

CHAPTER 2020-30

Committee Substitute for Senate Bill No. 426

An act relating to economic development; amending s. 20.60, F.S.; revising the responsibilities of divisions within the Department of Economic Opportunity; requiring the executive director of the department to serve as a member of the board of directors of the Florida Development Finance Corporation; authorizing the executive director to designate a department employee to serve in this capacity; requiring that the annual report of the corporation be incorporated into the department's annual report on the condition of the business climate and economic development in the state; requiring the department to develop performance standards for the corporation and to include certain information relating to the standards in the department's annual report; amending s. 288.018, F.S.; defining the term "regional economic development organization"; specifying that the concept of building the professional capacity of a regional economic development organization includes the hiring of professional staff to perform specified services; providing that matching grants may be used to provide technical assistance to local governments and economic development organizations and to existing and prospective businesses; increasing the maximum amount of annual grant funding that specified economic development organizations may receive; revising the required amount of nonstate matching funds; requiring that certain information be included in contracts or agreements involving grant funds; requiring that contracts or agreements involving the expenditure of grant funds, and a plain-language version of certain contracts or agreements, be placed on the contracting regional economic development organization's website for a specified period before execution; deleting an obsolete provision; amending s. 288.0655, F.S.; revising the maximum percentage of total infrastructure project costs for which the department may award grants; specifying that improving access to and availability of broadband Internet services is an eligible project for certain grant funds; providing that grants for improvements to broadband Internet service and access must be conducted through certain partnerships; requiring the department to reevaluate certain guidelines by a specified date; requiring that certain information be included in contracts or agreements involving grant funds; requiring a regional economic development organization to post contracts or agreements involving the expenditure of grant funds, and a plain-language version of certain contracts or agreements, on the organization's website for a specified period before execution; amending s. 288.9604, F.S.; revising the membership of the board of directors of the corporation; requiring that the director of the Division of Bond Finance of the State Board of Administration, or his or her designee, serve on the board of directors of the corporation; making conforming changes; authorizing meetings of the directors to be conducted by teleconference; providing for future repeals; requiring the chair and vice chair of the board of directors of the corporation to serve as regular members of the board after a

specified date; providing construction; amending s. 288.9605, F.S.; providing for the electronic execution and delivery of certain documents executed by the corporation; amending s. 288.9606, F.S.; prohibiting certain bonds, notes, and other forms of indebtedness from exceeding a specified amount of time; specifying that certain bonds are payable solely from certain revenues; providing requirements for such bonds; amending s. 288.9610, F.S.; revising the entities to which the corporation is required to submit an annual report containing specified information; creating s. 288.9619, F.S.; requiring that certain conflicts of interest be publicly disclosed to the corporation and set forth in the corporation's minutes; prohibiting a director with a conflict of interest from taking certain actions; amending s. 445.002, F.S.; defining the terms "for cause" and "state board"; amending s. 445.003, F.S.; replacing CareerSource Florida, Inc., with the state board or the department in provisions relating to the implementation of the federal Workforce Innovation and Opportunity Act; authorizing, rather than requiring, certain funds to be reserved for the Incumbent Worker Training Program; conforming provisions to changes made by the act; authorizing the state board to hire an executive director and staff; requiring the state board to authorize the executive director and staff to work with the department for specified reasons; amending s. 445.004, F.S.; revising provisions relating to the operation of CareerSource Florida, Inc.; revising the purpose of CareerSource Florida, Inc.; providing purpose for the state board; revising the organizational structure of CareerSource Florida, Inc.; providing requirements for the organizational structure of the state board; providing the state board with powers and authority previously held by CareerSource Florida, Inc.; revising the requirements related to such powers and authority; requiring the state board, rather than CareerSource Florida, Inc., to submit an annual report to the Governor and the Legislature; authorizing the Auditor General to conduct an audit of the state board and programs or entities created by the state board; requiring the state board, rather than CareerSource Florida, Inc., to establish certain uniform performance accountability measures; requiring the state board, in consultation with the department, to design the workforce development strategy for the state; requiring that the strategy be approved by the Governor; revising requirements relating to the workforce development system; authorizing the department to consult with the state board to issue certain technical assistance letters; amending s. 445.006, F.S.; requiring that the state board, rather than CareerSource Florida, Inc., take certain actions relating to the state plan for workforce development; amending s. 445.007, F.S.; replacing CareerSource Florida, Inc., with the state board or the department in provisions relating to local workforce development boards; deleting the definition of the term "cause"; authorizing a chief elected official for a local workforce development board to remove certain persons from the board for cause; requiring the department to provide certain guidance to specified entities; deleting an obsolete provision; making technical changes; amending s. 445.0071, F.S.; replacing CareerSource Florida, Inc., with the state board or the department in provisions relating to the Florida Youth Summer Jobs Pilot Program;

amending s. 445.008, F.S.; revising authority relating to the Workforce Training Institute; requiring that certain donations and grants be reported to the state board and the department; amending s. 445.009, F.S.; replacing CareerSource Florida, Inc., with the state board or the department in provisions relating to one-stop delivery systems; deleting an obsolete provision; amending s. 445.011, F.S.; replacing CareerSource Florida, Inc., with the department in provisions relating to workforce information systems; requiring the department to consult with the state board in implementing certain automated information systems; deleting a provision requiring CareerSource Florida, Inc., to take certain actions when procuring workforce information systems; amending s. 445.014, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to the establishment of one-stop delivery systems; amending s. 445.021, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to the relocation assistance program; amending s. 445.022, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to Retention Incentive Training Accounts; amending s. 445.024, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to certain contract exceptions; amending s. 445.026, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to cash assistance severance benefits; amending s. 445.028, F.S.; replacing CareerSource Florida, Inc., with the department in provisions relating to transitional benefits and services; amending s. 445.030, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to transitional education and training; amending s. 445.033, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to evaluations of TANF-funded programs; amending s. 445.035, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to data collection and reporting; amending s. 445.048, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to the Passport to Economic Progress program; amending s. 445.051, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to individual development accounts; amending s. 445.055, F.S.; replacing CareerSource Florida, Inc., with the state board in provisions relating to the establishment of an employment advocacy and assistance program targeting a certain group; amending ss. 11.45, 288.901, 331.369, 413.405, 414.045, 420.622, 443.171, 443.181, 446.71, 1011.80, and 1011.801, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Paragraph (c) of subsection (5), subsection (6), paragraph (b) of subsection (10), and subsection (11) of section 20.60, Florida Statutes, are amended, and paragraph (c) is added to subsection (9) of that section, to read:

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

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

(c) The Division of Workforce Services shall:

1. Prepare and submit a unified budget request for workforce development in accordance with chapter 216 for, and in conjunction with, the state CareerSource Florida, Inc., and its board as defined in s. 445.002.

2. Ensure that the state appropriately administers federal and state workforce funding by administering plans and policies of the state board as defined in s. 445.002 CareerSource Florida, Inc., under contract with CareerSource Florida, Inc. The operating budget and midyear amendments thereto must be part of such contract.

a. All program and fiscal instructions to local workforce development boards shall emanate from the Department of Economic Opportunity pursuant to plans and policies of the state board as defined in s. 445.002 CareerSource Florida, Inc., which shall be responsible for all policy directions to the local workforce development boards.

b. Unless otherwise provided by agreement with the state board as defined in s. 445.002 CareerSource Florida, Inc., administrative and personnel policies of the Department of Economic Opportunity apply.

3. Implement the state's reemployment assistance program. The Department of Economic Opportunity shall ensure that the state appropriately administers the reemployment assistance program pursuant to state and federal law.

4. Assist in developing the 5-year statewide strategic plan required by this section.

(6)(a) The Department of Economic Opportunity is the administrative agency designated for receipt of federal workforce development grants and other federal funds. The department shall administer the duties and responsibilities assigned by the Governor under each federal grant assigned to the department. The department shall expend each revenue source as provided by federal and state law and as provided in plans developed by and agreements with the state board as defined in s. 445.002 CareerSource Florida, Inc. The department may serve as the contract administrator for contracts entered into by the state board under CareerSource Florida, Inc., pursuant to s. 445.004(5), ~~as directed by CareerSource Florida, Inc.~~

(b) The Department of Economic Opportunity shall serve as the designated agency for purposes of each federal workforce development grant assigned to it for administration. The department shall carry out the

duties assigned to it by the Governor, under the terms and conditions of each grant. The department shall have the level of authority and autonomy necessary to be the designated recipient of each federal grant assigned to it and shall disburse such grants pursuant to the plans and policies of the state board as defined in s. 445.002 CareerSource Florida, Inc. The executive director may, upon delegation from the Governor and pursuant to agreement with the state board CareerSource Florida, Inc., sign contracts, grants, and other instruments as necessary to execute functions assigned to the department. Notwithstanding other provisions of law, the department shall administer other programs funded by federal or state appropriations, as determined by the Legislature in the General Appropriations Act or other law.

(9) The executive director shall:

(c) Serve as a member of the board of directors of the Florida Development Finance Corporation. The executive director may designate an employee of the department to serve in this capacity.

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

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

1. Information provided by the Department of Revenue under s. 290.014.
2. Information provided by enterprise zone development agencies under s. 290.0056 and an analysis of the activities and accomplishments of each enterprise zone.
3. The Economic Gardening Business Loan Pilot Program established under s. 288.1081 and the Economic Gardening Technical Assistance Pilot Program established under s. 288.1082.
4. A detailed report of the performance of the Black Business Loan Program and a cumulative summary of quarterly report data required under s. 288.714.
5. The Rural Economic Development Initiative established under s. 288.0656.
6. The Florida Unique Abilities Partner Program.
7. A detailed report of the performance of the Florida Development Finance Corporation and a summary of the corporation's report required under s. 288.9610.

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

Section 2. Subsections (1), (3), and (4) of section 288.018, Florida Statutes, are amended to read:

288.018 Regional Rural Development Grants Program.—

(1)(a) For the purposes of this section, the term “regional economic development organization” means an economic development organization located in or contracted to serve a rural area of opportunity, as defined in s. 288.0656(2)(d).

(b) ~~The department shall establish a matching grant program to provide funding to regional regionally-based economic development organizations representing rural counties and communities for the purpose of building the professional capacity of those their organizations. Building the professional capacity of a regional economic development organization includes hiring professional staff to develop, deliver, and provide needed economic development professional services, including technical assistance, education and leadership development, marketing, and project recruitment. Such Matching grants may also be used by a regional an economic development organization to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses within the rural counties and communities that it serves.~~

(c) A regional economic development organization may apply annually to the department for a matching grant. The department is authorized to approve, on an annual basis, grants to such ~~regional regionally-based~~ economic development organizations. The maximum amount an organization may receive in any year will be \$50,000, or \$250,000 for any three regional economic development organizations that serve an entire region of a rural area of opportunity designated pursuant to s. 288.0656(7) if they are recognized by the department as serving such a region.

(d) ~~Grant funds received by a regional economic development organization \$150,000 in a rural area of opportunity recommended by the Rural Economic Development Initiative and designated by the Governor, and must be matched each year by an equivalent amount of nonstate resources in an amount equal to 25 percent of the state contribution.~~

(3)(a) A contract or agreement that involves the expenditure of grant funds provided under this section, including a contract or agreement entered into between another entity and a regional economic development organization, a unit of local government, or an economic development organization substantially underwritten by a unit of local government, must include:

- 1. The purpose of the contract or agreement.
- 2. Specific performance standards and responsibilities for each entity under the contract or agreement.
- 3. A detailed project or contract budget, if applicable.
- 4. The value of any services provided.
- 5. The projected travel expenses for employees and board members, if applicable.

