

CHAPTER 2021-25

Committee Substitute for Committee Substitute for House Bill No. 1463

An act relating to the Department of Economic Opportunity; amending s. 20.60, F.S.; renaming the executive director of the Department of Economic Opportunity as the Secretary of Economic Opportunity; authorizing the secretary to appoint deputy and assistant secretaries for a specified purpose; establishing the Office of the Secretary and the Office of Economic Accountability and Transparency; providing duties for the Office of Economic Accountability and Transparency; authorizing the secretary to create offices within the Office of the Secretary and within the divisions; requiring the secretary to appoint division directors; providing duties for the division directors; conforming provisions to changes made by the act; amending s. 288.901, F.S.; revising the membership of the board of directors of Enterprise Florida, Inc.; amending s. 290.042, F.S.; revising the definition of the term “administrative costs” relating to the Florida Small Cities Community Development Block Grant Program Act; amending s. 290.044, F.S.; revising the application process and funding for the Florida Small Cities Community Development Block Grant Program Fund; amending s. 290.046, F.S.; revising the application process and funding for development grants awarded by the department to local governments; amending s. 331.3081, F.S.; conforming a cross-reference; amending s. 435.02, F.S.; revising the definition of the term “specified agency” to include certain regional workforce boards for the purposes of labor laws; amending s. 443.036, F.S.; revising the definition of the term “temporary layoff”; amending s. 443.091, F.S.; revising the reporting requirements for reemployment assistance benefit eligibility; defining the term “address”; amending s. 443.101, F.S.; deleting a provision providing that individuals who voluntarily leave work as a direct result of circumstances relating to domestic violence are ineligible for benefits under certain circumstances; amending s. 443.1113, F.S.; requiring the department to implement an integrated, modular system hosted in a cloud service, rather than an integrated Internet-based system, for the reemployment assistance program; revising the functions and objectives of the Reemployment Assistance Claims and Benefits Information System; requiring the department to perform an annual review of the system; requiring the department to seek input on recommended enhancements from certain state entities; requiring the department to submit an annual report to the Governor and the Legislature beginning on a specified date; providing requirements for such report; deleting obsolete language; creating s. 443.1118, F.S.; defining terms; authorizing employers to initiate employer-assisted claims under certain circumstances; providing requirements for employer-assisted claims relating to mass separations; specifying the effective date of such claims; providing that benefits paid to a claimant pursuant to an employer-assisted claim count toward maximum benefits for which the claimant is eligible; requiring a

claimant covered by an employer-assisted claim to file continued biweekly claims; providing construction; requiring and authorizing the department to adopt specified rules; amending s. 443.151, F.S.; revising the timeline for employers' responses to notices of benefits claims sent by the department; authorizing claimants to request the department to reconsider a monetary determination; providing requirements for such request; providing that monetary determinations and redeterminations are final after a specified period of time; providing exceptions; deleting a requirement that appeals referees be attorneys in good standing with The Florida Bar or be admitted to The Florida Bar within 8 months after the date of employment; prohibiting appeals from being filed after a specified time; amending s. 445.004, F.S.; revising the membership of the state board, which directs CareerSource Florida, Inc.; amending s. 553.79, F.S.; requiring specified building permit applications applied for by licensed contractors for property owners under certain programs administered by the department to be issued within a reduced timeframe; amending ss. 14.20195, 16.615, 20.04, 213.053, 220.194, 288.005, 288.061, 288.0656, 288.106, 288.1089, 288.1251, 288.8014, 288.955, 288.9604, 288.987, 290.0065, 311.09, 311.105, 334.065, 373.4149, 380.045, 403.0752, 420.0005, 420.0006, 420.101, 420.503, 420.504, 420.506, 420.507, 420.511, 420.602, 420.609, 420.622, 427.012, 443.1116, 446.53, 450.261, 624.5105, and 1004.015, F.S.; conforming provisions to changes made by the act; requiring the department to take certain actions for a specified fiscal year; providing an effective date.

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

Section 1. Subsections (2) and (3), paragraph (a) of subsection (5), paragraph (b) of subsection (6), and subsection (9) of section 20.60, Florida Statutes, are amended, and subsection (1) of that section is republished, to read:

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

(1) There is created the Department of Economic Opportunity.

(2) The head of the department is the Secretary of Economic Opportunity ~~executive director~~, who shall be appointed by the Governor, subject to confirmation by the Senate. ~~The secretary executive director shall serve at the pleasure of and report to the Governor. The secretary may appoint deputy and assistant secretaries as necessary to aid the secretary in fulfilling his or her statutory obligations.~~

(3)(a) The following divisions and offices of the Department of Economic Opportunity are established:

1.(a) The Division of Strategic Business Development.

2.(b) The Division of Community Development.

3.(e) The Division of Workforce Services.

4.(d) The Division of Finance and Administration.

5.(e) The Division of Information Technology.

6. The Office of the Secretary.

7. The Office of Economic Accountability and Transparency, which shall:

a. Oversee the department’s critical objectives as determined by the secretary and make sure that the department’s key objectives are clearly communicated to the public.

b. Organize department resources, expertise, data, and research to focus on and solve the complex economic challenges facing the state.

c. Provide leadership for the department’s priority issues that require integration of policy, management, and critical objectives from multiple programs and organizations internal and external to the department; and organize and manage external communication on such priority issues.

d. Promote and facilitate key department initiatives to address priority economic issues and explore data and identify opportunities for innovative approaches to address such economic issues.

e. Promote strategic planning for the department.

(b) The secretary:

1. May create offices within the Office of the Secretary and within the divisions established in paragraph (a) to promote efficient and effective operation of the department.

2. Shall appoint a director for each division, who shall directly administer his or her division and be responsible to the secretary.

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

(a) The Division of Strategic Business Development shall:

1. Analyze and evaluate business prospects identified by the Governor, the ~~secretary~~ executive director of the department, and Enterprise Florida, Inc.

2. Administer certain tax refund, tax credit, and grant programs created in law. Notwithstanding any other provision of law, the department may expend interest earned from the investment of program funds deposited in the Grants and Donations Trust Fund to contract for the administration of those programs, or portions of the programs, assigned to the department by

law, by the appropriations process, or by the Governor. Such expenditures shall be subject to review under chapter 216.

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

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

a. Strategies for the promotion of business formation, expansion, recruitment, and retention through aggressive marketing, international development, and export assistance, which lead to more and better jobs and higher wages for all geographic regions, disadvantaged communities, and populations of the state, including rural areas, minority businesses, and urban core areas.

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

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

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

e. Plans for the generation of foreign investment in the state which create jobs paying above-average wages and which result in reverse investment in the state, including programs that establish viable overseas markets, assist in meeting the financing requirements of export-ready firms, broaden opportunities for international joint venture relationships, use the resources of academic and other institutions, coordinate trade assistance and facilitation services, and facilitate availability of and access to education and training programs that assure requisite skills and competencies necessary to compete successfully in the global marketplace.

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

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

5. Update the strategic plan every 5 years.

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

(6)

(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. The secretary ~~executive director~~ may, upon delegation from the Governor and pursuant to agreement with the state board, 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 secretary ~~executive director~~ shall:

(a) Manage all activities and responsibilities of the department.

(b) Serve as the manager for the state with respect to contracts with Enterprise Florida, Inc., and all applicable direct-support organizations. To accomplish the provisions of this section and applicable provisions of chapter 288, and notwithstanding the provisions of part I of chapter 287, the secretary ~~director~~ shall enter into specific contracts with Enterprise Florida, Inc., and other appropriate direct-support organizations. Such contracts may be for multiyear terms and must include specific performance measures for each year. For purposes of this section, the Florida Tourism Industry Marketing Corporation and the Institute for Commercialization of Florida Technology are not appropriate direct-support organizations.

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

Section 2. 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.
6. The Secretary of State or his or her designee.
7. The Secretary of Economic Opportunity or his or her designee.

8. 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 3. Subsection (2) of section 290.042, Florida Statutes, is amended to read:

290.042 Definitions relating to Florida Small Cities Community Development Block Grant Program Act.—As used in ss. 290.0401-290.048, the term:

(2) “Administrative costs” has the same meaning as defined in the Housing and Community Development Act of 1974, as amended, and applicable federal regulations means the payment of all reasonable costs of management, coordination, monitoring, and evaluation, and similar costs and carrying charges, related to the planning and execution of community development activities which are funded in whole or in part under the Florida Small Cities Community Development Block Grant Program. ~~Administrative costs shall include all costs of administration, including general administration, planning and urban design, and project administration costs.~~

Section 4. Subsections (3), (4), and (5) of section 290.044, Florida Statutes, are amended to read:

290.044 Florida Small Cities Community Development Block Grant Program Fund; administration; distribution.—

(3) The department shall require applicants for grants to compete against each other in ~~the following grant program categories~~ that may include one or more of the following:

- (a) Housing rehabilitation.
- (b) Economic development.
- (c) Neighborhood revitalization.
- (d) Commercial revitalization.

