development  
 3793 Project Review Committee consisting of five members appointed by  
 3794 the commissioner. The members shall be appointed based upon the  
 3795 recommendations submitted by each entity represented on the  
 3796 committee and shall include:

- 3797 (a) The commissioner or the commissioner's designee.
- 3798 (b) One representative from the Farm Credit Service.
- 3799 (c) One representative from the Department of Economic  
 3800 Opportunity Enterprise Florida, Inc.

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3801 (d) One representative from the Florida Farm Bureau  
 3802 Federation.

3803 (e) One agricultural economist from the Institute of Food  
 3804 and Agricultural Sciences or from Florida Agricultural and  
 3805 Mechanical University.

3806 Section 152. Subsection (2) of section 570.85, Florida  
 3807 Statutes, is amended to read:

3808 570.85 Agritourism.—

3809 (2) The Department of Agriculture and Consumer Services  
 3810 may provide marketing advice, technical expertise, promotional  
 3811 support, and product development related to agritourism to  
 3812 assist the following in their agritourism initiatives:

3813 ~~Enterprise Florida, Inc.;~~ convention and visitor bureaus, and  
 3814 tourist development councils, and economic development  
 3815 organizations, and local governments. In carrying out this  
 3816 responsibility, the department shall focus its agritourism  
 3817 efforts on rural and urban communities.

3818 Section 153. Paragraph (c) of subsection (1) of section  
 3819 624.5105, Florida Statutes, is amended to read:

3820 624.5105 Community contribution tax credit; authorization;  
 3821 limitations; eligibility and application requirements;  
 3822 administration; definitions; expiration.—

3823 (1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

3824 (c) The total amount of tax credit which may be granted  
 3825 for all programs approved under this section and ss.

3826 212.08(5)(o) and 220.183 ~~ss. 212.08(5)(p) and 220.183~~ is \$14.5  
 3827 million in the 2022-2023 fiscal year and in each fiscal year  
 3828 thereafter for projects that provide housing opportunities for  
 3829 persons with special needs as defined in s. 420.0004 or  
 3830 homeownership opportunities for low-income or very-low-income  
 3831 households as defined in s. 420.9071 and \$4.5 million in the  
 3832 2022-2023 fiscal year and in each fiscal year thereafter for all  
 3833 other projects.

3834 Section 154. Section 625.3255, Florida Statutes, is  
 3835 repealed.

3836 Section 155. Subsection (4) of section 657.042, Florida  
 3837 Statutes, is amended to read:

3838 657.042 Investment powers and limitations.—A credit union  
 3839 may invest its funds subject to the following definitions,  
 3840 restrictions, and limitations:

3841 (4) INVESTMENT SUBJECT TO LIMITATION OF ONE PERCENT OF  
 3842 CAPITAL OF THE CREDIT UNION.—Up to 1 percent of the capital of  
 3843 the credit union may be invested in ~~any of the following:~~

3844 ~~(a)~~ corporate obligations of any one corporation which is  
 3845 an affiliate or subsidiary of the credit union or a service  
 3846 corporation, except that the total investment in all such  
 3847 corporate obligations shall not exceed 10 percent of the capital  
 3848 of the credit union.

3849 ~~(b) Any capital participation instrument or evidence of~~  
 3850 ~~indebtedness issued by Enterprise Florida, Inc., pursuant to the~~

3851 ~~Florida Small and Minority Business Assistance Act.~~

3852 Section 156. Paragraph (f) of subsection (4) of section  
3853 658.67, Florida Statutes, is amended to read:

3854 658.67 Investment powers and limitations.—A bank may  
3855 invest its funds, and a trust company may invest its corporate  
3856 funds, subject to the following definitions, restrictions, and  
3857 limitations:

3858 (4) INVESTMENTS SUBJECT TO LIMITATION OF TEN PERCENT OR  
3859 LESS OF CAPITAL ACCOUNTS.—

3860 ~~(f) Up to 10 percent of the capital accounts of a bank or~~  
3861 ~~trust company may be invested in any capital participation~~  
3862 ~~instrument or evidence of indebtedness issued by Enterprise~~  
3863 ~~Florida, Inc., pursuant to the Florida Small and Minority~~  
3864 ~~Business Assistance Act.~~