(b) At least 14 days before executing a contract or agreement, the contracting regional economic development organization shall post on its website:

1. Any contract or agreement that involves the expenditure of grant funds provided under this section.

2. A plain-language version of any contract or agreement that is estimated to exceed \$35,000 with a private entity, a municipality, or a vendor of services, supplies, or programs, including marketing, or for the purchase or lease or use of lands, facilities, or properties which involves the expenditure of grant funds provided under this section ~~The department may also contract for the development of an enterprise zone web portal or websites for each enterprise zone which will be used to market the program for job creation in disadvantaged urban and rural enterprise zones. Each enterprise zone web page should include downloadable links to state forms and information, as well as local message boards that help businesses and residents receive information concerning zone boundaries, job openings, zone programs, and neighborhood improvement activities.~~

(4) The department may expend up to \$750,000 each fiscal year from funds appropriated to the Rural Community Development Revolving Loan Fund for the purposes outlined in this section. The department may contract with Enterprise Florida, Inc., for the administration of the purposes specified in this section. Funds released to Enterprise Florida, Inc., for this purpose shall be released quarterly and shall be calculated based on the applications in process.

Section 3. Present subsection (5) of section 288.0655, Florida Statutes, is redesignated as subsection (6), a new subsection (5) is added to that section, and paragraph (b) of subsection (2), subsection (4), and present subsection (6) of that section are amended, to read:

288.0655 Rural Infrastructure Fund.—

(2)

(b) To facilitate access of rural communities and rural areas of opportunity as defined by the Rural Economic Development Initiative to

infrastructure funding programs of the Federal Government, such as those offered by the United States Department of Agriculture and the United States Department of Commerce, and state programs, including those offered by Rural Economic Development Initiative agencies, and to facilitate local government or private infrastructure funding efforts, the department may award grants for up to 50 ~~30~~ percent of the total infrastructure project cost. ~~If an application for funding is for a catalyst site, as defined in s. 288.0656, the department may award grants for up to 40 percent of the total infrastructure project cost.~~ Eligible projects must be related to specific job-creation or job-retention opportunities. Eligible projects may also include improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth, ~~or~~ reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities, and improving access to and the availability of broadband Internet service. Eligible uses of funds shall include improvements to public infrastructure for industrial or commercial sites, ~~and upgrades to or development of public tourism infrastructure, and improvements to broadband Internet service and access in unserved or underserved rural communities.~~ Improvements to broadband Internet service and access must be conducted through a partnership or partnerships with one or more dealers, as defined in s. 202.11(2), and the partnership or partnerships must be established through a competitive selection process that is publicly noticed. Authorized infrastructure may include the following public or public-private partnership facilities: storm water systems; telecommunications facilities; broadband facilities; roads or other remedies to transportation impediments; nature-based tourism facilities; or other physical requirements necessary to facilitate tourism, trade, and economic development activities in the community. Authorized infrastructure may also include publicly or privately owned self-powered nature-based tourism facilities, publicly owned telecommunications facilities, and broadband facilities, and additions to the distribution facilities of the existing natural gas utility as defined in s. 366.04(3)(c), the existing electric utility as defined in s. 366.02, or the existing water or wastewater utility as defined in s. 367.021(12), or any other existing water or wastewater facility, which owns a gas or electric distribution system or a water or wastewater system in this state where:

1. A contribution-in-aid of construction is required to serve public or public-private partnership facilities under the tariffs of any natural gas, electric, water, or wastewater utility as defined herein; and

2. Such utilities as defined herein are willing and able to provide such service.

(4) By September 1, 2021 ~~2012~~, the department shall, in consultation with the organizations listed in subsection (3), and other organizations, reevaluate existing guidelines and criteria governing submission of applications for funding, review and evaluation of such applications, and approval of funding under this section. The department shall consider factors including, but not limited to, the project's potential for enhanced job creation

or increased capital investment, the demonstration and level of local public and private commitment, whether the project is located in an enterprise zone, in a community development corporation service area, or in an urban high-crime area as designated under s. 212.097, the unemployment rate of the county in which the project would be located, and the poverty rate of the community.

(5)(a) A contract or agreement that involves the expenditure of grant funds provided under this section, including a contract or agreement entered into between another entity and a regional economic development organization, a unit of local government, or an economic development organization substantially underwritten by a unit of local government, must include:

- 1. The purpose of the contract or agreement.
- 2. Specific performance standards and responsibilities for each entity.
- 3. A detailed project or contract budget, if applicable.
- 4. The value of any services provided.
- 5. The projected travel expenses for employees and board members, if applicable.

(b) At least 14 days before execution, the contracting regional economic development organization shall post on its website:

- 1. Any contract or agreement that involves the expenditure of grant funds provided under this section.
- 2. A plain-language version of a contract or agreement that is estimated to exceed \$35,000 with a private entity, a municipality, or a vendor of services, supplies, or programs, including marketing, or for the purchase or lease or use of lands, facilities, or properties which involves the expenditure of grant funds provided under this section.

~~(6) For the 2019-2020 fiscal year, the funds appropriated for the grant program for Florida Panhandle counties shall be distributed pursuant to and for the purposes described in the proviso language associated with Specific Appropriation 2314 of the 2019-2020 General Appropriations Act. This subsection expires July 1, 2020.~~

Section 4. Subsections (2), (3), and (4) of section 288.9604, Florida Statutes, are amended, and subsection (5) is added to that section, to read:

288.9604 Creation of the authority.—

(2) The board of directors of the corporation shall consist of seven directors. The executive director of the department, or his or her designee, shall serve as chair of the board of directors of the corporation. The director of the Division of Bond Finance of the State Board of Administration, or his

or her designee, shall serve as a director on the board of directors of the corporation. The Governor, subject to confirmation by the Senate, shall appoint the remaining five directors of the board of directors of the corporation, ~~who shall be five in number.~~ The terms of office for the appointed directors ~~are shall be~~ for 4 years ~~after from~~ the date of their appointment. A vacancy occurring during a term of an appointed director shall be filled for the unexpired term. An appointed A director is shall be eligible for reappointment. At least three of the appointed directors of the corporation must have experience in finance shall be bankers who have been selected by the Governor from a list of bankers who were nominated by Enterprise Florida, Inc., and one of the directors must have experience in shall be an economic development specialist.

(3)(a)1. A director may not receive compensation for his or her services, but is entitled to necessary expenses, including travel expenses, incurred in the discharge of his or her duties. Each appointed director shall hold office until his or her successor has been appointed.

2. Directors are subject to ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2). For purposes of applying ss. 112.313(1)-(8), (10), (12), and (15); 112.3135; and 112.3143(2) to activities of directors, directors are shall be considered public officers and the corporation is shall be considered their agency.

(b) The powers of the corporation shall be exercised by the directors thereof. A majority of the directors constitutes a quorum for the purposes of conducting business and exercising the powers of the corporation and for all other purposes. Meetings of the directors may be conducted by teleconference. Action may be taken by the corporation upon a vote of a majority of the directors present, unless in any case the bylaws require a larger number. Any person may be appointed as director if he or she resides, or is engaged in business, which means owning a business, practicing a profession, or performing a service for compensation or serving as an officer or director of a corporation or other business entity so engaged, within the state.

(c) The directors of the corporation shall annually elect, by a majority vote, one of their members as ~~chair and one~~ as vice chair. The corporation may employ a president, technical experts, and such other agents and employees, permanent and temporary, as it requires and determine their qualifications, duties, and compensation. For such legal services as it requires, the corporation may employ or retain its own counsel and legal staff.

(4) The board may remove an appointed a director for inefficiency, neglect of duty, or misconduct in office. Such director may be removed only after a hearing and only if he or she has been given a copy of the charges at least 10 days before such hearing and has had an opportunity to be heard in person or by counsel. The removal of an appointed a director creates shall create a vacancy on the board which must shall be filled pursuant to subsection (2).

(5) This section is repealed July 1, 2023, and July 1 of every fourth year thereafter, unless reviewed and saved from repeal by the Legislature.

Section 5. In order to implement the changes made by this act to s. 288.9604, Florida Statutes, the chair and vice chair of the board of directors of the Florida Development Finance Corporation as of June 30, 2020, shall serve as regular members beginning July 1, 2020. Nothing in this act may be construed to affect the terms of the directors serving on the board on July 1, 2020.

Section 6. Subsection (3) is added to section 288.9605, Florida Statutes, to read:

288.9605 Corporation powers.—

(3) Documents, agreements, and instruments executed by the corporation may be executed and delivered in accordance with the Electronic Signature Act of 1996.

Section 7. Subsections (1) and (2) of section 288.9606, Florida Statutes, are amended to read:

288.9606 Issue of revenue bonds.—

(1) When authorized by a public agency pursuant to s. 163.01(7), the corporation has power in its corporate capacity, in its discretion, to issue revenue bonds or other evidences of indebtedness which a public agency has the power to issue, from time to time to finance the undertaking of any purpose of this act, including, without limiting the generality thereof, the payment of principal and interest upon any advances for surveys and plans or preliminary loans, and has the power to issue refunding bonds for the payment or retirement of bonds previously issued. Bonds issued under pursuant to this section shall bear the name “Florida Development Finance Corporation Revenue Bonds.” The security for such bonds may be based upon such revenues as are legally available. In anticipation of the sale of such revenue bonds, the corporation may issue bond anticipation notes and may renew such notes from time to time, but the maximum maturity of any such note, including renewals thereof, may not exceed 5 years after from the date of issuance of the original note. Such notes shall be paid from any revenues of the corporation available therefor and not otherwise pledged or from the proceeds of sale of the revenue bonds in anticipation of which they were issued. Any bond, note, or other form of indebtedness issued under pursuant to this act may not exceed 35 years from their respective dates of issuance shall mature no later than the end of the 30th fiscal year after the fiscal year in which the bond, note, or other form of indebtedness was issued.

(2) Bonds issued under this section do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, and are not subject to the provisions of any other law or charter relating to the authorization, issuance, or sale of bonds. Bonds issued under

~~the provisions of this act are declared to be for an essential public and governmental purpose. Bonds issued under this act, the interest on which is exempt from income taxes of the United States, together with interest thereon and income therefrom, are exempted from all taxes, except those taxes imposed by chapter 220, on interest, income, or profits on debt obligations owned by corporations. Bonds issued under this act are not a debt, liability, or obligation of the state or any subdivision thereof, or a pledge of faith and credit of the corporation or of the state or of any such political subdivision thereof, but are payable solely from the revenues provided therefor. Each bond issued under this part shall contain on the face thereof a statement to the effect that the corporation is not obligated to pay the same or interest thereon from the revenues and proceeds pledged therefor, and that the faith and credit or the taxing power of the corporation or of the state or of any political subdivision thereof is not pledged to the payment of the principal of or the interest on such bonds.~~

Section 8. Section 288.9610, Florida Statutes, is amended to read:

288.9610 Annual reports of Florida Development Finance Corporation. On or before 90 days after the close of the Florida Development Finance Corporation's fiscal year, the corporation shall submit to the Governor, the Legislature, the Auditor General, the Department of Economic Opportunity, and the governing body of each public entity for which the corporation issues revenue bonds pursuant to s. 288.9606 or with which it has entered into an interlocal agreement a complete and detailed report setting forth:

- (1) The results of any audit conducted under pursuant to s. 11.45.
- (2) The activities, operations, and accomplishments of the Florida Development Finance Corporation, including the number of businesses assisted by the corporation.
- (3) Its assets, liabilities, income, and operating expenses at the end of its most recent fiscal year, including a description of all of its outstanding revenue bonds.

Section 9. Section 288.9619, Florida Statutes, is created to read:

288.9619 Conflicts of interest.—If any director has a direct or indirect interest associated with any party to an application on which the corporation has taken or will take action in exercising its power for the issuance of revenue bonds or other evidences of indebtedness, such interest must be publicly disclosed to the corporation and set forth in the minutes of the corporation. The director that has such interest may not participate in any action by the corporation with respect to such party and application.

Section 10. Present subsections (2) and (3) of section 445.002, Florida Statutes, are redesignated as subsections (3) and (5), respectively, and a new subsection (2) and subsection (4) are added to that section, to read:

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

(2) “For cause” includes, but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence and irresponsibility, misfeasance, malfeasance, nonfeasance, or lack of performance.