(e) Any other activity authorized by the Housing and Community Development Act of 1974, as amended, and applicable federal regulations.

(4) The department shall define broad community development objectives to be achieved by the activities in ~~each of the grant program categories~~ with the use of funds from the Florida Small Cities Community Development Block Grant Program Fund. Such objectives shall be designed to meet at least one of the national objectives provided in the Housing and Community Development Act of 1974.

(5) The department may set aside an amount of up to 15 ~~5~~ percent of the funds annually for use in any eligible local government jurisdiction for which an emergency or natural disaster has been declared by executive order. Such funds may only be provided to a local government to fund eligible emergency-related activities for which no other source of federal, state, or local disaster funds is available. The department may provide for such set-aside by rule. In the last quarter of the state fiscal year, any funds not allocated under the emergency-related set-aside shall be distributed to unfunded applications ~~from the most recent funding cycle.~~

Section 5. Subsection (2), paragraph (b) of subsection (3), and subsection (6) of section 290.046, Florida Statutes, are amended to read:

290.046 Applications for grants; procedures; requirements.—

~~(2)(a) Except for applications for economic development grants as provided in subparagraph (b)1., an eligible local government may submit one application for a grant during each application cycle.~~

~~(b)1.—An eligible local government may apply up to three times in any one annual funding cycle for an economic development grant but may not receive more than one such grant per annual funding cycle. A local government may have more than one open economic development grant.~~

(2)(a)2. The department shall establish minimum criteria pertaining to the number of jobs created for persons of low or moderate income, the degree

of private sector financial commitment, and the economic feasibility of the proposed project and shall establish any other criteria the department deems appropriate. Assistance to a private, for-profit business may not be provided from a grant award unless sufficient evidence exists to demonstrate that without such public assistance the creation or retention of such jobs would not occur.

~~(b)(e)~~¹. A local government with an open housing rehabilitation, neighborhood revitalization, or commercial revitalization contract is not eligible to apply for another housing rehabilitation, neighborhood revitalization, or commercial revitalization grant until administrative closeout of its existing contract. The department shall notify a local government of administrative closeout or of any outstanding closeout issues within 45 days after receipt of a closeout package from the local government. A local government with an open housing rehabilitation, neighborhood revitalization, or commercial revitalization community development block grant contract whose activities are on schedule in accordance with the expenditure rates and accomplishments described in the contract may apply for an economic development grant.

~~(c)~~². A local government with an open economic development community development block grant contract whose activities are on schedule in accordance with the expenditure rates and accomplishments described in the contract may apply for a housing rehabilitation, neighborhood revitalization, or commercial revitalization community development block grant. A local government with an open economic development contract whose activities are on schedule in accordance with the expenditure rates and accomplishments described in the contract may receive ~~no~~ more than one additional economic development grant in each fiscal year.

(d) The department may not award a grant until it has conducted a site visit to verify the information contained in the local government's application.

(3)

(b) Funds shall be distributed according to the rankings established in each application cycle. If economic development funds remain available after the application cycle closes, the remaining funds shall be awarded to eligible projects ~~on a first-come, first-served basis until such funds are fully obligated.~~

(6) The department shall, before approving an application for a grant, determine that the applicant has the administrative capacity to carry out the proposed activities and has performed satisfactorily in carrying out past activities funded by community development block grants. The evaluation of past performance shall take into account procedural aspects of previous grants as well as substantive results. If the department determines that any applicant has failed to accomplish substantially the results it proposed in its last previously funded ~~applications~~ application, it may prohibit the applicant

from receiving a grant or may penalize the applicant in the rating of the current application. An application for grant funds may not be denied solely upon the basis of the past performance of the eligible applicant.

Section 6. Section 331.3081, Florida Statutes, is amended to read:

331.3081 Board of directors.—Space Florida shall be governed by a 13-member independent board of directors that consists of the members appointed to the board of directors of Enterprise Florida, Inc., by the Governor, the President of the Senate, and the Speaker of the House of Representatives pursuant to s. 288.901(5)(a)8. ~~s. 288.901(5)(a)7.~~ and the Governor, who shall serve ex officio, or who may appoint a designee to serve, as the chair and a voting member of the board.

Section 7. Subsection (5) of section 435.02, Florida Statutes, is amended to read:

435.02 Definitions.—For the purposes of this chapter, the term:

(5) “Specified agency” means the Department of Health, the Department of Children and Families, the Division of Vocational Rehabilitation within the Department of Education, the Agency for Health Care Administration, the Department of Elderly Affairs, the Department of Juvenile Justice, the Agency for Persons with Disabilities, regional workforce boards providing services as defined in s. 445.002(3), and local licensing agencies approved pursuant to s. 402.307, when these agencies are conducting state and national criminal history background screening on persons who work with children or persons who are elderly or disabled.

Section 8. Subsection (43) of section 443.036, Florida Statutes, is amended to read:

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

(43) “Temporary layoff” means:

(a) An individual’s a job separation due to lack of work which does not exceed 8 consecutive weeks and which has a fixed or approximate return-to-work date; or

(b) An individual’s employer-initiated furlough that causes a mandatory complete stoppage of work if such furlough is temporary and the individual remains job attached and is expected to return to work with the employer.

Section 9. Paragraph (c) of subsection (1) of section 443.091, Florida Statutes, is amended to read:

443.091 Benefit eligibility conditions.—

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

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

1. For each week of unemployment claimed, each report must, at a minimum, include the name and, address, ~~and telephone number~~ of each prospective employer contacted, or the date the claimant reported to a one-stop career center, pursuant to paragraph (d). For the purposes of this subparagraph, the term “address” means a website address, a physical address, or an e-mail address.

2. The department shall offer an online assessment aimed at identifying an individual’s skills, abilities, and career aptitude. The skills assessment must be voluntary, and the department shall allow a claimant to choose whether to take the skills assessment. The online assessment shall be made available to any person seeking services from a local workforce development board or a one-stop career center.

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

b. Individuals shall be informed of and offered services through the one-stop delivery system, including career counseling, the provision of skill match and job market information, and skills upgrade and other training opportunities, and shall be encouraged to participate in such services at no cost to the individuals. The department shall coordinate with CareerSource Florida, Inc., the local workforce development boards, and the one-stop career centers to identify, develop, and use best practices for improving the skills of individuals who choose to participate in skills upgrade and other training opportunities. The department may contract with an entity to create the online assessment in accordance with the competitive bidding requirements in s. 287.057. The online assessment must work seamlessly with the Reemployment Assistance Claims and Benefits Information System.

Section 10. Paragraph (a) of subsection (1) and subsection (6) of section 443.101, Florida Statutes, are amended to read:

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

(1)(a) For the week in which he or she has voluntarily left work without good cause attributable to his or her employing unit or for the week in which he or she has been discharged by the employing unit for misconduct connected with his or her work, based on a finding by the Department of Economic Opportunity. As used in this paragraph, the term “work” means any work, whether full-time, part-time, or temporary.

1. Disqualification for voluntarily quitting continues for the full period of unemployment next ensuing after the individual has left his or her full-time, part-time, or temporary work voluntarily without good cause and until the individual has earned income equal to or greater than 17 times his or her weekly benefit amount. As used in this subsection, the term “good cause” includes only that cause attributable to the employing unit which would compel a reasonable employee to cease working or attributable to the individual’s illness or disability requiring separation from his or her work. Any other disqualification may not be imposed.

2. An individual is not disqualified under this subsection for:

a. Voluntarily leaving temporary work to return immediately when called to work by the permanent employing unit that temporarily terminated his or her work within the previous 6 calendar months;

b. Voluntarily leaving work to relocate as a result of his or her military-connected spouse’s permanent change of station orders, activation orders, or unit deployment orders; or

c. Voluntarily leaving work if he or she proves that his or her discontinued employment is a direct result of circumstances related to domestic violence as defined in s. 741.28. An individual who voluntarily leaves work under this sub-subparagraph must:

(I) Make reasonable efforts to preserve employment, unless the individual establishes that such remedies are likely to be futile or to increase the risk of future incidents of domestic violence. Such efforts may include seeking a protective injunction, relocating to a secure place, or seeking reasonable accommodation from the employing unit, such as a transfer or change of assignment;

(II) Provide evidence such as an injunction, a protective order, or other documentation authorized by state law which reasonably proves that domestic violence has occurred; and

(III) Reasonably believe that he or she is likely to be the victim of a future act of domestic violence at, in transit to, or departing from his or her place of employment. ~~An individual who is otherwise eligible for benefits under this sub-subparagraph is ineligible for each week that he or she no longer meets such criteria or refuses a reasonable accommodation offered in good faith by his or her employing unit.~~

3. The employment record of an employing unit may not be charged for the payment of benefits to an individual who has voluntarily left work under sub-subparagraph 2.c.