3865 Section 157. Paragraphs (f) through (l) of subsection (2)  
3866 of section 1004.015, Florida Statutes, are redesignated as  
3867 paragraphs (e) through (k), respectively, and present paragraph  
3868 (e) of subsection (2) of that section is amended, to read:

3869 1004.015 Florida Talent Development Council.—

3870 (2) Members of the council shall include:

3871 ~~(e) The president of Enterprise Florida, Inc.~~

3872 Section 158. Paragraph (d) of subsection (5) of section  
3873 1004.65, Florida Statutes, is amended to read:

3874 1004.65 Florida College System institutions; governance,  
3875 mission, and responsibilities.—

3876 (5) The primary mission and responsibility of Florida  
 3877 College System institutions is responding to community needs for  
 3878 postsecondary academic education and career degree education.

3879 This mission and responsibility includes being responsible for:

3880 (d) Promoting economic development for the state within  
 3881 each Florida College System institution district through the  
 3882 provision of special programs, including, but not limited to,  
 3883 the:

3884 ~~1. Enterprise Florida-related programs.~~

3885 1.2. Technology transfer centers.

3886 2.3. Economic development centers.

3887 3.4. Workforce literacy programs.

3888 Section 159. Paragraph (b) of subsection (10) of section  
 3889 1004.78, Florida Statutes, is amended to read:

3890 1004.78 Technology transfer centers at Florida College  
 3891 System institutions.—

3892 (10) The State Board of Education may award grants to  
 3893 Florida College System institutions, or consortia of public and  
 3894 private colleges and universities and other public and private  
 3895 entities, for the purpose of supporting the objectives of this  
 3896 section. Grants awarded pursuant to this subsection shall be in  
 3897 accordance with rules of the State Board of Education. Such  
 3898 rules shall include the following provisions:

3899 (b) Grants to centers funded with state revenues  
 3900 appropriated specifically for technology transfer activities

3901 shall be reviewed and approved by the State Board of Education  
 3902 using proposal solicitation, evaluation, and selection  
 3903 procedures established by the state board in consultation with  
 3904 the Department of Economic Opportunity ~~Enterprise Florida, Inc.~~  
 3905 Such procedures may include designation of specific areas or  
 3906 applications of technology as priorities for the receipt of  
 3907 funding.

3908 Section 160. Subsection (4) of section 1011.76, Florida  
 3909 Statutes, is amended to read:

3910 1011.76 Small School District Stabilization Program.—

3911 (4) The Department of Education may award the school  
 3912 district a stabilization grant intended to protect the district  
 3913 from continued financial reductions. The amount of the grant  
 3914 will be determined by the Department of Education and may be  
 3915 equivalent to the amount of the decline in revenues projected  
 3916 for the next fiscal year. In addition, the Department of  
 3917 Economic Opportunity may implement a rural economic development  
 3918 initiative to identify the economic factors that are negatively  
 3919 impacting the community ~~and may consult with Enterprise Florida,~~  
 3920 ~~Inc., in developing a plan to assist the county with its~~  
 3921 ~~economic transition.~~ The grant will be available to the school  
 3922 district for a period of up to 5 years to the extent that  
 3923 funding is provided for such purpose in the General  
 3924 Appropriations Act.

3925 Section 161. Subsection (1) of section 1011.94, Florida

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3926 Statutes, is amended to read:  
 3927       1011.94 University Major Gifts Program.—  
 3928       (1) There is established a University Major Gifts Program.  
 3929 The purpose of the program is to enable each university to  
 3930 provide donors with an incentive in the form of matching grants  
 3931 for donations for the establishment of permanent endowments and  
 3932 sales tax exemption matching funds received pursuant to s.  
 3933 212.08(5)(i) ~~s. 212.08(5)(j)~~, which must be invested, with the  
 3934 proceeds of the investment used to support libraries and  
 3935 instruction and research programs, as defined by the Board of  
 3936 Governors.  
 3937       Section 162. This act shall take effect July 1, 2023.