(4) “State board” means the state workforce development board established pursuant to the Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, Title I, s. 101. The state board is the board of directors of CareerSource Florida, Inc., which works at the direction of the state board in consultation with the department as required by this chapter.

Section 11. Subsections (2) through (5) of section 445.003, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

445.003 Implementation of the federal Workforce Innovation and Opportunity Act.—

(2) ~~FOUR-YEAR PLAN.—The state board CareerSource Florida, Inc.,~~ shall prepare and submit a 4-year plan, consistent with the requirements of the Workforce Innovation and Opportunity Act. Mandatory and optional federal partners shall be fully involved in designing the plan’s one-stop delivery system strategy. The plan must clearly define each program’s statewide duties and role relating to the system. The plan must detail a process that would fully integrate all federally mandated and optional partners.

(3) ~~FUNDING.—~~

(a) Title I, Workforce Innovation and Opportunity Act funds; Wagner-Peyser funds; and NAFTA/Trade Act funds will be expended based on the 4-year plan of the state board CareerSource Florida, Inc. The plan must outline and direct the method used to administer and coordinate various funds and programs that are operated by various agencies. The following provisions apply to these funds:

1. At least 50 percent of the Title I funds for Adults and Dislocated Workers which are passed through to local workforce development boards shall be allocated to and expended on Individual Training Accounts unless a local workforce development board obtains a waiver from the state board CareerSource Florida, Inc. Tuition, books, and fees of training providers and other training services prescribed and authorized by the Workforce Innovation and Opportunity Act qualify as Individual Training Account expenditures.

2. Fifteen percent of Title I funding shall be retained at the state level and dedicated to state administration and shall be used to design, develop, induce, and fund innovative Individual Training Account pilots, demonstrations, and programs. Of such funds retained at the state level, \$2 million may ~~shall~~ be reserved for the Incumbent Worker Training Program created under subparagraph 3. Eligible state administration costs include the costs

of funding for the state board and state board staff of ~~CareerSource Florida, Inc.~~; operating fiscal, compliance, and management accountability systems through the department ~~CareerSource Florida, Inc.~~; conducting evaluation and research on workforce development activities; and providing technical and capacity building assistance to local workforce development areas at the direction of the state board ~~CareerSource Florida, Inc.~~. Notwithstanding s. 445.004, such administrative costs may not exceed 25 percent of these funds. An amount not to exceed 75 percent of these funds shall be allocated to Individual Training Accounts and other workforce development strategies for other training designed and tailored by the state board in consultation with the department ~~CareerSource Florida, Inc.~~, including, but not limited to, programs for incumbent workers, nontraditional employment, and enterprise zones. The state board, in consultation with the department ~~CareerSource Florida, Inc.~~, shall design, adopt, and fund Individual Training Accounts for distressed urban and rural communities.

3. The Incumbent Worker Training Program is created for the purpose of providing grant funding for continuing education and training of incumbent employees at existing Florida businesses. The program will provide reimbursement grants to businesses that pay for preapproved, direct, training-related costs.

a. The Incumbent Worker Training Program will be administered by CareerSource Florida, Inc., which may, at its discretion, contract with a private business organization to serve as grant administrator.

b. The program shall be administered pursuant to s. 134(d)(4) of the Workforce Innovation and Opportunity Act. Priority for funding shall be given to businesses with 25 employees or fewer, businesses in rural areas, businesses in distressed inner-city areas, businesses in a qualified targeted industry, businesses whose grant proposals represent a significant upgrade in employee skills, or businesses whose grant proposals represent a significant layoff avoidance strategy.

c. All costs reimbursed by the program must be preapproved by CareerSource Florida, Inc., or the grant administrator. The program may not reimburse businesses for trainee wages, the purchase of capital equipment, or the purchase of any item or service that may possibly be used outside the training project. A business approved for a grant may be reimbursed for preapproved, direct, training-related costs including tuition, fees, books and training materials, and overhead or indirect costs not to exceed 5 percent of the grant amount.

d. A business that is selected to receive grant funding must provide a matching contribution to the training project, including, but not limited to, wages paid to trainees or the purchase of capital equipment used in the training project; must sign an agreement with CareerSource Florida, Inc., or the grant administrator to complete the training project as proposed in the application; must keep accurate records of the project's implementation

process; and must submit monthly or quarterly reimbursement requests with required documentation.

e. All Incumbent Worker Training Program grant projects shall be performance-based with specific measurable performance outcomes, including completion of the training project and job retention. CareerSource Florida, Inc., or the grant administrator shall withhold the final payment to the grantee until a final grant report is submitted and all performance criteria specified in the grant contract have been achieved.

f. The state board CareerSource Florida, Inc., may establish guidelines necessary to implement the Incumbent Worker Training Program.

g. No more than 10 percent of the Incumbent Worker Training Program’s total appropriation may be used for overhead or indirect purposes.

4. At least 50 percent of Rapid Response funding shall be dedicated to Intensive Services Accounts and Individual Training Accounts for dislocated workers and incumbent workers who are at risk of dislocation. The department CareerSource Florida, Inc., shall also maintain an Emergency Preparedness Fund from Rapid Response funds, which will immediately issue Intensive Service Accounts, Individual Training Accounts, and other federally authorized assistance to eligible victims of natural or other disasters. At the direction of the Governor, these Rapid Response funds shall be released to local workforce development boards for immediate use after events that qualify under federal law. Funding shall also be dedicated to maintain a unit at the state level to respond to Rapid Response emergencies and to work with state emergency management officials and local workforce development boards. All Rapid Response funds must be expended based on a plan developed by the state board in consultation with the department CareerSource Florida, Inc., and approved by the Governor.

(b) The administrative entity for Title I, Workforce Innovation and Opportunity Act funds, and Rapid Response activities is the department of ~~Economic Opportunity~~, which shall provide direction to local workforce development boards regarding Title I programs and Rapid Response activities ~~pursuant to the direction of CareerSource Florida, Inc.~~

(4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED MODIFICATIONS.—

(a) The state board CareerSource Florida, Inc., may provide indemnification from audit liabilities to local workforce development boards that act in full compliance with state law and board policy.

(b) The state board, in consultation with the department CareerSource Florida, Inc., may make modifications to the state’s plan, policies, and procedures to comply with federally mandated requirements that in its judgment must be complied with to maintain funding provided pursuant to Pub. L. No. 113-128. The state board shall provide written notice to the

Governor, the President of the Senate, and the Speaker of the House of Representatives within 30 days after any such changes or modifications.

(c) The state board CareerSource Florida, Inc., shall enter into a memorandum of understanding with the Florida Department of Education to ensure that federally mandated requirements of Pub. L. No. 113-128 are met and are in compliance with the state plan for workforce development.

(5) LONG-TERM CONSOLIDATION OF WORKFORCE DEVELOPMENT.—~~The state board CareerSource Florida, Inc.~~, may recommend workforce-related divisions, bureaus, units, programs, duties, commissions, boards, and councils for elimination, consolidation, or privatization.

(6) AUTHORITY TO HIRE EXECUTIVE DIRECTOR AND STAFF.—The state board may hire an executive director and staff to assist in carrying out the functions of the Workforce Innovation and Opportunity Act and in using funds made available through the act. The state board shall authorize the executive director and staff to work with the department in carrying out the functions of the Workforce Innovation and Opportunity Act.

Section 12. Section 445.004, Florida Statutes, is amended to read:

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

(1) CareerSource Florida, Inc., is created as a not-for-profit corporation, which shall be registered, incorporated, organized, and operated in compliance with chapter 617 and shall operate at the direction of the state board. CareerSource Florida, Inc., is not a unit or entity of state government and is exempt from chapters 120 and 287. CareerSource Florida, Inc., shall apply the procurement and expenditure procedures required by federal law for the expenditure of federal funds. CareerSource Florida, Inc., shall be administratively housed within the department and shall operate under agreement with of Economic Opportunity; however, ~~CareerSource Florida, Inc., is not subject to control, supervision, or direction by the department in any manner.~~ The Legislature finds that public policy dictates that CareerSource Florida, Inc., operate in the most open and accessible manner consistent with its public purpose. To this end, the Legislature specifically declares that CareerSource Florida, Inc., its board, councils, and any advisory committees or similar groups created by CareerSource Florida, Inc., are subject to the provisions of chapter 119 relating to public records, and those provisions of chapter 286 relating to public meetings.

(2) CareerSource Florida, Inc., provides administrative support for the state board, is the principal workforce policy organization for the state. The purpose of the state board CareerSource Florida, Inc., is to design and implement strategies that help Floridians enter, remain in, and advance in the workplace, so that they may become more highly skilled and successful, which benefits these Floridians, Florida businesses, and the entire state,

and fosters the development of the state's business climate. CareerSource Florida, Inc., shall, consistent with its agreement with the department, implement the policy directives of the state board and administer state workforce development programs as authorized by law.

(3)(a) ~~CareerSource Florida, Inc., shall be governed by a board of directors, whose membership and appointment must be consistent with Pub. L. No. 113-128, Title I, s. 101(b). Members of the state board described in Pub. L. No. 113-128, Title I, s. 101(b)(1)(C)(iii)(I)(aa) are shall be nonvoting members. The number of members is directors shall be determined by the Governor, who shall consider the importance of minority, gender, and geographic representation in making appointments to the state board. When the Governor is in attendance, he or she shall preside at all meetings of the state board of directors.~~

(b) ~~The state board of directors of CareerSource Florida, Inc., shall be chaired by a board member designated by the Governor pursuant to Pub. L. No. 113-128. A member may not serve more than two terms.~~

(c) Members appointed by the Governor may serve no more than two terms and must be appointed for 3-year terms. However, in order to establish staggered terms for state board members, the Governor shall appoint or reappoint one-third of the state board members for 1-year terms, one-third of the state board members for 2-year terms, and one-third of the state board members for 3-year terms beginning July 1, 2016. Subsequent appointments or reappointments shall be for 3-year terms, except that a member appointed to fill a vacancy on the state board shall be appointed to serve only the remainder of the term of the member whom he or she is replacing, and may be appointed for a subsequent 3-year term. Private sector representatives of businesses, appointed by the Governor pursuant to Pub. L. No. 113-128, shall constitute a majority of the membership of the state board. Private sector representatives shall be appointed from nominations received by the Governor, including, but not limited to, those nominations made by the President of the Senate and the Speaker of the House of Representatives. Private sector appointments to the state board must be representative of the business community of this state; no fewer than one-half of the appointments must be representative of small businesses, and at least five members must have economic development experience. Members appointed by the Governor serve at the pleasure of the Governor and are eligible for reappointment.

(d) The state board must include the vice chairperson of the board of directors of Enterprise Florida, Inc., and one member representing each of the Workforce Innovation and Opportunity Act partners, including the Division of Career and Adult Education, and other entities representing programs identified in the Workforce Innovation and Opportunity Act, as determined necessary.

(e) A member of the state board ~~of directors of CareerSource Florida, Inc.,~~ may be removed by the Governor for cause. Absence from three

consecutive meetings results in automatic removal. The chair of the state board CareerSource Florida, Inc., shall notify the Governor of such absences.

(f) Representatives of businesses appointed to the state board of directors may not include providers of workforce services.

(g) The state board shall hire an executive director for CareerSource Florida, Inc. The executive director serves as the president, the chief executive officer, and an employee of CareerSource Florida, Inc. The president of CareerSource Florida, Inc., serves at the pleasure of the Governor.

~~(4)(a) The president of CareerSource Florida, Inc., shall be hired by the board of directors of CareerSource Florida, Inc., and shall serve at the pleasure of the Governor in the capacity of an executive director and secretary of CareerSource Florida, Inc.~~

(b) The state board of directors of CareerSource Florida, Inc., shall meet at least quarterly and at other times upon the call of its chair. The state board and its committees, subcommittees, or other subdivisions may use any method of telecommunications to conduct meetings, including establishing a quorum through telecommunications, if the public is given proper notice of the telecommunications meeting and is given reasonable access to observe and, if appropriate, participate.