4. Disqualification for being discharged for misconduct connected with his or her work continues for the full period of unemployment next ensuing after having been discharged and until the individual is reemployed and has earned income of at least 17 times his or her weekly benefit amount and for not more than 52 weeks immediately following that week, as determined by the department in each case according to the circumstances or the seriousness of the misconduct, under the department's rules for determining disqualification for benefits for misconduct.

5. If an individual has provided notification to the employing unit of his or her intent to voluntarily leave work and the employing unit discharges the individual for reasons other than misconduct before the date the voluntary quit was to take effect, the individual, if otherwise entitled, shall receive benefits from the date of the employer's discharge until the effective date of his or her voluntary quit.

6. If an individual is notified by the employing unit of the employer's intent to discharge the individual for reasons other than misconduct and the individual quits without good cause before the date the discharge was to take effect, the claimant is ineligible for benefits pursuant to s. 443.091(1)(d) for failing to be available for work for the week or weeks of unemployment occurring before the effective date of the discharge.

(6) For making any false or fraudulent representation for the purpose of obtaining benefits contrary to this chapter, constituting a violation under s. 443.071. The disqualification imposed under this subsection shall begin with the week ~~for~~ in which the false or fraudulent representation ~~was~~ is made and shall continue for a period not to exceed 1 year after the date the Department of Economic Opportunity discovers the false or fraudulent representation and until any overpayment of benefits resulting from such representation has been repaid in full. This disqualification may be appealed in the same manner as any other disqualification imposed under this section. A conviction by any court of competent jurisdiction in this state of the offense prohibited or punished by s. 443.071 is conclusive upon the appeals referee and the commission of the making of the false or fraudulent representation for which disqualification is imposed under this section.

Section 11. Section 443.1113, Florida Statutes, is amended to read:

443.1113 Reemployment Assistance Claims and Benefits Information System.—

(1) The Department of Economic Opportunity shall implement an integrated, modular system hosted in a cloud computing service, as defined in s. 282.0041, that provides for rapid provisioning of additional data processing when necessary. The system must support the efficient

distribution of benefits and the effective operation and management of the reemployment assistance program. ~~To~~ The extent that funds are appropriated for each phase of the Reemployment Assistance Claims and Benefits Information system may be cited by the Legislature, the Department of Economic Opportunity shall ~~replace and enhance the functionality provided in the following systems with an integrated Internet-based system that is known as the “Reemployment Assistance Claims and Benefits Information System” and must:~~

(a) Be accessible through the Internet on both mobile devices and personal computers ~~Claims and benefit mainframe system.~~

(b) Process reemployment assistance claims ~~Florida unemployment Internet direct.~~

(c) Process benefit payments ~~Florida continued claim Internet directory.~~

(d) Process and manage overpayments ~~Call center interactive voice response system.~~

(e) Perform adjudication functions ~~Benefit overpayment screening system.~~

(f) Process appeals and manage appeal hearings ~~Internet and Intranet appeals system.~~

(g) Manage and process employer charging.

(2) Wherever cost-effective and operationally feasible, the Reemployment Assistance Claims and Benefits System shall accomplish the following main business objectives:

(a) ~~Wherever cost-effective and operationally feasible,~~ Eliminate or automate existing paper processes and enhance any existing automated workflows in order to expedite customer transactions and eliminate redundancy.

(b) Enable and enhance online, self-service capabilities ~~access~~ to claimant and employer information and federal and state reporting.

(c) Integrate benefit payment control with the adjudication program and collection system in order to improve the detection of fraud.

(d) Comply with all requirements established in federal and state law for reemployment assistance.

(e) Integrate with the Department of Revenue’s statewide unified tax system that collects reemployment assistance taxes.

(f) Maintain interoperability with other department workforce systems.

(g) Allow for employer-assisted claims.

(3) The scope of the Reemployment Assistance Claims and Benefits Information System does not include any of the following functionalities:

- (a) Collection of reemployment assistance taxes.
- (b) General ledger, financial management, or budgeting capabilities.
- (c) Human resource planning or management capabilities.

(4)(a) The Department of Economic Opportunity shall perform an annual review of the system and identify enhancements or modernization efforts that improve the delivery of services to claimants and employers and reporting to state and federal entities. These improvements must include, but need not be limited to:

1. Infrastructure upgrades through cloud services.
2. Software improvements.
3. Enhanced data analytics and reporting.
4. Increased cybersecurity pursuant to s. 282.318.

(b) The department shall seek input on recommended enhancements from, at a minimum, the following entities:

1. The Florida Digital Service within the Department of Management Services.
2. The General Tax Administration Program Office within the Department of Revenue.
3. The Division of Accounting and Auditing within the Department of Financial Services.

(5) By October 1, 2023, and each year thereafter, the Department of Economic Opportunity shall submit a Reemployment Assistance Claims and Benefits Information System report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must, at a minimum, include:

(a) A summary of maintenance, enhancement, and modernization efforts over the last fiscal year.

(b) A 3-year outlook of recommended enhancements or modernization efforts that includes projected costs and timeframes for completion. The project to implement the Reemployment Assistance Claims and Benefits Information System is comprised of the following phases and corresponding implementation timeframes:

~~(a) No later than the end of fiscal year 2009-2010 completion of the business re-engineering analysis and documentation of both the detailed system requirements and the overall system architecture.~~

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

~~(5) The Department of Economic Opportunity shall implement the following project governance structure until such time as the project is completed, suspended, or terminated:~~

~~(a) The project sponsor for the Reemployment Assistance Claims and Benefits Information System project is the department.~~

~~(b) The project shall be governed by an executive steering committee composed of the following voting members or their designees:~~

~~1. The executive director of the department.~~

~~2. The executive director of the Department of Revenue.~~

~~3. The director of the Division of Workforce Services within the department.~~

~~4. The program director of the General Tax Administration Program Office within the Department of Revenue.~~

~~5. The chief information officer of the department.~~

~~(c) The executive steering committee has the overall responsibility for ensuring that the project meets its primary objectives and is specifically responsible for:~~

~~1. Providing management direction and support to the project management team.~~

~~2. Assessing the project's alignment with the strategic goals of the department for administering the reemployment assistance program.~~

~~3. Reviewing and approving or disapproving any changes to the project's scope, schedule, and costs.~~

~~4. Reviewing, approving or disapproving, and determining whether to proceed with any major project deliverables.~~

~~5. Recommending suspension or termination of the project to the Governor, the President of the Senate, and the Speaker of the House of~~

~~Representatives if it determines that the primary objectives cannot be achieved.~~

~~(d) The project management team shall work under the direction of the executive steering committee and shall be minimally comprised of senior managers and stakeholders from the department and the Department of Revenue. The project management team is responsible for:~~

- ~~1. Providing daily planning, management, and oversight of the project.~~
- ~~2. Submitting an operational work plan and providing quarterly updates to that plan to the executive steering committee. The plan must specify project milestones, deliverables, and expenditures.~~
- ~~3. Submitting written monthly project status reports to the executive steering committee which include:~~
 - ~~a. Planned versus actual project costs;~~
 - ~~b. An assessment of the status of major milestones and deliverables;~~
 - ~~c. Identification of any issues requiring resolution, the proposed resolution for these issues, and information regarding the status of the resolution;~~
 - ~~d. Identification of risks that must be managed; and~~
 - ~~e. Identification of and recommendations regarding necessary changes in the project's scope, schedule, or costs. All recommendations must be reviewed by project stakeholders before submission to the executive steering committee in order to ensure that the recommendations meet required acceptance criteria.~~

Section 12. Section 443.1118, Florida Statutes, is created to read:

443.1118 Employer-assisted claims.—

(1) DEFINITIONS.—For purposes of this section:

- (a) “Department” means the Department of Economic Opportunity.
- (b) “Employer-assisted claim” means an initial claim filed by an employer on behalf of its employees who are a part of a mass separation from the employer.
- (c) “Mass separation” means a full, partial, permanent, or temporary separation, including a temporary layoff, of full-time employees from their employer if the separation occurs at or around the same time, the employees are separated for the same reason, and the separation is due to circumstances for which the employees are not at fault. At a minimum, a mass separation involves 1,000 or more employees.

(2) EMPLOYER-ASSISTED CLAIM PROCESS.—

(a) Initiation.—An employer that commences a mass separation may initiate an employer-assisted claim by submitting employee information to the department within 10 days after the date of the mass separation pursuant to rules adopted by the department.

(b) Form of submission.—Due to the sensitive nature of employee information, an employer shall submit employee information through secure means approved by department rule.

(c) Notice and affidavit.—For each employer-assisted claim, the employer shall give notice and instructions to the employees for which claims are filed and direct the employees to complete further steps as required by the department. The employer shall provide an attestation to the department in a form and format required by the department.

(3) EFFECTIVE DATE OF CLAIM.—The effective date of an employer-assisted claim is the Sunday immediately preceding the date on which the employer-assisted claim is received by the department.

(4) PAYMENTS.—Weeks of benefits paid to a claimant pursuant to an employer-assisted claim count toward the maximum benefits for which the claimant is eligible.

(5) CLAIMANT FILING REQUIREMENTS.—A claimant covered by an employer-assisted claim must file continued biweekly claims pursuant to department rule.

(6) CONSTRUCTION.—This section does not limit, alter, or amend a claimant's rights under this chapter relating to a hearing if a claimant is denied a claim.

(7) RULEMAKING.—The department shall adopt rules establishing additional procedures for filing an employer-assisted claim and may adopt additional rules to administer this section.

Section 13. Paragraphs (a) and (b) of subsection (3) and paragraphs (a) and (b) of subsection (4) of section 443.151, Florida Statutes, are amended to read:

443.151 Procedure concerning claims.—

(3) DETERMINATION OF ELIGIBILITY.—

(a) Notices of claim.—The Department of Economic Opportunity shall promptly provide a notice of claim to the claimant's most recent employing unit and all employers whose employment records are liable for benefits under the monetary determination. The employer must respond to the notice of claim within ~~14~~ 20 days after the mailing date of the notice, or in lieu of mailing, within ~~14~~ 20 days after the delivery of the notice. If a contributing employer or its agent fails to timely or adequately respond to the notice of claim or request for information, the employer's account may not be relieved

of benefit charges as provided in s. 443.131(3)(a), notwithstanding paragraph (5)(b). The department may adopt rules as necessary to implement the processes described in this paragraph relating to notices of claim.

(b) Monetary determinations.—In addition to the notice of claim, the department shall also promptly provide an initial monetary determination to the claimant and each base period employer whose account is subject to being charged for its respective share of benefits on the claim. The monetary determination must include a statement of whether and in what amount the claimant is entitled to benefits, and, in the event of a denial, must state the reasons for the denial. A monetary determination for the first week of a benefit year must also include a statement of whether the claimant was paid the wages required under s. 443.091(1)(g) and, if so, the first day of the benefit year, the claimant's weekly benefit amount, and the maximum total amount of benefits payable to the claimant for a benefit year. The claimant may file a request for the department to reconsider a monetary determination within 20 days after the department mails the notice to the claimant's last known address or, in lieu of mailing, within 20 days after the delivery of the notice. A monetary determination is final for a claimant if the claimant does not file a timely request for the department to reconsider the monetary determination. A monetary redetermination is final for a claimant unless within 20 days after the mailing of the notice of monetary redetermination to the claimant's last known address or, in lieu of mailing, within 20 days after the delivery of the notice, the claimant files an appeal. The monetary determination or monetary redetermination is final for an employer or other party entitled to notice unless within 20 days after the mailing of the respective notice to the employer or party to its last known address or, in lieu of mailing, within 20 days after delivery of the notice, an appeal is filed by the employer or the party. The monetary determination is final unless within 20 days after the mailing of the notices to the parties' last known addresses, or in lieu of mailing, within 20 days after the delivery of the notices, an appeal or written request for reconsideration is filed by the claimant or other party entitled to notice. The department may adopt rules as necessary to implement the processes described in this paragraph relating to notices of monetary determinations and the appeals or reconsideration requests filed in response to such notices.

(4) APPEALS.—

(a) Appeals referees.—

1. The Department of Economic Opportunity shall appoint one or more impartial salaried appeals referees in accordance with s. 443.171(3) to hear and decide appealed claims.

2. ~~An appeals referee must be an attorney in good standing with The Florida Bar or be successfully admitted to The Florida Bar within 8 months after his or her date of employment. This subparagraph does not apply to an appeals referee appointed before January 1, 2014.~~

3. A person may not participate on behalf of the department as an appeals referee in any case in which she or he is an interested party.

3.4. The department may designate alternates to serve in the absence or disqualification of any appeals referee on a temporary basis. These alternates must have the same qualifications required of appeals referees.

4.5. The department shall provide the commission and the appeals referees with proper facilities and assistance for the execution of their functions.

(b) Filing and hearing.—

1. The claimant or any other party entitled to notice of a determination may appeal an adverse determination to an appeals referee within 20 days after the date of mailing of the notice to her or his last known address or, if the notice is not mailed, within 20 days after the date of delivering the notice.

2. Unless the appeal is untimely or withdrawn or review is initiated by the commission, the appeals referee, after mailing all parties and attorneys of record a notice of hearing at least 10 days before the date of hearing, notwithstanding the 14-day notice requirement in s. 120.569(2)(b), may only affirm, modify, or reverse the determination. An appeal may not be withdrawn without the permission of the appeals referee.

3. ~~However,~~ If an appeal appears to have been filed after the permissible time limit, the Office of Appeals may issue an order to show cause to the appellant which requires the appellant to show why the appeal should not be dismissed as untimely. If, within 15 days after the mailing date of the order to show cause, the appellant does not provide written evidence of timely filing or good cause for failure to appeal timely, the appeal shall be dismissed. However, an appeal may not be filed more than 5 years after the date of the mailing of the determination or, if the determination is not mailed, more than 5 years after the date of the delivery of the determination.

4. If an appeal involves a question of whether services were performed by a claimant in employment or for an employer, the referee must give special notice of the question and of the pendency of the appeal to the employing unit and to the department, both of which become parties to the proceeding.

5.a. Any part of the evidence may be received in written form, and all testimony of parties and witnesses shall be made under oath.

b. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs is admissible, whether or not such evidence would be admissible in a trial in state court.

c. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, or to support a finding if it would be admissible

over objection in civil actions. Notwithstanding s. 120.57(1)(c), hearsay evidence may support a finding of fact if:

(I) The party against whom it is offered has a reasonable opportunity to review such evidence prior to the hearing; and

(II) The appeals referee or special deputy determines, after considering all relevant facts and circumstances, that the evidence is trustworthy and probative and that the interests of justice are best served by its admission into evidence.

6. The parties must be notified promptly of the referee's decision. The referee's decision is final unless further review is initiated under paragraph (c) within 20 days after the date of mailing notice of the decision to the party's last known address or, in lieu of mailing, within 20 days after the delivery of the notice.

Section 14. Paragraph (d) of subsection (3) of section 445.004, Florida Statutes, is amended, and subsections (1) and (2) of that section are republished, 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 the department. 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, the principal workforce policy organization for the state. The purpose of the state board 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)

(d) The state board must include the Secretary of Economic Opportunity or his or her designee, 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.

Section 15. Subsection (14) of section 553.79, Florida Statutes, is amended to read:

553.79 Permits; applications; issuance; inspections.—

(14)(a) Except as provided in paragraph (b), a building permit for a single-family residential dwelling must be issued within 30 working days after receipt of the application ~~therefor~~ unless unusual circumstances require a longer time for processing the application or unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

(b) A building permit for a single-family residential dwelling applied for by a contractor licensed in this state on behalf of a property owner who participates in a Community Development Block Grant–Disaster Recovery program administered by the Department of Economic Opportunity must be issued within 15 working days after receipt of the application unless the permit application fails to satisfy the Florida Building Code or the enforcing agency's laws or ordinances.

Section 16. Paragraph (b) of subsection (2) of section 14.20195, Florida Statutes, is amended to read:

14.20195 Suicide Prevention Coordinating Council; creation; membership; duties.—There is created within the Statewide Office for Suicide Prevention a Suicide Prevention Coordinating Council. The council shall develop strategies for preventing suicide.

(2) MEMBERSHIP.—The Suicide Prevention Coordinating Council shall consist of 31 voting members and 1 nonvoting member.

(b) The following state officials or their designees shall serve on the coordinating council:

1. The Secretary of Elderly Affairs.
2. The State Surgeon General.

3. The Commissioner of Education.
4. The Secretary of Health Care Administration.
5. The Secretary of Juvenile Justice.
6. The Secretary of Corrections.
7. The executive director of the Department of Law Enforcement.
8. The executive director of the Department of Veterans' Affairs.
9. The Secretary of Children and Families.
10. The Secretary ~~executive director of the Department~~ of Economic Opportunity.