~~(b)(e) A majority of the total current membership of the state board of directors of CareerSource Florida, Inc., constitutes a quorum and is required to organize and conduct the business of the state board, except that a majority of the executive committee is required to adopt or amend the bylaws.~~

~~(d) A majority of those voting is required to organize and conduct the business of the board, except that a majority of the entire board of directors is required to adopt or amend the bylaws.~~

~~(c)(e) Except as delegated or authorized by the state board of directors of CareerSource Florida, Inc., individual members have no authority to control or direct the operations of CareerSource Florida, Inc., or the actions of its officers and employees, including the president.~~

~~(d)(f) Members of the state board of directors of CareerSource Florida, Inc., and its committees serve without compensation, but these members and the president, and the employees of CareerSource Florida, Inc., may be reimbursed for all reasonable, necessary, and actual expenses as provided under pursuant to s. 112.061.~~

~~(e)(g) The state board shall of directors of CareerSource Florida, Inc., may establish an executive committee consisting of the chair and at least six additional board members selected by the chair, one of whom must be a representative of organized labor. The executive committee and the president of CareerSource Florida, Inc., have such authority as the state~~

board delegates to them, except that the state board of directors may not delegate to the executive committee authority to take action that requires approval by a majority of the entire state board of directors.

~~(f)(h)~~ The chair may appoint committees to fulfill the state board's responsibilities, to comply with federal requirements, or to obtain technical assistance, and must incorporate members of local workforce development boards into its structure.

~~(g)(i)~~ Each member of the state board of directors who is not otherwise required to file a financial disclosure under pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 must file disclosure of financial interests under pursuant to s. 112.3145.

(5) The state board has CareerSource Florida, Inc., shall have all the powers and authority not explicitly prohibited by statute which are necessary or convenient to carry out and effectuate its purposes as determined by statute, Pub. L. No. 113-128, and the Governor, as well as its functions, duties, and responsibilities, including, but not limited to, the following:

(a) Serving as the state's workforce development board pursuant to Pub. L. No. 113-128. Unless otherwise required by federal law, at least 90 percent of workforce development funding must go toward direct customer service.

~~(b) Providing oversight and policy direction to ensure that the following programs are administered by the department consistent in compliance with approved plans and under contract with CareerSource Florida, Inc.:~~

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

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

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

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

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

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

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

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

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

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

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

The department may adopt rules necessary to administer this chapter which relate to implementing and administering the programs listed in this paragraph as well as rules related to eligible training providers and auditing and monitoring subrecipients of the workforce system grant funds.

~~(c) The department may adopt rules necessary to administer this chapter which relate to implementing and administering the programs listed in paragraph (b) as well as rules related to eligible training providers and auditing and monitoring subrecipients of the workforce system grant funds.~~

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

~~(d)(e) Notifying the Governor and the department of statewide or local workforce development and training needs that may require policy changes or an update to the state plan required under s. 445.003, and notifying the Governor, the President of the Senate, and the Speaker of the House of Representatives of noncompliance by the department or other agencies or obstruction of the state board's efforts by such agencies. Upon such notification, the Executive Office of the Governor shall assist agencies to bring them into compliance with state board objectives.~~

~~(e)(f) Ensuring that the state does not waste valuable training resources. The state board's policy is board shall direct that all resources, including equipment purchased for training Workforce Innovation and Opportunity~~

Act clients, be available for use at all times by eligible populations as first priority users. At times when eligible populations are not available, such resources shall be used for any other state-authorized education and training purpose. The state board CareerSource Florida, Inc., may authorize expenditures to award suitable framed certificates, pins, or other tokens of recognition for performance by a local workforce development board, its committees and subdivisions, and other units of the workforce system. The state board CareerSource Florida, Inc., may also authorize expenditures for promotional items, such as t-shirts, hats, or pens printed with messages promoting the state's workforce system to employers, job seekers, and program participants. However, such expenditures are subject to federal regulations applicable to the expenditure of federal funds.

~~(f)(g)~~ Establishing a dispute resolution process for all memoranda of understanding or other contracts or agreements entered into between the department and local workforce development boards.

~~(g)(h)~~ Archiving records with the Bureau of Archives and Records Management of the Division of Library and Information Services of the Department of State.

(6) The state board CareerSource Florida, Inc., may take action that it deems necessary to achieve the purposes of this section, including, but not limited to:

(a) Creating a state employment, education, and training policy that ensures that programs to prepare workers are responsive to present and future business and industry needs and complement the initiatives of Enterprise Florida, Inc.

(b) Establishing policy direction for a funding system that provides incentives to improve the outcomes of career education, registered apprenticeship, and work-based learning programs and that focuses resources on occupations related to new or emerging industries that add greatly to the value of the state's economy.

(c) Establishing a comprehensive policy related to the education and training of target populations such as those who have disabilities, are economically disadvantaged, receive public assistance, are not proficient in English, or are dislocated workers. This approach should ensure the effective use of federal, state, local, and private resources in reducing the need for public assistance.

(d) Designating Institutes of Applied Technology composed of public and private postsecondary institutions working together with business and industry to ensure that career education programs use the most advanced technology and instructional methods available and respond to the changing needs of business and industry.

(e) Providing policy direction for a system to project and evaluate labor market supply and demand using the results of the Workforce Estimating Conference created in s. 216.136 and the career education performance standards identified under s. 1008.43.

(f) Reviewing the performance of public programs that are responsible for economic development, education, employment, and training. The review must include an analysis of the return on investment of these programs.

(g) Expanding the occupations identified by the Workforce Estimating Conference to meet needs created by local emergencies or plant closings or to capture occupations within emerging industries.

(7) By December 1 of each year, ~~the state board CareerSource Florida, Inc.,~~ shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader a complete and detailed annual report setting forth:

(a) All audits, including any audit conducted under subsection (8).

(b) The operations and accomplishments of the state board, including the programs or entities specified in subsection (6).

(8) Pursuant to his or her own authority or at the direction of the Legislative Auditing Committee, the Auditor General may conduct an audit of the state board and CareerSource Florida, Inc., or the programs or entities created by the state board CareerSource Florida, Inc. The Office of Program Policy Analysis and Government Accountability, pursuant to its authority or at the direction of the Legislative Auditing Committee, may review the systems and controls related to performance outcomes and quality of services of the state board and CareerSource Florida, Inc.

(9) ~~The state board CareerSource Florida, Inc.,~~ in collaboration with the local workforce development boards and appropriate state agencies and local public and private service providers, shall establish uniform performance accountability measures that apply across the core programs to gauge the performance of the state and local workforce development boards in achieving the workforce development strategy.

(a) The performance accountability measures for the core programs consist of the primary indicators of performance, any additional indicators of performance, and a state-adjusted level of performance for each indicator pursuant to Pub. L. No. 113-128, Title I, s. 116(b).

(b) The performance accountability measures for each local area consist of the primary indicators of performance, any additional indicators of performance, and a local level of performance for each indicator pursuant to Pub. L. No. 113-128. The local level of performance is determined by the local board, the chief elected official, and the Governor pursuant to Pub. L. No. 113-128, Title I, s. 116(c).

(c) Performance accountability measures shall be used to generate performance reports pursuant to Pub. L. No. 113-128, Title I, s. 116(d).

(d) The performance accountability measures of success that are adopted by the state board ~~CareerSource Florida, Inc.~~, or the local workforce development boards must be developed in a manner that provides for an equitable comparison of the relative success or failure of any service provider in terms of positive outcomes.

(10) The workforce development strategy for the state shall be designed by the state board, in consultation with the department, and approved by the Governor ~~CareerSource Florida, Inc.~~ The strategy must include efforts that enlist business, education, and community support for students to achieve long-term career goals, ensuring that young people have the academic and occupational skills required to succeed in the workplace. The strategy must also assist employers in upgrading or updating the skills of their employees and assisting workers to acquire the education or training needed to secure a better job with better wages. The strategy must assist the state's efforts to attract and expand job-creating businesses offering high-paying, high-demand occupations.

(11) The workforce development system must use ~~a charter process approach aimed at encouraging~~ local design and control of service delivery and targeted activities. The state board, in consultation with the department ~~CareerSource Florida, Inc., is~~ shall be responsible for ensuring that granting ~~charters to~~ local workforce development boards that have a membership consistent with the requirements of federal and state law and have developed a plan consistent with the state's workforce development strategy. The plan must specify methods for allocating the resources and programs in a manner that eliminates unwarranted duplication, minimizes administrative costs, meets the existing job market demands and the job market demands resulting from successful economic development activities, ensures access to quality workforce development services for all Floridians, allows for pro rata or partial distribution of benefits and services, prohibits the creation of a waiting list or other indication of an unserved population, serves as many individuals as possible within available resources, and maximizes successful outcomes. The state board ~~As part of the charter process, CareerSource Florida, Inc.,~~ shall establish incentives for effective coordination of federal and state programs, outline rewards for successful job placements, and institute collaborative approaches among local service providers. ~~Local decisionmaking and control shall be important components for inclusion in this charter application.~~

(12) CareerSource Florida, Inc., under the direction of the state board, shall enter into agreement with Space Florida and collaborate with vocational institutes, community colleges, colleges, and universities in this state to develop a workforce development strategy to implement the workforce provisions of s. 331.3051.

(13) The department may consult with the state board to issue technical assistance letters on the operation of federal programs and the expenditure of federal funds by the state board or any local workforce development board. A technical assistance letter must be in writing, must be posted on the department's website, and remains in effect until superseded or terminated. A technical assistance letter is not a rule of general applicability under s. 120.54 and is not a declaratory statement issued under s. 120.565 or an order issued under s. 120.569. Section 120.53 does not apply to technical assistance letters.

Section 13. Section 445.006, Florida Statutes, is amended to read:

445.006 State plan for workforce development.—

(1) STATE PLAN.—~~The state board CareerSource Florida, Inc.,~~ in conjunction with state and local partners in the workforce system, shall develop a state plan that produces an educated and skilled workforce. The state plan must consist of strategic and operational planning elements. The state plan shall be submitted by the Governor to the United States Department of Labor pursuant to the requirements of Pub. L. No. 113-128.

(2) STRATEGIC PLANNING ELEMENTS.—~~The state board CareerSource Florida, Inc.,~~ in conjunction with state and local partners in the workforce system, shall develop strategic planning elements, pursuant to Pub. L. No. 113-128, Title I, s. 102, for the state plan.

(a) The strategic planning elements of the state plan must include, but need not be limited to, strategies for:

1. Fulfilling the workforce system goals and strategies prescribed in s. 445.004;
2. Aggregating, integrating, and leveraging workforce system resources;
3. Coordinating the activities of federal, state, and local workforce system partners;
4. Addressing the workforce needs of small businesses; and
5. Fostering the participation of rural communities and distressed urban cores in the workforce system.

(b) The strategic planning elements must include criteria for allocating workforce resources to local workforce development boards. With respect to allocating funds to serve customers of the welfare transition program, such criteria may include weighting factors that indicate the relative degree of difficulty associated with securing and retaining employment placements for specific subsets of the welfare transition caseload.

(3) OPERATIONAL PLANNING ELEMENTS.—~~The state board CareerSource Florida, Inc.,~~ in conjunction with state and local partners in the

workforce system, shall develop operational planning elements, pursuant to Pub. L. No. 113-128, Title I, s. 102, for the state plan.