Section 17. Paragraph (j) of subsection (1) of section 16.615, Florida Statutes, is amended to read:

16.615 Council on the Social Status of Black Men and Boys.—

(1) The Council on the Social Status of Black Men and Boys is established within the Department of Legal Affairs and shall consist of 19 members appointed as follows:

(j) The Secretary ~~executive director of the Department~~ of Economic Opportunity or his or her designee.

Section 18. Subsection (3) and paragraph (b) of subsection (7) of section 20.04, Florida Statutes, are amended to read:

20.04 Structure of executive branch.—The executive branch of state government is structured as follows:

(3) For their internal structure, all departments, except for the Department of Financial Services, the Department of Economic Opportunity, the Department of Children and Families, the Department of Corrections, the Department of Management Services, the Department of Revenue, and the Department of Transportation, must adhere to the following standard terms:

(a) The principal unit of the department is the “division.” Each division is headed by a “director.”

(b) The principal unit of the division is the “bureau.” Each bureau is headed by a “chief.”

(c) The principal unit of the bureau is the “section.” Each section is headed by an “administrator.”

(d) If further subdivision is necessary, sections may be divided into “subsections,” which are headed by “supervisors.”

(7)

(b) Within the limitations of this subsection, the head of the department may recommend the establishment of additional divisions, bureaus, sections, and subsections of the department to promote efficient and effective operation of the department. However, additional divisions, or offices in the Department of Children and Families, the Department of Corrections, the Department of Economic Opportunity, and the Department of Transportation, may be established only by specific statutory enactment. New bureaus, sections, and subsections of departments may be initiated by a department and established as recommended by the Department of Management Services and approved by the Executive Office of the Governor, or may be established by specific statutory enactment.

Section 19. Paragraph (a) of subsection (7) of section 213.053, Florida Statutes, is amended to read:

213.053 Confidentiality and information sharing.—

(7)(a) Any information received by the Department of Revenue in connection with the administration of taxes, including, but not limited to, information contained in returns, reports, accounts, or declarations filed by persons subject to tax, shall be made available to the following in performance of their official duties:

1. The Auditor General or his or her authorized agent;
2. The director of the Office of Program Policy Analysis and Government Accountability or his or her authorized agent;
3. The Chief Financial Officer or his or her authorized agent;
4. The Director of the Office of Insurance Regulation of the Financial Services Commission or his or her authorized agent;
5. A property appraiser or tax collector or their authorized agents pursuant to s. 195.084(1);
6. Designated employees of the Department of Education solely for determination of each school district’s price level index pursuant to s. 1011.62(2);
7. The Secretary ~~executive director of the Department~~ of Economic Opportunity or his or her authorized agent;
8. The taxpayers’ rights advocate or his or her authorized agent pursuant to s. 20.21(3); and

9. The coordinator of the Office of Economic and Demographic Research or his or her authorized agent.

Section 20. Paragraph (b) of subsection (5) of section 220.194, Florida Statutes, is amended to read:

220.194 Corporate income tax credits for spaceflight projects.—

(5) APPLICATION AND CERTIFICATION.—

(b) In order to take a tax credit under subparagraph (a)1. or, if applicable, to transfer an approved credit under subparagraph (a)2., a spaceflight business must submit an application for certification to the Department of Economic Opportunity along with a nonrefundable \$250 fee.

1. The application must include:

a. The name and physical in-state address of the taxpayer.

b. Documentation demonstrating to the satisfaction of the Department of Economic Opportunity that:

(I) The taxpayer is a spaceflight business.

(II) The business has engaged in a qualifying spaceflight project before taking or transferring a credit under this section.

c. In addition to any requirement specific to a credit, documentation that the business has:

(I) Created 35 new jobs in this state directly associated with spaceflight projects during its immediately preceding 3 taxable years. The business shall be deemed to have created new jobs if the number of full-time jobs located in this state at the time of application for certification is greater than the total number of full-time jobs located in this state at the time of application for approval to earn credits; and

(II) Invested a total of at least \$15 million in this state on a spaceflight project during its immediately preceding 3 taxable years.

d. The total amount and types of credits sought.

e. An acknowledgment that a transfer of a tax credit is to be accomplished pursuant to subsection (5).

f. A copy of an audit or audits of the preceding 3 taxable years, prepared by a certified public accountant licensed to practice in this state, which identifies that portion of the business's activities in this state related to spaceflight projects in this state.

g. An acknowledgment that the business must file an annual report on the spaceflight project's progress with the Department of Economic Opportunity.

h. Any other information necessary to demonstrate that the applicant meets the job creation, investment, and other requirements of this section.

2. Within 60 days after receipt of the application for certification, the Department of Economic Opportunity shall evaluate the application and recommend the business for certification or denial. The Secretary executive director of the Department of Economic Opportunity must approve or deny the application within 30 days after receiving the recommendation. If approved, the Department of Economic Opportunity must provide a letter of certification to the applicant consistent with any restrictions imposed. If the Department of Economic Opportunity denies any part of the requested credit, the Department of Economic Opportunity must inform the applicant of the grounds for the denial. A copy of the certification shall be submitted to the department within 10 days after the secretary's executive director's approval.

Section 21. Subsection (3) of section 288.005, Florida Statutes, is amended to read:

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

(3) ~~“Executive director” means the executive director of the Department of Economic Opportunity, unless otherwise stated.~~

Section 22. Subsections (1) and (3), paragraph (a) of subsection (5), and subsection (6) of section 288.061, Florida Statutes, are amended to read:

288.061 Economic development incentive application process.—

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

(3) Within 10 business days after the department receives the submitted economic development incentive application, the Secretary of Economic Opportunity executive director shall approve or disapprove the application and issue a letter of certification to the applicant which includes a

justification of that decision, unless the business requests an extension of that time.

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

(b) The release of funds for the incentive or incentives awarded to the applicant depends upon the statutory requirements of the particular incentive program.

(5)(a) The Secretary of Economic Opportunity ~~executive director~~ may not approve an economic development incentive application unless the application includes a signed written declaration by the applicant which states that the applicant has read the information in the application and that the information is true, correct, and complete to the best of the applicant's knowledge and belief.

(6) Beginning July 1, 2020, the Secretary of Economic Opportunity ~~executive director~~ may not approve an economic development incentive application unless the application includes proof to the department that the applicant business is registered with and uses the E-Verify system, as defined in s. 448.095, to verify the work authorization status of all newly hired employees. If the department determines that an awardee is not complying with this subsection, the department must notify the awardee by certified mail of the department's determination of noncompliance and the awardee's right to appeal the determination. Upon a final determination of noncompliance, the awardee must repay all moneys received as an economic development incentive to the department within 30 days after the final determination.

Section 23. Paragraph (a) of subsection (6) of section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

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

1. The Department of Transportation.
2. The Department of Environmental Protection.
3. The Department of Agriculture and Consumer Services.

4. The Department of State.
5. The Department of Health.
6. The Department of Children and Families.
7. The Department of Corrections.
8. The Department of Education.
9. The Department of Juvenile Justice.
10. The Fish and Wildlife Conservation Commission.
11. Each water management district.
12. Enterprise Florida, Inc.
13. CareerSource Florida, Inc.
14. VISIT Florida.
15. The Florida Regional Planning Council Association.
16. The Agency for Health Care Administration.
17. The Institute of Food and Agricultural Sciences (IFAS).

An alternate for each designee shall also be chosen, and the names of the designees and alternates shall be sent to the Secretary of Economic Opportunity ~~executive director of the department~~.

Section 24. Paragraph (c) of subsection (5) and subsection (8) of section 288.106, Florida Statutes, are amended to read:

288.106 Tax refund program for qualified target industry businesses.

(5) TAX REFUND AGREEMENT.—

(c) The agreement must be signed by the Secretary of Economic Opportunity ~~executive director~~ and by an authorized officer of the qualified target industry business within 120 days after the issuance of the letter of certification under subsection (4), but not before passage and receipt of the resolution of local financial support. The department may grant an extension of this period at the written request of the qualified target industry business.

(8) SPECIAL INCENTIVES.—If the department determines it is in the best interest of the public for reasons of facilitating economic development, growth, or new employment opportunities within a Disproportionally Affected County, the department may, between July 1, 2011, and June 30, 2014, waive any or all wage or local financial support eligibility requirements and allow a qualified target industry business from another

state which relocates all or a portion of its business to a Disproportionally Affected County to receive a tax refund payment of up to \$6,000 multiplied by the number of jobs specified in the tax refund agreement under subparagraph (5)(a)1. over the term of the agreement. Before ~~Prior to~~ granting such waiver, the Secretary of Economic Opportunity executive director ~~of the department~~ shall file with the Governor a written statement of the conditions and circumstances constituting the reason for the waiver. Such business shall be eligible for the additional tax refund payments specified in subparagraph (3)(b)4. if it meets the criteria. As used in this section, the term “Disproportionally Affected County” means Bay County, Escambia County, Franklin County, Gulf County, Okaloosa County, Santa Rosa County, Walton County, or Wakulla County.