Section 14. Subsection (1), paragraph (b) of subsection (2), and subsections (3) through (7) and (9) through (13) of section 445.007, Florida Statutes, are amended, and paragraph (c) is added to subsection (2) of that section, to read:

445.007 Local workforce development boards.—

(1) One local workforce development board shall be appointed in each designated service delivery area and shall serve as the local workforce development board pursuant to Pub. L. No. 113-128. The membership of the local board must be consistent with Pub. L. No. 113-128, Title I, s. 107(b). If a public education or training provider is represented on the local board, a representative of a private education provider must also be appointed to the local board. ~~The state board CareerSource Florida, Inc.,~~ may waive this requirement if requested by a local workforce development board if it is demonstrated that such representatives do not exist in the region. The importance of minority and gender representation shall be considered when making appointments to the local board. The local board, its committees, subcommittees, and subdivisions, and other units of the workforce system, including units that may consist in whole or in part of local governmental units, may use any method of telecommunications to conduct meetings, including establishing a quorum through telecommunications, provided that the public is given proper notice of the telecommunications meeting and reasonable access to observe and, when appropriate, participate. Local workforce development boards are subject to chapters 119 and 286 and s. 24, Art. I of the State Constitution. If the local workforce development board enters into a contract with an organization or individual represented on the local board ~~of directors,~~ the contract must be approved by a two-thirds vote of the local board, a quorum having been established, and the local board member who could benefit financially from the transaction must abstain from voting on the contract. A local board member must disclose any such conflict in a manner that is consistent with the procedures outlined in s. 112.3143. Each member of a local workforce development board who is not otherwise required to file a full and public disclosure of financial interests ~~under pursuant to~~ s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests under pursuant to s. 112.3145. The executive director or designated person responsible for the operational and administrative functions of the local workforce development board who is not otherwise required to file a full and public disclosure of financial interests ~~under pursuant to~~ s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests under pursuant to s. 112.3145.

(2)

(b) The Governor may remove a member of the local board, the executive director of the local board, or the designated person responsible for the

operational and administrative functions of the local board for cause. As used in this paragraph, the term “cause” includes, but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence and irresponsibility, misfeasance, malfeasance, nonfeasance, or lack of performance.

(c) The chief elected official for the local workforce development board may remove a member of the local board, the executive director of the local board, or the designated person responsible for the operational and administrative functions of the local board for cause.

~~(3) The department of Economic Opportunity, under the direction of CareerSource Florida, Inc., shall assign staff to meet with each local workforce development board annually to review the local board’s performance and to certify that the local board is in compliance with applicable state and federal law.~~

~~(4) In addition to the duties and functions specified by the state board CareerSource Florida, Inc., and by the interlocal agreement approved by the local county or city governing bodies, the local workforce development board shall have the following responsibilities:~~

~~(a) Develop, submit, ratify, or amend the local plan pursuant to Pub. L. No. 113-128, Title I, s. 108 and this act.~~

~~(b) Conclude agreements necessary to designate the fiscal agent and administrative entity. A public or private entity, including an entity established under pursuant to s. 163.01, which makes a majority of the appointments to a local workforce development board may serve as the local board’s administrative entity if approved by the department CareerSource Florida, Inc., based upon a showing that a fair and competitive process was used to select the administrative entity.~~

~~(c) Complete assurances required for the charter process of CareerSource Florida, Inc., and Provide ongoing oversight related to administrative costs, duplicated services, career counseling, economic development, equal access, compliance and accountability, and performance outcomes.~~

~~(d) Oversee the one-stop delivery system in its local area.~~

~~(5) The department and CareerSource Florida, Inc., in consultation with the state board, shall implement a training program for the local workforce development boards to familiarize local board members with the state’s workforce development goals and strategies.~~

~~(6) The local workforce development board shall designate all local service providers and may not transfer this authority to a third party. Consistent with the intent of the Workforce Innovation and Opportunity Act, local workforce development boards should provide the greatest possible choice of training providers to those who qualify for training services. A local workforce development board may not restrict the choice of training~~

providers based upon cost, location, or historical training arrangements. However, a local board may restrict the amount of training resources available to any one client. Such restrictions may vary based upon the cost of training in the client's chosen occupational area. The local workforce development board may be designated as a one-stop operator and direct provider of intake, assessment, eligibility determinations, or other direct provider services except training services. Such designation may occur only with the agreement of the chief elected official and the Governor as specified in 29 U.S.C. s. 2832(f)(2). The state board CareerSource Florida, Inc., shall establish procedures by which a local workforce development board may request permission to operate under this section and the criteria under which such permission may be granted. The criteria shall include, but need not be limited to, a reduction in the cost of providing the permitted services. Such permission shall be granted for a period not to exceed 3 years for any single request submitted by the local workforce development board.

(7) Local workforce development boards shall adopt a committee structure consistent with applicable federal law and state policies established by the state board CareerSource Florida, Inc.

(9) For purposes of procurement, local workforce development boards and their administrative entities are not state agencies and are exempt from chapters 120 and 287. The local workforce development boards shall apply the procurement and expenditure procedures required by federal law and policies of the department of ~~Economic Opportunity~~ and the state board CareerSource Florida, Inc., for the expenditure of federal, state, and nonpass-through funds. The making or approval of smaller, multiple payments for a single purchase with the intent to avoid or evade the monetary thresholds and procedures established by federal law and policies of the department of ~~Economic Opportunity~~ and the state board CareerSource Florida, Inc., is grounds for removal for cause. Local workforce development boards, their administrative entities, committees, and subcommittees, and other workforce units may authorize expenditures to award suitable framed certificates, pins, or other tokens of recognition for performance by units of the workforce system. Local workforce development boards; their administrative entities, committees, and subcommittees; and other workforce units may authorize expenditures for promotional items, such as t-shirts, hats, or pens printed with messages promoting Florida's workforce system to employers, job seekers, and program participants. However, such expenditures are subject to federal regulations applicable to the expenditure of federal funds. All contracts executed by local workforce development boards must include specific performance expectations and deliverables.

(10) State and federal funds provided to the local workforce development boards may not be used directly or indirectly to pay for meals, food, or beverages for board members, staff, or employees of local workforce development boards, the state board CareerSource Florida, Inc., or the department of ~~Economic Opportunity~~ except as expressly authorized by state law. Preapproved, reasonable, and necessary per diem allowances and

travel expenses may be reimbursed. Such reimbursement shall be at the standard travel reimbursement rates established in s. 112.061 and shall be in compliance with all applicable federal and state requirements. The department shall provide fiscal and programmatic guidance ~~CareerSource Florida, Inc., shall develop a statewide fiscal policy applicable to the state board, CareerSource Florida, Inc., and all local workforce development boards, to hold both the state and local workforce development boards strictly accountable for adherence to the policy and subject to regular and periodic monitoring by the department of Economic Opportunity, the administrative entity for CareerSource Florida, Inc.~~ Local boards are prohibited from expending state or federal funds for entertainment costs and recreational activities for local board members and employees as these terms are defined by 2 C.F.R. part 200.230.

(11) To increase transparency and accountability, a local workforce development board must comply with the requirements of this section before contracting with a member of the local board or a relative, as defined in s. 112.3143(1)(c), of a local board member or of an employee of the local board. Such contracts may not be executed before or without the prior approval of ~~the department CareerSource Florida, Inc.~~ Such contracts, as well as documentation demonstrating adherence to this section as specified by ~~the department CareerSource Florida, Inc.,~~ must be submitted to the department of Economic Opportunity for review and approval ~~recommendation according to criteria to be determined by CareerSource Florida, Inc.~~ Such a contract must be approved by a two-thirds vote of the local board, a quorum having been established; all conflicts of interest must be disclosed before the vote; and any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote. A contract under \$25,000 between a local workforce development board and a member of that board or between a relative, as defined in s. 112.3143(1)(c), of a local board member or of an employee of the local board is not required to have the prior approval of ~~the department CareerSource Florida, Inc.,~~ but must be approved by a two-thirds vote of the local board, a quorum having been established, and must be reported to the department of Economic Opportunity and ~~the state board CareerSource Florida, Inc.,~~ within 30 days after approval. If a contract cannot be approved by ~~the department CareerSource Florida, Inc.,~~ a review of the decision to disapprove the contract may be requested by the local workforce development board or other parties to the disapproved contract.

(12) Each local workforce development board shall develop a budget for the purpose of carrying out the duties of the local board under this section, subject to the approval of the chief elected official. Each local workforce development board shall submit its annual budget for review to ~~the department CareerSource Florida, Inc.,~~ no later than 2 weeks after the chair approves the budget.

~~(13) By March 1, 2018, CareerSource Florida, Inc., shall establish regional planning areas in accordance with Pub. L. No. 113-128, Title I, s. 106(a)(2). Local workforce development boards and chief elected officials~~

within identified regional planning areas shall prepare a regional workforce development plan as required under Pub. L. No. 113-128, Title I, s. 106(c)(2).

Section 15. Subsections (1) and (4) of section 445.0071, Florida Statutes, are amended to read:

445.0071 Florida Youth Summer Jobs Pilot Program.—

(1) CREATION.—Contingent upon appropriations, there is created the Florida Youth Summer Jobs Pilot Program within workforce development district 22 served by the Broward Workforce Development Board. The board shall, in consultation with the state board ~~CareerSource Florida, Inc.~~, provide a program offering at-risk and disadvantaged children summer jobs in partnership with local communities and public employers.

(4) GOVERNANCE.—

(a) The pilot program shall be administered by the local workforce development board in consultation with the state board ~~CareerSource Florida, Inc.~~

(b) The local workforce development board shall report to the state board and the department ~~CareerSource Florida, Inc.~~, the number of at-risk and disadvantaged children who enter the program, the types of work activities they participate in, and the number of children who return to school, go on to postsecondary school, or enter the workforce full time at the end of the program. The state board ~~CareerSource Florida, Inc.~~, shall report to the Legislature by November 1 of each year on the performance of the program.

Section 16. Subsections (1) and (2) of section 445.008, Florida Statutes, are amended to read:

445.008 Workforce Training Institute.—

(1) The state board, through CareerSource Florida, Inc., may create the Workforce Training Institute, which shall be a comprehensive program of workforce training courses designed to meet the unique needs of, and shall include Internet-based training modules suitable for and made available to, professionals integral to the workforce system, including advisors and counselors in educational institutions.

(2) The state board, through CareerSource Florida, Inc., may enter into a contract for the provision of administrative support services for the institute and shall adopt policies for the administration and operation of the institute and establish admission fees in an amount which, in the aggregate, does not exceed the cost of the program. CareerSource Florida, Inc., may accept donations or grants of any type for any function or purpose of the institute. All donations and grants received by CareerSource Florida, Inc., must be reported to the state board and the department.

Section 17. Subsections (2), (3), and (4), paragraph (b) of subsection (6), subsection (7), paragraphs (a), (c), and (d) of subsection (8), and subsection (9) of section 445.009, Florida Statutes, are amended to read:

445.009 One-stop delivery system.—

(2)(a) Subject to a process designed by the state board CareerSource Florida, Inc., and in compliance with Pub. L. No. 113-128, local workforce development boards shall designate one-stop delivery system operators.

(b) A local workforce development board may designate as its one-stop delivery system operator any public or private entity that is eligible to provide services under any state or federal workforce program that is a mandatory or discretionary partner in the local workforce development area's one-stop delivery system if approved by the department CareerSource Florida, Inc., upon a showing by the local workforce development board that a fair and competitive process was used in the selection. As a condition of authorizing a local workforce development board to designate such an entity as its one-stop delivery system operator, the department CareerSource Florida, Inc., must require the local workforce development board to demonstrate that safeguards are in place to ensure that the one-stop delivery system operator will not exercise an unfair competitive advantage or unfairly refer or direct customers of the one-stop delivery system to services provided by that one-stop delivery system operator. A local workforce development board may retain its current one-stop career center operator without further procurement action if the local board has an established one-stop career center that has complied with federal and state law.

(c) The local workforce development board must enter into a memorandum of understanding with each mandatory or optional partner participating in the one-stop delivery system which details the partner's required contribution to infrastructure costs, as required by Pub. L. No. 113-128, s. 121(h). ~~If the local workforce development board and the one-stop partner are unable to come to an agreement regarding infrastructure costs by July 1, 2017, the costs shall be allocated pursuant to a policy established by the Governor.~~

(3) Local workforce development boards shall enter into a memorandum of understanding with the department of ~~Economic Opportunity~~ for the delivery of employment services authorized by the federal Wagner-Peyser Act. This memorandum of understanding must be performance based.

(a) Unless otherwise required by federal law, at least 90 percent of the Wagner-Peyser funding must go into direct customer service costs.