Section 25. Subsection (5) of section 288.1089, Florida Statutes, is amended to read:

288.1089 Innovation Incentive Program.—

(5) The department shall review proposals pursuant to s. 288.061 for all three categories of innovation incentive awards. Before making a recommendation to the Secretary of Economic Opportunity executive director, the department shall solicit comments and recommendations from the Department of Agriculture and Consumer Services. For each project, the evaluation and recommendation to the department must include, but need not be limited to:

(a) A description of the project, its required facilities, and the associated product, service, or research and development associated with the project.

(b) The percentage of match provided for the project.

(c) The number of full-time equivalent jobs that will be created by the project, the total estimated average annual wages of such jobs, and the types of business activities and jobs likely to be stimulated by the project.

(d) The cumulative investment to be dedicated to the project within 5 years and the total investment expected in the project if more than 5 years.

(e) The projected economic and fiscal impacts on the local and state economies relative to investment.

(f) A statement of any special impacts the project is expected to stimulate in a particular business sector in the state or regional economy or in the state’s universities and community colleges.

(g) A statement of any anticipated or proposed relationships with state universities.

(h) A statement of the role the incentive is expected to play in the decision of the applicant to locate or expand in this state.

(i) A recommendation and explanation of the amount of the award needed to cause the applicant to expand or locate in this state.

(j) A discussion of the efforts and commitments made by the local community in which the project is to be located to induce the applicant’s location or expansion, taking into consideration local resources and abilities.

(k) A recommendation for specific performance criteria the applicant would be expected to achieve in order to receive payments from the fund and penalties or sanctions for failure to meet or maintain performance conditions.

(l) Additional evaluative criteria for a research and development facility project, including:

- 1. A description of the extent to which the project has the potential to serve as catalyst for an emerging or evolving cluster.
- 2. A description of the extent to which the project has or could have a long-term collaborative research and development relationship with one or more universities or community colleges in this state.
- 3. A description of the existing or projected impact of the project on established clusters or targeted industry sectors.
- 4. A description of the project’s contribution to the diversity and resiliency of the innovation economy of this state.
- 5. A description of the project’s impact on special needs communities, including, but not limited to, rural areas, distressed urban areas, and enterprise zones.

(m) Additional evaluative criteria for alternative and renewable energy proposals, including:

- 1. The availability of matching funds or other in-kind contributions applied to the total project from an applicant. The Department of Agriculture and Consumer Services shall give greater preference to projects that provide such matching funds or other in-kind contributions.
- 2. The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.
- 3. The extent to which the proposed project has been demonstrated to be technically feasible based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

4. The degree to which the project incorporates an innovative new technology or an innovative application of an existing technology.
5. The degree to which a project generates thermal, mechanical, or electrical energy by means of a renewable energy resource that has substantial long-term production potential.
6. The degree to which a project demonstrates efficient use of energy and material resources.
7. The degree to which the project fosters overall understanding and appreciation of renewable energy technologies.
8. The ability to administer a complete project.
9. Project duration and timeline for expenditures.
10. The geographic area in which the project is to be conducted in relation to other projects.
11. The degree of public visibility and interaction.

Section 26. Paragraph (b) of subsection (1) of section 288.1251, Florida Statutes, is amended to read:

288.1251 Promotion and development of entertainment industry; Office of Film and Entertainment; creation; purpose; powers and duties.—

(1) CREATION.—

(b) The department shall conduct a national search for a qualified person to fill the position of Commissioner of Film and Entertainment when the position is vacant. The Secretary of Economic Opportunity ~~executive director of the department~~ has the responsibility to hire the film commissioner. Qualifications for the film commissioner include, but are not limited to, the following:

1. A working knowledge of the equipment, personnel, financial, and day-to-day production operations of the industries to be served by the Office of Film and Entertainment;
2. Marketing and promotion experience related to the film and entertainment industries to be served;
3. Experience working with a variety of individuals representing large and small entertainment-related businesses, industry associations, local community entertainment industry liaisons, and labor organizations; and
4. Experience working with a variety of state and local governmental agencies.

Section 27. Subsection (8) of section 288.8014, Florida Statutes, is amended to read:

288.8014 Triumph Gulf Coast, Inc.; organization; board of directors.—

(8) The Secretary ~~executive director of the Department of Economic Opportunity, or his or her designee, the secretary of the Department of Environmental Protection, or his or her designee, and the chair of the Committee of 8 Disproportionally Affected Counties, or his or her designee,~~ shall be available to consult with the board of directors and may be requested to attend meetings of the board of directors. These individuals shall not be permitted to vote on any matter before the board.

Section 28. Paragraph (a) of subsection (4) of section 288.955, Florida Statutes, is amended to read:

288.955 Scripps Florida Funding Corporation.—

(4) BOARD; MEMBERSHIP.—The corporation shall be governed by a board of directors.

(a) The board of directors shall consist of nine voting members, of whom the Governor shall appoint three, the President of the Senate shall appoint three, and the Speaker of the House of Representatives shall appoint three. The Secretary of Economic Opportunity ~~executive director of the department or the secretary's director's~~ designee shall serve as an ex-officio, nonvoting member of the board of directors.

Section 29. Subsection (2) of section 288.9604, Florida Statutes, is amended to read:

288.9604 Creation of the corporation.—

(2) The board of directors of the corporation shall consist of seven directors. The Secretary of Economic Opportunity ~~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. The terms of office for the appointed directors are for 4 years after the date of their appointment. A vacancy occurring during a term of an appointed director shall be filled for the unexpired term. An appointed director is eligible for reappointment. At least three of the appointed directors of the corporation must have experience in finance, and one of the directors must have experience in economic development.~~

Section 30. Subsection (5) of section 288.987, Florida Statutes, is amended to read:

288.987 Florida Defense Support Task Force.—

(5) The ~~Secretary executive director of the~~ Department of Economic Opportunity, or his or her designee, shall serve as the ex officio, nonvoting executive director of the task force.

Section 31. Paragraph (a) of subsection (6) of section 290.0065, Florida Statutes, is amended to read:

290.0065 State designation of enterprise zones.—

(6)(a) The department may develop guidelines necessary for the approval of areas under this section by the Secretary of Economic Opportunity ~~executive director~~.

Section 32. Subsection (1) of section 311.09, Florida Statutes, is amended to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

(1) The Florida Seaport Transportation and Economic Development Council is created within the Department of Transportation. The council consists of the following 17 members: the port director, or the port director's designee, of each of the ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina; the secretary of the Department of Transportation or his or her designee; and the secretary ~~director~~ of the Department of Economic Opportunity or his or her designee.

Section 33. Paragraph (b) of subsection (1) of section 311.105, Florida Statutes, is amended to read:

311.105 Florida Seaport Environmental Management Committee; permitting; mitigation.—

(1)

(b) The committee shall consist of the following members: the Secretary of Environmental Protection, or his or her designee, as an ex officio, nonvoting member; a designee from the United States Army Corps of Engineers, as an ex officio, nonvoting member; a designee from the Florida Inland Navigation District, as an ex officio, nonvoting member; the Secretary ~~executive director of the~~ Department of Economic Opportunity, or his or her designee, as an ex officio, nonvoting member; and five or more port directors, as voting members, appointed to the committee by the council chair, who shall also designate one such member as committee chair.

Section 34. Subsection (3) of section 334.065, Florida Statutes, is amended to read:

334.065 Center for Urban Transportation Research.—

(3) An advisory board shall be created to periodically and objectively review and advise the center concerning its research program. Except for projects mandated by law, state-funded base projects shall not be undertaken without approval of the advisory board. The membership of the board shall consist of nine experts in transportation-related areas, including the secretaries of the Department of Transportation, ~~Florida Departments of~~ Transportation, the Department of and Environmental Protection, and the executive director of the Department of Economic Opportunity, or their designees, and a member of the Florida Transportation Commission. The nomination of the remaining members of the board shall be made to the President of the University of South Florida by the College of Engineering at the University of South Florida, and the appointment of these members must be reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors.

Section 35. Subsection (5) of section 373.4149, Florida Statutes, is amended to read:

373.4149 Miami-Dade County Lake Belt Plan.—

(5) The secretary of the Department of Environmental Protection, the ~~secretary executive director~~ of the Department of Economic Opportunity, the secretary of the Department of Transportation, the Commissioner of Agriculture, the executive director of the Fish and Wildlife Conservation Commission, and the executive director of the South Florida Water Management District may enter into agreements with landowners, developers, businesses, industries, individuals, and governmental agencies as necessary to effectuate the Miami-Dade County Lake Belt Plan and the provisions of this section.

Section 36. Subsection (2) of section 380.045, Florida Statutes, is amended to read:

380.045 Resource planning and management committees; objectives; procedures.—

(2) The committee ~~must shall~~ include, but ~~is shall~~ not be limited to, representation from each of the following: elected officials from the local governments within the area under study; the planning office of each of the local governments within the area under study; the state land planning agency; any other state agency under chapter 20 a representative of which the Governor feels is relevant to the compilation of the committee; and a water management district, if appropriate, and regional planning council all or part of whose jurisdiction lies within the area under study. After the appointment of the members, the Governor shall select a chair and vice chair. A staff member of the state land planning agency shall be appointed by the secretary ~~director~~ of such agency to serve as the secretary of the committee. The state land planning agency shall, to the greatest extent

possible, provide technical assistance and administrative support to the committee. Meetings will be called as needed by the chair or on the demand of three or more members of the committee. The committee will act on a simple majority of a quorum present and shall make a report within 6 months to the head of the state land planning agency. The committee must ~~shall~~, from the time of appointment, remain in existence for no less than 6 months.

Section 37. Subsection (5) of section 403.0752, Florida Statutes, is amended to read:

403.0752 Ecosystem management agreements.—

(5) The ~~Secretary Executive Director of the Department~~ of Economic Opportunity, the Secretary of Transportation, the Commissioner of Agriculture, the Executive Director of the Fish and Wildlife Conservation Commission, and the executive directors of the water management districts are authorized to participate in the development of ecosystem management agreements with regulated entities and other governmental agencies as necessary to effectuate the provisions of this section. Local governments are encouraged to participate in ecosystem management agreements.

Section 38. Subsection (1) of section 420.0005, Florida Statutes, is amended to read:

420.0005 State Housing Trust Fund; State Housing Fund.—

(1) There is established in the State Treasury a separate trust fund to be named the “State Housing Trust Fund.” There shall be deposited in the fund all moneys appropriated by the Legislature, or moneys received from any other source, for the purpose of this chapter, and all proceeds derived from the use of such moneys. The fund shall be administered by the Florida Housing Finance Corporation on behalf of the department, as specified in this chapter. Money deposited to the fund and appropriated by the Legislature must, notwithstanding the provisions of chapter 216 or s. 420.504(3), be transferred quarterly in advance, to the extent available, or, if not so available, as soon as received into the State Housing Trust Fund, and subject to the provisions of s. 420.5092(6)(a) and (b) by the Chief Financial Officer to the corporation upon certification by the Secretary ~~executive director of the Department~~ of Economic Opportunity that the corporation is in compliance with the requirements of s. 420.0006. The certification made by the ~~secretary executive director~~ shall also include the split of funds among programs administered by the corporation and the department as specified in chapter 92-317, Laws of Florida, as amended. Moneys advanced by the Chief Financial Officer must be deposited by the corporation into a separate fund established with a qualified public depository meeting the requirements of chapter 280 to be named the “State Housing Fund” and used for the purposes of this chapter. Administrative and personnel costs incurred in implementing this chapter may be paid from the State Housing Fund, but such costs may not exceed 5 percent of the moneys deposited into such fund.

To the State Housing Fund shall be credited all loan repayments, penalties, and other fees and charges accruing to such fund under this chapter. It is the intent of this chapter that all loan repayments, penalties, and other fees and charges collected be credited in full to the program account from which the loan originated. Moneys in the State Housing Fund which are not currently needed for the purposes of this chapter shall be invested in such manner as is provided for by statute. The interest received on any such investment shall be credited to the State Housing Fund.

Section 39. Section 420.0006, Florida Statutes, is amended to read:

420.0006 Authority to contract with corporation; contract requirements; nonperformance.—The Secretary executive director of Economic Opportunity ~~the department~~ shall contract, notwithstanding part I of chapter 287, with the Florida Housing Finance Corporation on a multiyear basis to stimulate, provide, and foster affordable housing in the state. The contract must incorporate the performance measures required by s. 420.511 and be consistent with the corporation's strategic business plan prepared in accordance with s. 420.511. The contract must provide that if the corporation fails to comply with a performance measure required by s. 420.511, the secretary executive director shall notify the Governor and refer the nonperformance to the department's inspector general for review and determination as to whether such failure is due to forces beyond the corporation's control or whether such failure is due to inadequate management of the corporation's resources. Advances shall continue to be made pursuant to s. 420.0005 during the pendency of the review. If such failure is due to outside forces, it may not be deemed a violation of the contract. If such failure is due to inadequate management, the department's inspector general shall provide recommendations regarding solutions. The Governor may resolve differences of opinion with respect to performance under the contract and may request that advances continue in the event of a failure under the contract due to inadequate management. The Chief Financial Officer shall approve the request absent a finding by the Chief Financial Officer that continuing such advances would adversely impact the state; however, the Chief Financial Officer shall provide advances sufficient to meet the debt service requirements of the corporation and sufficient to fund contracts committing funds from the State Housing Trust Fund if such contracts are in accordance with the laws of this state.

Section 40. Paragraph (d) of subsection (1) of section 420.101, Florida Statutes, is amended to read:

420.101 Housing Development Corporation of Florida; creation, membership, and purposes.—

(1) Twenty-five or more persons, a majority of whom shall be residents of this state, who may desire to create a housing development corporation under the provisions of this part for the purpose of promoting and developing housing and advancing the prosperity and economic welfare of the state and, to that end, to exercise the powers and privileges hereinafter provided, may

be incorporated by filing in the Department of State, as hereinafter provided, articles of incorporation. The articles of incorporation shall contain:

(d) The names and post office addresses of the members of the first board of directors. The first board of directors shall be elected by and from the stockholders of the corporation and shall consist of 21 members. However, five of such members shall consist of the following persons, who shall be nonvoting members: the Secretary ~~executive director of the Department of Economic Opportunity~~ or her or his designee; the head of the Department of Financial Services or her or his designee with expertise in banking matters; a designee of the head of the Department of Financial Services with expertise in insurance matters; one state senator appointed by the President of the Senate; and one representative appointed by the Speaker of the House of Representatives.

Section 41. Subsection (8) of section 420.503, Florida Statutes, is amended to read:

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

(8) “Contract” means the contract between the Secretary ~~executive director of Economic Opportunity~~ the department and the corporation for provision of housing services referenced in s. 420.0006.

Section 42. Subsections (1) and (3) of section 420.504, Florida Statutes, are amended to read:

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

(1) A public corporation and a public body corporate and politic, to be known as the “Florida Housing Finance Corporation,” is created within the Department of Economic Opportunity. It is declared to be the intent of and constitutional construction by the Legislature that the Florida Housing Finance Corporation constitutes an entrepreneurial public corporation organized to provide and promote the public welfare by administering the governmental function of financing or refinancing housing and related facilities in this state and that the corporation is not a department of the executive branch of state government within the scope and meaning of s. 6, Art. IV of the State Constitution, but is functionally related to the Department of Economic Opportunity in which it is placed. The executive function of state government to be performed by the Secretary ~~executive director of the Department of Economic Opportunity~~ in the conduct of the business of the Florida Housing Finance Corporation must be performed pursuant to a contract to monitor and set performance standards for the implementation of the business plan for the provision of housing approved for the corporation as provided in s. 420.0006. This contract must include performance standards for the provision of affordable housing in this state established in the strategic business plan described in s. 420.511.

(3) The corporation is a separate budget entity and is not subject to control, supervision, or direction by the Department of Economic Opportunity in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters. The corporation shall consist of a board of directors composed of the Secretary ~~executive director of the Department of Economic Opportunity~~ as an ex officio and voting member, or a senior-level agency employee designated by the secretary ~~director~~, and eight members appointed by the Governor subject to confirmation by the Senate from the following:

(a) One citizen actively engaged in the residential home building industry.

(b) One citizen actively engaged in the banking or mortgage banking industry.

(c) One citizen who is a representative of those areas of labor engaged in home building.

(d) One citizen with experience in housing development who is an advocate for low-income persons.

(e) One citizen actively engaged in the commercial building industry.

(f) One citizen who is a former local government elected official.

(g) Two citizens of the state who are not principally employed as members or representatives of any of the groups specified in paragraphs (a)-(f).

Section 43. Subsection (1) of section 420.506, Florida Statutes, is amended to read:

420.506 Executive director; agents and employees; inspector general.—

(1) The appointment and removal of an executive director shall be by the Secretary ~~executive director of the Department of Economic Opportunity~~, with the advice and consent of the corporation's board of directors. The executive director shall employ legal and technical experts and such other agents and employees, permanent and temporary, as the corporation may require, and shall communicate with and provide information to the Legislature with respect to the corporation's activities. Notwithstanding s. 216.262, the board may develop and implement rules regarding the employment of employees of the corporation and service providers, including legal counsel. The board is entitled to establish travel procedures and guidelines for employees of the corporation, subject to s. 112.061(6) and (7). The executive director's office and the corporation's files and records must be located in Leon County.