(b) Employment services must be provided through the one-stop delivery system, under the guidance of one-stop delivery system operators. One-stop delivery system operators shall have overall authority for directing the staff of the workforce system. Personnel matters shall remain under the ultimate

authority of the department. However, the one-stop delivery system operator shall submit to the department information concerning the job performance of employees of the department who deliver employment services. The department shall consider any such information submitted by the one-stop delivery system operator in conducting performance appraisals of the employees.

(c) The department shall retain fiscal responsibility and accountability for the administration of funds allocated to the state under the Wagner-Peyser Act. An employee of the department who is providing services authorized under the Wagner-Peyser Act shall be paid using Wagner-Peyser Act funds.

(4) One-stop delivery system partners shall enter into a memorandum of understanding pursuant to Pub. L. No. 113-128, Title I, s. 121, with the local workforce development board. Failure of a local partner to participate cannot unilaterally block the majority of partners from moving forward with their one-stop delivery system, and the state board, in conjunction with the department, may notify the Governor CareerSource Florida, Inc., pursuant to s. 445.004(5)(c), may make notification of a local partner that fails to participate.

(6)

(b) To expand electronic capabilities, the state board and the department CareerSource Florida, Inc., working with local workforce development boards, shall develop a centralized help center to assist local workforce development boards in fulfilling core services, minimizing the need for fixed-site one-stop delivery system centers.

(7) Intensive services and training provided pursuant to Pub. L. No. 113-128 shall be provided to individuals through Intensive Service Accounts and Individual Training Accounts. The state board CareerSource Florida, Inc., shall develop an implementation plan, including identification of initially eligible training providers, transition guidelines, and criteria for use of these accounts. Individual Training Accounts must be compatible with Individual Development Accounts for education allowed in federal and state welfare reform statutes.

(8)(a) Individual Training Accounts must be expended on programs that prepare people to enter high-wage occupations identified by the Workforce Estimating Conference created by s. 216.136, and on other programs recommended and approved by the state board following a review by the department to determine the program's compliance with federal law as approved by CareerSource Florida, Inc.

(c) The department CareerSource Florida, Inc., shall periodically review Individual Training Account pricing schedules developed by local workforce development boards and present findings and recommendations for process

improvement to the President of the Senate and the Speaker of the House of Representatives.

(d) To the maximum extent possible, training providers shall use funding sources other than the funding provided under Pub. L. No. 113-128. The state board CareerSource Florida, Inc., shall develop a system to encourage the leveraging of appropriated resources for the workforce system and shall report on such efforts as part of the required annual report.

(9)(a) The state board CareerSource Florida, Inc., working with the department, shall coordinate among the agencies a plan for a One-Stop Electronic Network made up of one-stop delivery system centers and other partner agencies that are operated by authorized public or private for-profit or not-for-profit agents. The plan shall identify resources within existing revenues to establish and support this electronic network for service delivery that includes Government Services Direct. If necessary, the plan shall identify additional funding needed to achieve the provisions of this subsection.

(b) The network shall assure that a uniform method is used to determine eligibility for and management of services provided by agencies that conduct workforce development activities. The Department of Management Services shall develop strategies to allow access to the databases and information management systems of the following systems in order to link information in those databases with the one-stop delivery system:

1. The Reemployment Assistance Program under chapter 443.
2. The public employment service described in s. 443.181.
3. The public assistance information system used by the Department of Children and Families and the components related to temporary cash assistance, food assistance, and Medicaid eligibility.
4. The Student Financial Assistance System of the Department of Education.
5. Enrollment in the public postsecondary education system.
6. Other information systems determined appropriate by the state board, in consultation with the department CareerSource Florida, Inc.

Section 18. Section 445.011, Florida Statutes, is amended to read:

445.011 Workforce information systems.—

(1) The department, in consultation with the state board CareerSource Florida, Inc., shall implement, subject to legislative appropriation, automated information systems that are necessary for the efficient and effective operation and management of the workforce development system. These information systems shall include, but need not be limited to, the following:

(a) An integrated management system for the one-stop service delivery system, which includes, at a minimum, common registration and intake, screening for needs and benefits, case planning and tracking, training benefits management, service and training provider management, performance reporting, executive information and reporting, and customer-satisfaction tracking and reporting.

1. The system should report current budgeting, expenditure, and performance information for assessing performance related to outcomes, service delivery, and financial administration for workforce programs pursuant to s. 445.004(5) and (9).

2. The information system should include auditable systems and controls to ensure financial integrity and valid and reliable performance information.

3. The system should support service integration and case management by providing for case tracking for participants in welfare transition programs.

(b) An automated job-matching information system that is accessible to employers, job seekers, and other users via the Internet, and that includes, at a minimum:

1. Skill match information, including skill gap analysis; resume creation; job order creation; skill tests; job search by area, employer type, and employer name; and training provider linkage;

2. Job market information based on surveys, including local, state, regional, national, and international occupational and job availability information; and

3. Service provider information, including education and training providers, child care facilities and related information, health and social service agencies, and other providers of services that would be useful to job seekers.

~~(2) The department In procuring workforce information systems, CareerSource Florida, Inc., shall employ competitive processes, including requests for proposals, competitive negotiation, and other competitive processes to ensure that the procurement results in the most cost-effective investment of state funds.~~

~~(3) CareerSource Florida, Inc., may procure independent verification and validation services associated with developing and implementing any workforce information system.~~

~~(3)(4) The department CareerSource Florida, Inc., shall coordinate development and implementation of workforce information systems with the state chief information officer to ensure compatibility with the state's information system strategy and enterprise architecture.~~

Section 19. Subsections (1) and (3) of section 445.014, Florida Statutes, are amended to read:

445.014 Small business workforce service initiative.—

(1) Subject to legislative appropriation, the state board CareerSource Florida, Inc., shall establish a program to encourage local workforce development boards to establish one-stop delivery systems that maximize the provision of workforce and human-resource support services to small businesses. Under the program, a local workforce development board may apply, on a competitive basis, for funds to support the provision of such services to small businesses through the local workforce development area's one-stop delivery system.

(3) The state board CareerSource Florida, Inc., shall establish guidelines governing the administration of this program and shall establish criteria to be used in evaluating applications for funding. Such criteria must include, but need not be limited to, a showing that the local workforce development board has in place a detailed plan for establishing a one-stop delivery system designed to meet the workforce needs of small businesses and for leveraging other funding sources in support of such activities.

Section 20. Paragraphs (b), (c), and (d) of subsection (2) and subsection (4) of section 445.021, Florida Statutes, are amended to read:

445.021 Relocation assistance program.—

(2) The relocation assistance program shall involve five steps by the local workforce development board, in cooperation with the Department of Children and Families:

(b) A determination that there is a basis for believing that relocation will contribute to the ability of the applicant to achieve self-sufficiency. For example, the applicant:

1. Is unlikely to achieve economic self-sufficiency at the current community of residence;

2. Has secured a job that provides an increased salary or improved benefits and that requires relocation to another community;

3. Has a family support network that will contribute to job retention in another community;

4. Is determined, pursuant to criteria or procedures established by the state board of directors of CareerSource Florida, Inc., to be a victim of domestic violence who would experience reduced probability of further incidents through relocation; or

5. Must relocate in order to receive education or training that is directly related to the applicant's employment or career advancement.

(c) Establishment of a relocation plan that includes such requirements as are necessary to prevent abuse of the benefit and provisions to protect the safety of victims of domestic violence and avoid provisions that place them in anticipated danger. The payment to defray relocation expenses shall be determined based on criteria approved by the state board of directors of CareerSource Florida, Inc. Participants in the relocation program shall be eligible for diversion or transitional benefits.

(d) A determination, pursuant to criteria adopted by the state board of directors of CareerSource Florida, Inc., that a community receiving a relocated family has the capacity to provide needed services and employment opportunities.

(4) The state board of directors of CareerSource Florida, Inc., may establish criteria for developing and implementing relocation plans and for drafting agreements to restrict a family from applying for temporary cash assistance for a specified period after receiving a relocation assistance payment.

Section 21. Section 445.022, Florida Statutes, is amended to read:

445.022 Retention Incentive Training Accounts.—To promote job retention and to enable upward job advancement into higher skilled, higher paying employment, the state board of directors of CareerSource Florida, Inc., and the local workforce development boards may assemble a list of programs and courses offered by postsecondary educational institutions which may be available to participants who have become employed to promote job retention and advancement.

(1) The state board of directors of CareerSource Florida, Inc., may establish Retention Incentive Training Accounts (RITAs) to use Temporary Assistance to Needy Families (TANF) block grant funds specifically appropriated for this purpose. RITAs must complement the Individual Training Account required by the federal Workforce Innovation and Opportunity Act, Pub. L. No. 113-128.

(2) RITAs may pay for tuition, fees, educational materials, coaching and mentoring, performance incentives, transportation to and from courses, child care costs during education courses, and other such costs as the local workforce development boards determine are necessary to effect successful job retention and advancement.

(3) Local workforce development boards shall retain only those courses that continue to meet their performance standards as established in their local plan.

(4) Local workforce development boards shall report annually to the Legislature on the measurable retention and advancement success of each program provider and the effectiveness of RITAs, making recommendations for any needed changes or modifications.

Section 22. Paragraph (e) of subsection (5) of section 445.024, Florida Statutes, is amended to read:

445.024 Work requirements.—

(5) USE OF CONTRACTS.—Local workforce development boards shall provide work activities, training, and other services, as appropriate, through contracts. In contracting for work activities, training, or services, the following applies:

(e) The administrative costs associated with a contract for services provided under this section may not exceed the applicable administrative cost ceiling established in federal law. An agency or entity that is awarded a contract under this section may not charge more than 7 percent of the value of the contract for administration unless an exception is approved by the local workforce development board. A list of any exceptions approved must be submitted to the state board of directors of CareerSource Florida, Inc., for review, and the state board may rescind approval of the exception.

Section 23. Subsection (6) of section 445.026, Florida Statutes, is amended to read:

445.026 Cash assistance severance benefit.—An individual who meets the criteria listed in this section may choose to receive a lump-sum payment in lieu of ongoing cash assistance payments, provided the individual:

(6) Signs an agreement not to apply for or accept cash assistance for 6 months after receipt of the one-time payment. In the event of an emergency, such agreement shall provide for an exception to this restriction, provided that the one-time payment shall be deducted from any cash assistance for which the family subsequently is approved. This deduction may be prorated over an 8-month period. The state board of directors of CareerSource Florida, Inc., shall adopt criteria defining the conditions under which a family may receive cash assistance due to such emergency.

Such individual may choose to accept a one-time, lump-sum payment of \$1,000 in lieu of receiving ongoing cash assistance. Such payment shall only count toward the time limitation for the month in which the payment is made in lieu of cash assistance. A participant choosing to accept such payment shall be terminated from cash assistance. However, eligibility for Medicaid, food assistance, or child care shall continue, subject to the eligibility requirements of those programs.

Section 24. Section 445.028, Florida Statutes, is amended to read:

445.028 Transitional benefits and services.—In cooperation with the department CareerSource Florida, Inc., the Department of Children and Families shall develop procedures to ensure that families leaving the temporary cash assistance program receive transitional benefits and services that will assist the family in moving toward self-sufficiency. At a

minimum, such procedures must include, but are not limited to, the following:

(1) Each recipient of cash assistance who is determined ineligible for cash assistance for a reason other than a work activity sanction shall be contacted by the workforce system case manager and provided information about the availability of transitional benefits and services. Such contact shall be attempted prior to closure of the case management file.

(2) Each recipient of temporary cash assistance who is determined ineligible for cash assistance due to noncompliance with the work activity requirements shall be contacted and provided information in accordance with s. 414.065(1).

(3) The department, in consultation with the state board of directors of CareerSource Florida, Inc., shall develop informational material, including posters and brochures, to better inform families about the availability of transitional benefits and services.

(4) The department CareerSource Florida, Inc., in cooperation with the Department of Children and Families, shall, to the extent permitted by federal law, develop procedures to maximize the utilization of transitional Medicaid by families who leave the temporary cash assistance program.

Section 25. Section 445.030, Florida Statutes, is amended to read:

445.030 Transitional education and training.—In order to assist former recipients of temporary cash assistance who are working or actively seeking employment in continuing their training and upgrading their skills, education, or training, support services may be provided for up to 2 years after the family is no longer receiving temporary cash assistance. This section does not constitute an entitlement to transitional education and training. If funds are not sufficient to provide services under this section, the state board of directors of CareerSource Florida, Inc., may limit or otherwise prioritize transitional education and training.

(1) Education or training resources available in the community at no additional cost shall be used whenever possible.

(2) Local workforce development boards may authorize child care or other support services in addition to services provided in conjunction with employment. For example, a participant who is employed full time may receive child care services related to that employment and may also receive additional child care services in conjunction with training to upgrade the participant's skills.

(3) Transitional education or training must be job-related, but may include training to improve job skills in a participant's existing area of employment or may include training to prepare a participant for employment in another occupation.

(4) A local workforce development board may enter into an agreement with an employer to share the costs relating to upgrading the skills of participants hired by the employer. For example, a local workforce development board may agree to provide support services such as transportation or a wage subsidy in conjunction with training opportunities provided by the employer.

Section 26. Section 445.033, Florida Statutes, is amended to read:

445.033 Evaluation.—The state ~~board of directors of CareerSource Florida, Inc.,~~ and the Department of Children and Families shall arrange for evaluation of TANF-funded programs operated under this chapter, as follows:

(1) If required by federal waivers or other federal requirements, the state ~~board of directors of CareerSource Florida, Inc.,~~ and the department may provide for evaluation according to these requirements.

(2) The state ~~board of directors of CareerSource Florida, Inc.,~~ and the department shall participate in the evaluation of this program in conjunction with evaluation of the state's workforce development programs or similar activities aimed at evaluating program outcomes, cost-effectiveness, or return on investment, and the impact of time limits, sanctions, and other welfare reform measures set out in this chapter. Evaluation shall also contain information on the number of participants in work experience assignments who obtain unsubsidized employment, including, but not limited to, the length of time the unsubsidized job is retained, wages, and the public benefits, if any, received by such families while in unsubsidized employment. The evaluation must solicit the input of consumers, community-based organizations, service providers, employers, and the general public, and must publicize, especially in low-income communities, the process for submitting comments.

(3) The state ~~board of directors of CareerSource Florida, Inc.,~~ and the department may share information with and develop protocols for information exchange with the Florida Education and Training Placement Information Program.

(4) The state ~~board of directors of CareerSource Florida, Inc.,~~ and the department may initiate or participate in additional evaluation or assessment activities that will further the systematic study of issues related to program goals and outcomes.

(5) In providing for evaluation activities, the state ~~board of directors of CareerSource Florida, Inc.,~~ and the department shall safeguard the use or disclosure of information obtained from program participants consistent with federal or state requirements. Evaluation methodologies may be used which are appropriate for evaluation of program activities, including random assignment of recipients or participants into program groups or control groups. To the extent necessary or appropriate, evaluation data shall

provide information with respect to the state, district, or county, or other substate area.

(6) The ~~state board of directors of CareerSource Florida, Inc.,~~ and the department may contract with a qualified organization for evaluations conducted under this section.

Section 27. Section 445.035, Florida Statutes, is amended to read:

445.035 Data collection and reporting.—The Department of Children and Families and the state ~~board of directors of CareerSource Florida, Inc.,~~ shall collect data necessary to administer this chapter and make the reports required under federal law to the United States Department of Health and Human Services and the United States Department of Agriculture.

Section 28. Subsections (1), (2), and (3), paragraph (b) of subsection (4), and subsection (5) of section 445.048, Florida Statutes, are amended to read:

445.048 Passport to Economic Progress program.—

(1) AUTHORIZATION.—Notwithstanding any law to the contrary, the state board ~~CareerSource Florida, Inc.,~~ in conjunction with the department and the Department of Children and Families ~~and the Department of Economic Opportunity,~~ shall implement a Passport to Economic Progress program consistent with this section. The state board ~~CareerSource Florida, Inc.,~~ may designate local workforce development boards to participate in the program. Expenses for the program may come from appropriated revenues or from funds otherwise available to a local workforce development board which may be legally used for such purposes. The state board ~~CareerSource Florida, Inc.,~~ must consult with the applicable local workforce development boards and the applicable local offices of the Department of Children and Families which serve the program areas and must encourage community input into the implementation process.

(2) WAIVERS.—If the state board ~~CareerSource Florida, Inc.,~~ in consultation with the Department of Children and Families, finds that federal waivers would facilitate implementation of the program, the department shall immediately request such waivers, and the state board ~~CareerSource Florida, Inc.,~~ shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives if any refusal of the federal government to grant such waivers prevents the implementation of the program. If the state board ~~CareerSource Florida, Inc.,~~ finds that federal waivers to provisions of the Food Assistance Program would facilitate implementation of the program, the Department of Children and Families shall immediately request such waivers in accordance with s. 414.175.

(3) TRANSITIONAL BENEFITS AND SERVICES.—In order to assist them in making the transition to economic self-sufficiency, former recipients of temporary cash assistance participating in the passport program shall be eligible for the following benefits and services:

(a) Notwithstanding the time period specified in s. 445.030, transitional education and training support services as specified in s. 445.030 for up to 4 years after the family is no longer receiving temporary cash assistance;

(b) Notwithstanding the time period specified in s. 445.031, transitional transportation support services as specified in s. 445.031 for up to 4 years after the family is no longer receiving temporary cash assistance; and

(c) Notwithstanding the time period specified in s. 445.032, transitional child care as specified in s. 445.032 for up to 4 years after the family is no longer receiving temporary cash assistance.

All other provisions of ss. 445.030, 445.031, and 445.032 apply to such individuals, as appropriate. This subsection does not constitute an entitlement to transitional benefits and services. If funds are insufficient to provide benefits and services under this subsection, the state board of directors of CareerSource Florida, Inc., or its agent, may limit such benefits and services or otherwise establish priorities for the provisions of such benefits and services.

(4) INCENTIVES TO ECONOMIC SELF-SUFFICIENCY.—

(b) The state board CareerSource Florida, Inc., in cooperation with the department and the Department of Children and Families and the Department of Economic Opportunity, shall offer performance-based incentive bonuses as a component of the Passport to Economic Progress program. The bonuses do not represent a program entitlement and are contingent on achieving specific benchmarks prescribed in the self-sufficiency plan. If the funds appropriated for this purpose are insufficient to provide this financial incentive, the state board of directors of CareerSource Florida, Inc., may reduce or suspend the bonuses in order not to exceed the appropriation or may direct the local workforce development boards to use resources otherwise given to the local workforce development board to pay such bonuses if such payments comply with applicable state and federal laws.

(5) EVALUATIONS AND RECOMMENDATIONS.—The state board CareerSource Florida, Inc., in conjunction with the department, the Department of Children and Families, the Department of Economic Opportunity, and the local workforce development boards, shall conduct a comprehensive evaluation of the effectiveness of the program operated under this section. Evaluations and recommendations for the program shall be submitted by the state board CareerSource Florida, Inc., as part of its annual report to the Legislature.

Section 29. Subsections (6), (8), and (13) of section 445.051, Florida Statutes, are amended to read:

445.051 Individual development accounts.—

(6) ~~The state board CareerSource Florida, Inc.,~~ shall establish procedures for local workforce development boards to include in their annual program and financial plan an application to offer an individual development account program as part of their TANF allocation. These procedures must include, but need not be limited to, administrative costs permitted for the fiduciary organization and policies relative to identifying the match ratio and limits on the deposits for which the match will be provided in the application process. The state board CareerSource Florida, Inc., shall establish policies and procedures necessary to ensure that funds held in an individual development account are not withdrawn except for one or more of the qualified purposes described in this section.

(8) ~~The state board CareerSource Florida, Inc.,~~ shall establish procedures for controlling the withdrawal of funds for uses other than qualified purposes, including specifying conditions under which an account must be closed.

(13) Pursuant to policy direction by the state board CareerSource Florida, Inc., the department of ~~Economic Opportunity~~ shall adopt such rules as are necessary to implement this act.

Section 30. Subsection (2) of section 445.055, Florida Statutes, is amended to read:

445.055 Employment advocacy and assistance program targeting military spouses and dependents.—

(2) ~~The state board CareerSource Florida, Inc.,~~ shall establish an employment advocacy and assistance program targeting military spouses and dependents. This program shall deliver employment assistance services through military family employment advocates colocated within selected one-stop career centers. Persons eligible for assistance through this program include spouses and dependents of active duty military personnel, Florida National Guard members, and military reservists.

Section 31. Paragraph (p) of subsection (3) of section 11.45, Florida Statutes, is amended to read:

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

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

(p) CareerSource Florida, Inc., the state board as defined in s. 445.002, or the programs or entities created by the state board under CareerSource Florida, Inc., ~~created pursuant to s. 445.004.~~

Section 32. Paragraph (a) of subsection (5) of section 288.901, Florida Statutes, is amended to read:

288.901 Enterprise Florida, Inc.—

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

(a) In addition to the Governor or his or her designee, the board of directors shall consist of the following appointed members:

1. The Commissioner of Education or his or her designee.
2. The Chief Financial Officer or his or her designee.
3. The Attorney General or his or her designee.
4. The Commissioner of Agriculture or his or her designee.
5. The chairperson of the state board as defined in s. 445.002 ~~board of directors of CareerSource Florida, Inc.~~
6. The Secretary of State or his or her designee.
7. Twelve members from the private sector, six of whom shall be appointed by the Governor, three of whom shall be appointed by the President of the Senate, and three of whom shall be appointed by the Speaker of the House of Representatives. Members appointed by the Governor are subject to Senate confirmation.

All board members shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses pursuant to s. 112.061. Such expenses must be paid out of funds of Enterprise Florida, Inc.

Section 33. Subsection (5) of section 331.369, Florida Statutes, is amended to read:

331.369 Space Industry Workforce Initiative.—

(5) The state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, as part of its statutorily prescribed annual report to the Legislature, shall provide recommendations for policies, programs, and funding to enhance the workforce needs of the aerospace industry.

Section 34. Paragraph (k) of subsection (1) and subsection (9) of section 413.405, Florida Statutes, are amended to read:

413.405 Florida Rehabilitation Council.—There is created the Florida Rehabilitation Council to assist the division in the planning and development of statewide rehabilitation programs and services, to recommend improvements to such programs and services, and to perform the functions listed in this section.

- (1) The council shall be composed of:

(k) At least one representative of the state board as defined in s. 445.002 ~~board of directors of CareerSource Florida, Inc.~~

(9) In addition to the other functions specified in this section, the council shall, after consulting with the state board as defined in s. 445.002 ~~board of directors of CareerSource Florida, Inc.:~~

(a) Review, analyze, and advise the division regarding the performance of the responsibilities of the division under Title I of the act, particularly responsibilities relating to:

- 1. Eligibility, including order of selection.
- 2. The extent, scope, and effectiveness of services provided.
- 3. Functions performed by state agencies which affect or potentially affect the ability of individuals with disabilities to achieve employment outcomes under Title I.

(b) In partnership with the division:

- 1. Develop, agree to, and review state goals and priorities in accordance with 34 C.F.R. s. 361.29(c); and
- 2. Evaluate the effectiveness of the vocational rehabilitation program and submit reports of progress to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the United States Secretary of Education in accordance with 34 C.F.R. s. 361.29(e).

(c) Advise the department and the division and assist in the preparation of the state plan and amendments to the plan, applications, reports, needs assessments, and evaluations required by Title I.

(d) To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:

- 1. The functions performed by state agencies and other public and private entities responsible for performing functions for individuals who have disabilities.
- 2. Vocational rehabilitation services:
 - a. Provided or paid for from funds made available under the act or through other public or private sources.
 - b. Provided by state agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals who have disabilities.
- 3. The employment outcomes achieved by eligible individuals receiving services under this part, including the availability of health or other employment benefits in connection with those employment outcomes.