Section 44. Subsection (30) of section 420.507, Florida Statutes, is amended to read:

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

(30) To prepare and submit to the Secretary executive director of Economic Opportunity ~~the department~~ a budget request for purposes of the corporation, which request shall, notwithstanding the provisions of chapter 216 and in accordance with s. 216.351, contain a request for operational expenditures and separate requests for other authorized corporation programs. The request need not contain information on the number of employees, salaries, or any classification thereof, and the approved operating budget therefor need not comply with s. 216.181(8)-(10). The ~~secretary executive director~~ may include within the department's budget request the corporation's budget request in the form as authorized by this section.

Section 45. Subsection (2) of section 420.511, Florida Statutes, is amended to read:

420.511 Strategic business plan; long-range program plan; annual report; audited financial statements.—

(2) The corporation, in coordination with the department, shall annually develop a long-range program plan for the provision of affordable housing in this state as required pursuant to chapter 186. In part, the plan must include provisions that maximize the abilities of the corporation to implement the state housing strategy established under s. 420.0003, to respond to federal housing initiatives, and to develop programs in a manner that is more responsive to the needs of public and private partners. The plan shall be developed on a schedule consistent with that established by s. 186.021. For purposes of this section, the Secretary of Economic Opportunity executive director or his or her designee shall serve as the corporation's representative to achieve a coordinated and integrated planning relationship with the department.

Section 46. Subsection (7) of section 420.602, Florida Statutes, is amended to read:

420.602 Definitions.—As used in this part, the following terms shall have the following meanings, unless the context otherwise requires:

(7) ~~“Director” means the executive director of the Department of Economic Opportunity.~~

Section 47. Subsection (5) of section 420.609, Florida Statutes, is amended to read:

420.609 Affordable Housing Study Commission.—Because the Legislature firmly supports affordable housing in Florida for all economic classes:

(5) The commission shall review, evaluate, and make recommendations regarding existing and proposed housing programs and initiatives. The commission shall provide these and any other housing recommendations to the Secretary ~~director~~ of Economic Opportunity ~~the department~~ and the executive director of the corporation.

Section 48. 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 19 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 Secretary ~~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; one representative of the Florida 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; the secretary of the Department of Elder Affairs, or his or her designee; 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 are encouraged to have experience in the administration or provision of resources, services, or housing that addresses the needs of persons experiencing homelessness. 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 49. Paragraph (g) of subsection (1) of section 427.012, Florida Statutes, is amended to read:

427.012 The Commission for the Transportation Disadvantaged.— There is created the Commission for the Transportation Disadvantaged in the Department of Transportation.

(1) The commission shall consist of seven members, all of whom shall be appointed by the Governor, in accordance with the requirements of s. 20.052.

(g) The Secretary of Transportation, the Secretary of Children and Families, the Secretary ~~executive director~~ of the Department of Economic Opportunity, the executive director of the Department of Veterans' Affairs,

the Secretary of Elderly Affairs, the Secretary of Health Care Administration, the director of the Agency for Persons with Disabilities, and a county manager or administrator who is appointed by the Governor, or a senior management level representative of each, shall serve as ex officio, nonvoting advisors to the commission.

Section 50. Subsections (2), (3), and (4) of section 443.1116, Florida Statutes, are amended to read:

443.1116 Short-time compensation.—

(2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer wishing to participate in the short-time compensation program must submit a signed, written, short-time plan to the Department of Economic Opportunity for approval. The Secretary of Economic Opportunity ~~director~~ or his or her designee shall approve the plan if:

- (a) The plan applies to and identifies each specific affected unit;
- (b) The individuals in the affected unit are identified by name and social security number;
- (c) The normal weekly hours of work for individuals in the affected unit are reduced by at least 10 percent and by not more than 40 percent;
- (d) The plan includes a certified statement by the employer that the aggregate reduction in work hours is in lieu of layoffs that would affect at least 10 percent of the employees in the affected unit and that would have resulted in an equivalent reduction in work hours;
- (e) The plan applies to at least 10 percent of the employees in the affected unit;
- (f) The plan is approved in writing by the collective bargaining agent for each collective bargaining agreement covering any individual in the affected unit;
- (g) The plan does not serve as a subsidy to seasonal employers during the off-season or as a subsidy to employers who traditionally use part-time employees;
- (h) The plan certifies that, if the employer provides fringe benefits to any employee whose workweek is reduced under the program, the fringe benefits will continue to be provided to the employee participating in the short-time compensation program under the same terms and conditions as though the workweek of such employee had not been reduced or to the same extent as other employees not participating in the short-time compensation program. As used in this paragraph, the term “fringe benefits” includes, but is not limited to, health insurance, retirement benefits under defined benefit pension plans as defined in subsection 35 of s. 1002 of the Employee Retirement Income Security Act of 1974, 29 U.S.C., contributions under a

defined contribution plan as defined in s. 414(i) of the Internal Revenue Code, paid vacation and holidays, and sick leave;

(i) The plan describes the manner in which the requirements of this subsection will be implemented, including a plan for giving notice, if feasible, to an employee whose workweek is to be reduced, together with an estimate of the number of layoffs that would have occurred absent the ability to participate in short-time compensation; and

(j) The terms of the employer’s written plan and implementation are consistent with employer obligations under applicable federal laws and laws of this state.

(3) APPROVAL OR DISAPPROVAL OF THE PLAN.—The Secretary of Economic Opportunity ~~director~~ or his or her designee shall approve or disapprove a short-time compensation plan in writing within 15 days after its receipt. If the plan is denied, the secretary ~~director~~ or his or her designee shall notify the employer of the reasons for disapproval.

(4) BEGINNING AND TERMINATION OF SHORT-TIME COMPENSATION BENEFIT PERIOD.—A plan takes effect on the date of its approval by the Secretary of Economic Opportunity ~~director~~ or his or her designee and expires at the end of the 12th full calendar month after its effective date.

Section 51. Paragraph (d) of subsection (2) of section 446.53, Florida Statutes, is amended to read:

446.53 Concrete masonry education.—

(2)

(d) In addition to the 13 voting members described in paragraph (a), the Secretary ~~executive director of the Department of Economic Opportunity~~, or his or her designee, shall serve ex officio as a nonvoting member of the board of directors of the council.

Section 52. Section 450.261, Florida Statutes, is amended to read:

450.261 Interstate Migrant Labor Commission; Florida membership.— In selecting the Florida membership of the Interstate Migrant Labor Commission, the Governor may designate the Secretary ~~executive director of the Department of Economic Opportunity~~ as his or her representative.

Section 53. Paragraph (d) of subsection (1), paragraph (a) of subsection (4), and paragraphs (b), (c), and (d) of subsection (5) of section 624.5105, Florida Statutes, are amended to read:

624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration.—

(1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

(d) Each proposal for the granting of such tax credit requires the prior approval of the Secretary of Economic Opportunity ~~director~~.

(4) ADMINISTRATION.—

(a)1. The Department of Economic Opportunity may adopt rules to administer this section, including rules for the approval or disapproval of proposals by insurers.

2. The decision of the Secretary of Economic Opportunity ~~director~~ shall be in writing, and, if approved, the proposal shall state the maximum credit allowable to the insurer. A copy of the decision shall be transmitted to the executive director of the Department of Revenue, who shall apply such credit to the tax liability of the insurer.

3. The Department of Economic Opportunity shall monitor all projects periodically, in a manner consistent with available resources to ensure that resources are utilized in accordance with this section; however, each project shall be reviewed no less frequently than once every 2 years.

4. The Department of Economic Opportunity shall, in consultation with the Florida Housing Finance Corporation and the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

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

(b) ~~“Director” means the director of the Department of Economic Opportunity.~~

(b)(e) “Local government” means any county or incorporated municipality in the state.

(c)(d) “Project” means an activity as defined in s. 220.03(1)(t).

Section 54. Paragraph (f) of subsection (2) of section 1004.015, Florida Statutes, is amended to read:

1004.015 Florida Talent Development Council.—

(2) Members of the council shall include:

(f) The Secretary ~~executive director~~ of the Department of Economic Opportunity.

Section 55. For the 2021-2022 fiscal year, the Department of Economic Opportunity shall take actions to modernize the Reemployment Assistance Claims and Benefits Information System as provided in the General Appropriations Act.

Section 56. This act shall take effect upon becoming a law.

Approved by the Governor May 7, 2021.

Filed in Office Secretary of State May 7, 2021.