(e) Prepare and submit an annual report on the status of vocational rehabilitation programs in the state to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the United States Secretary of Education and make the report available to the public.

(f) Coordinate with other councils within Florida, including the Florida Independent Living Council, the advisory panel established under s. 612(a)(21) of the Individuals with Disabilities Education Act, 20 U.S.C. s. 1412(a)(21), the State Planning Council described in s. 124 of the Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. s. 15024, the state mental health planning council established under s. 1914 of the Public Health Service Act, 42 U.S.C. s. 300x-3, and the state board as defined in s. 445.002 ~~board of directors of CareerSource Florida, Inc.~~

(g) Advise the department and division and provide for coordination and the establishment of working relationships among the department, the division, the Florida Independent Living Council, and centers for independent living in the state.

(h) Perform other functions that are consistent with the duties and responsibilities of the council under this section.

Section 35. Section 414.045, Florida Statutes, is amended to read:

414.045 Cash assistance program.—Cash assistance families include any families receiving cash assistance payments from the state program for temporary assistance for needy families as defined in federal law, whether such funds are from federal funds, state funds, or commingled federal and state funds. Cash assistance families may also include families receiving cash assistance through a program defined as a separate state program.

(1) For reporting purposes, families receiving cash assistance shall be grouped into the following categories. The department may develop additional groupings in order to comply with federal reporting requirements, to comply with the data-reporting needs of the state board as defined in s. 445.002 ~~board of directors of CareerSource Florida, Inc.~~, or to better inform the public of program progress.

(a) *Work-eligible cases.*—Work-eligible cases shall include:

1. Families containing an adult or a teen head of household, as defined by federal law. These cases are generally subject to the work activity requirements provided in s. 445.024 and the time limitations on benefits provided in s. 414.105.

2. Families with a parent where the parent's needs have been removed from the case due to sanction or disqualification shall be considered work-eligible cases to the extent that such cases are considered in the calculation of federal participation rates or would be counted in such calculation in future months.

3. Families participating in transition assistance programs.

4. Families otherwise eligible for temporary cash assistance which receive diversion services, a severance payment, or participate in the relocation program.

(b) *Child-only cases.*—Child-only cases include cases that do not have an adult or teen head of household as defined in federal law. Such cases include:

1. Children in the care of caretaker relatives, if the caretaker relatives choose to have their needs excluded in the calculation of the amount of cash assistance.

2. Families in the Relative Caregiver Program as provided in s. 39.5085.

3. Families in which the only parent in a single-parent family or both parents in a two-parent family receive supplemental security income (SSI) benefits under Title XVI of the Social Security Act, as amended. To the extent permitted by federal law, individuals receiving SSI shall be excluded as household members in determining the amount of cash assistance, and such cases shall not be considered families containing an adult. Parents or caretaker relatives who are excluded from the cash assistance group due to receipt of SSI may choose to participate in work activities. An individual whose ability to participate in work activities is limited who volunteers to participate in work activities shall be assigned to work activities consistent with such limitations. An individual who volunteers to participate in a work activity may receive child care or support services consistent with such participation.

4. Families in which the only parent in a single-parent family or both parents in a two-parent family are not eligible for cash assistance due to immigration status or other limitation of federal law. To the extent required by federal law, such cases shall not be considered families containing an adult.

5. To the extent permitted by federal law and subject to appropriations, special needs children who have been adopted pursuant to s. 409.166 and whose adopting family qualifies as a needy family under the state program for temporary assistance for needy families. Notwithstanding any provision to the contrary in s. 414.075, s. 414.085, or s. 414.095, a family shall be considered a needy family if:

a. The family is determined by the department to have an income below 200 percent of the federal poverty level;

b. The family meets the requirements of s. 414.095(2) and (3) related to residence, citizenship, or eligible noncitizen status; and

c. The family provides any information that may be necessary to meet federal reporting requirements specified under Part A of Title IV of the Social Security Act.

6. Families in the Guardianship Assistance Program as provided in s. 39.6225.

Families described in subparagraph 1., subparagraph 2., or subparagraph 3. may receive child care assistance or other supports or services so that the children may continue to be cared for in their own homes or in the homes of relatives. Such assistance or services may be funded from the temporary assistance for needy families block grant to the extent permitted under federal law and to the extent funds have been provided in the General Appropriations Act.

(2) Oversight by the state board as defined in s. 445.002 ~~board of directors of CareerSource Florida, Inc.,~~ and the service delivery and financial planning responsibilities of the local workforce development boards apply to the families defined as work-eligible cases in paragraph (1)(a). The department shall be responsible for program administration related to families in groups defined in paragraph (1)(b), and the department shall coordinate such administration with the state board of directors of CareerSource Florida, Inc., to the extent needed for operation of the program.

Section 36. Subsection (2) of section 420.622, Florida Statutes, is amended to read:

420.622 State Office on Homelessness; Council on Homelessness.—

(2) The Council on Homelessness is created to consist of 17 representatives of public and private agencies who shall develop policy and advise the State Office on Homelessness. The council members shall be: the Secretary of Children and Families, or his or her designee; the executive director of the Department of Economic Opportunity, or his or her designee, who shall advise the council on issues related to rural development; the State Surgeon General, or his or her designee; the Executive Director of Veterans' Affairs, or his or her designee; the Secretary of Corrections, or his or her designee; the Secretary of Health Care Administration, or his or her designee; the Commissioner of Education, or his or her designee; the Executive Director of CareerSource Florida, Inc., or his or her designee; one representative of the Florida Association of Counties; one representative of the Florida League of Cities; one representative of the Florida Supportive Housing Coalition; the Executive Director of the Florida Housing Finance Corporation, or his or her designee; one representative of the Florida Coalition for the Homeless; and four members appointed by the Governor. The council members shall be nonpaid volunteers and shall be reimbursed only for travel expenses. The appointed members of the council shall be appointed to staggered 2-year terms, and the council shall meet at least four times per year. The importance of minority, gender, and geographic representation shall be considered in appointing members to the council.

Section 37. Subsections (1) and (4) of section 443.171, Florida Statutes, are amended to read:

443.171 Department of Economic Opportunity and commission; powers and duties; records and reports; proceedings; state-federal cooperation.—

(1) POWERS AND DUTIES.—The Department of Economic Opportunity shall administer this chapter. The department may employ persons, make expenditures, require reports, conduct investigations, and take other action necessary or suitable to administer this chapter. The department shall annually submit information to the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, covering the administration and operation of this chapter during the preceding calendar year for inclusion in the strategic plan under s. 445.006 and may make recommendations for amendment to this chapter.

(4) EMPLOYMENT STABILIZATION.—The Department of Economic Opportunity, under the direction of the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, shall take all appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption of practical methods of career training, retraining, and career guidance; to investigate, recommend, advise, and assist municipalities, counties, school districts, and the state in the establishment and operation of reserves for public works to be used in times of business depression and unemployment; to promote the reemployment of unemployed workers throughout the state in every other way that may be feasible; to refer a claimant entitled to extended benefits to suitable work that meets the criteria of this chapter; and, to these ends, to carry on and publish the results of investigations and research studies.

Section 38. Subsection (1) of section 443.181, Florida Statutes, is amended to read:

443.181 Public employment service.—

(1) The one-stop delivery system established under s. 445.009 is this state's public employment service as part of the national system of public employment offices established under 29 U.S.C. s. 49. The Department of Economic Opportunity, under policy direction from the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, shall cooperate with any official or agency of the United States having power or duties under 29 U.S.C. ss. 49-49l-1 and shall perform those duties necessary to secure to this state the funds provided under federal law for the promotion and maintenance of the state's public employment service. In accordance with 29 U.S.C. s. 49c, this state accepts 29 U.S.C. ss. 49-49l-1. The department is designated the state agency responsible for cooperating with the United States Secretary of Labor under 29 U.S.C. s. 49c. The department shall appoint sufficient employees to administer this section. The department may cooperate with or enter into agreements with the Railroad Retirement Board for the establishment, maintenance, and use of one-stop career centers.

Section 39. Subsection (1) of section 446.71, Florida Statutes, is amended to read:

446.71 Everglades Restoration Agricultural Community Employment Training Program.—

(1) The Department of Economic Opportunity, in cooperation with the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, shall establish the Everglades Restoration Agricultural Community Employment Training Program within the Department of Economic Opportunity. The Department of Economic Opportunity shall use funds appropriated to the program by the Legislature to provide grants to stimulate and support training and employment programs that seek to match persons who complete such training programs to nonagricultural employment opportunities in areas of high agricultural unemployment, and to provide other training, educational, and information services necessary to stimulate the creation of jobs in the areas of high agricultural unemployment. In determining whether to provide funds to a particular program, the Department of Economic Opportunity shall consider the location of the program in proximity to the program's intended participants.

Section 40. Subsection (9) of section 1011.80, Florida Statutes, is amended to read:

1011.80 Funds for operation of workforce education programs.—

(9) The State Board of Education and the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~, shall provide the Legislature with recommended formulas, criteria, timeframes, and mechanisms for distributing performance funds. The commissioner shall consolidate the recommendations and develop a consensus proposal for funding. The Legislature shall adopt a formula and distribute the performance funds to the State Board of Education for Florida College System institutions and school districts through the General Appropriations Act. These recommendations shall be based on formulas that would discourage low-performing or low-demand programs and encourage through performance-funding awards:

(a) Programs that prepare people to enter high-wage occupations identified by the Workforce Estimating Conference created by s. 216.136 and other programs as approved by the state board as defined in s. 445.002 ~~CareerSource Florida, Inc.~~ At a minimum, performance incentives shall be calculated for adults who reach completion points or complete programs that lead to specified high-wage employment and to their placement in that employment.

(b) Programs that successfully prepare adults who are eligible for public assistance, economically disadvantaged, disabled, not proficient in English, or dislocated workers for high-wage occupations. At a minimum, performance incentives shall be calculated at an enhanced value for the completion of adults identified in this paragraph and job placement of such adults upon completion. In addition, adjustments may be made in payments for job placements for areas of high unemployment.

(c) Programs that are specifically designed to be consistent with the workforce needs of private enterprise and regional economic development strategies, as defined in guidelines set by the state board as defined in s. 445.002 CareerSource Florida, Inc. ~~The state board as defined in s. 445.002 CareerSource Florida, Inc.,~~ shall develop guidelines to identify such needs and strategies based on localized research of private employers and economic development practitioners.

(d) Programs identified by the state board as defined in s. 445.002 CareerSource Florida, Inc., as increasing the effectiveness and cost efficiency of education.

Section 41. Subsection (3) of section 1011.801, Florida Statutes, is amended to read:

1011.801 Workforce Development Capitalization Incentive Grant Program.—The Legislature recognizes that the need for school districts and Florida College System institutions to be able to respond to emerging local or statewide economic development needs is critical to the workforce development system. The Workforce Development Capitalization Incentive Grant Program is created to provide grants to school districts and Florida College System institutions on a competitive basis to fund some or all of the costs associated with the creation or expansion of workforce development programs that serve specific employment workforce needs.

(3) The State Board of Education shall give highest priority to programs that train people to enter high-skill, high-wage occupations identified by the Workforce Estimating Conference and other programs approved by the state board as defined in s. 445.002, CareerSource Florida, Inc.; ~~programs that~~ train people to enter occupations under the welfare transition program,~~;~~ or programs that train for the workforce adults who are eligible for public assistance, economically disadvantaged, disabled, not proficient in English, or dislocated workers. The State Board of Education shall consider the statewide geographic dispersion of grant funds in ranking the applications and shall give priority to applications from education agencies that are making maximum use of their workforce development funding by offering high-performing, high-demand programs.

Section 42. This act shall take effect July 1, 2020.

Approved by the Governor June 18, 2020.

Filed in Office Secretary of State June 18, 2020.