

ECONOMIC DEVELOPMENT & TOURISM SUBCOMMITTEE

MEETING PACKET

**Wednesday, January 13, 2016
1:00 PM – 3:00 PM
12 HOB**

**Steve Crisafulli
Speaker**

**Frank Artiles
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Economic Development & Tourism Subcommittee

Start Date and Time: Wednesday, January 13, 2016 01:00 pm
End Date and Time: Wednesday, January 13, 2016 03:00 pm
Location: 12 HOB
Duration: 2.00 hrs

Consideration of the following bill(s):

HB 627 Community Contribution Tax Credits by Moraitis

Consideration of the following proposed committee bill(s):

PCB EDTS 16-01 -- Workforce Development

Presentations:

Division of Emergency Management – Public Assistance Funding for Disasters
Discussion relating to Tourist Development Taxes

Pursuant to rule 7.12, the filing deadline for amendments to bills on the agenda by a member who is not a member of the committee or subcommittee considering the bill is 6:00 p.m., Tuesday, January 12, 2016.

By request of the Chair, all Subcommittee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Tuesday, January 12, 2016.

NOTICE FINALIZED on 01/11/2016 3:09PM by Lawhon.Amanda

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB EDTS 16-01 Workforce Development
SPONSOR(S): Economic Development & Tourism Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Economic Development & Tourism Subcommittee		Lukis AL	Duncan <i>pedd</i>

SUMMARY ANALYSIS

The Proposed Committee Bill (PCB) modifies Florida’s workforce development system to begin the process of the state’s implementation of the federal Workforce Innovation and Opportunity Act (WIOA).

WIOA became law on July 22, 2014, and replaced the Workforce Investment Act of 1998 (WIA) with the aim to improve the workforce development system and the partnerships that sustain it by unifying and enhancing the services offered to job-seekers. In pursuit of that goal, WIOA requires each state to submit a four-year strategic plan outlining goals and methods to be used to develop an educated and skilled workforce. The state plan must be submitted to the United States Department of Labor by March 2016.

In 2015, the Legislature created the WIOA task force to make recommendations to CareerSource Florida, Inc., (CareerSource) in preparation for Florida’s implementation of WIOA. The members of the task force met six times over several months and submitted their recommendations to the CareerSource Board of Directors (Board) for approval. As required by law, the final report containing the Board-approved recommendations was submitted to the Governor, President of the Senate, and the Speaker of the House of Representatives.

The PCB:

- replaces the name of the previous federal law, WIA, with that of the current law, WIOA, and amends other references and nomenclature throughout the Florida statutes to reflect the terminology and workforce assistance structure contemplated by WIOA;
- specifies that the Incumbent Worker Training Program administration should comply with WIOA;
- changes the state five year plan requirement required under WIA to a new four year state plan (to implement WIOA) and amends the process for creating and amending the state’s workforce development strategy;
- requires a memorandum of understanding (MOU) between CareerSource and the Department of Education (DOE) to ensure requirements of WIOA are met in compliance with the state plan;
- requires local workforce development boards to enter into an MOU with each mandatory or optional partner that participates in the one-stop delivery system, which details the partner’s required contribution to infrastructure costs as required in WIOA; and
- requires the Department of Economic Opportunity to consult with DOE on the preparation of the “economic security report of employment and earning outcomes” for degrees or certificates earned at public postsecondary educational institutions.

Additionally, as recommended by the task force, the PCB:

- expands the CareerSource Board to include representation from Enterprise, Florida, Inc., the Division of Career and Adult Education of DOE, and other entities as determined necessary;
- uses “performance accountability measures” established by contract between CareerSource and core program partners to assess performance of the state’s workforce system strategy; and
- aligns the requirements of local workforce development board membership and structure to the requirements of WIOA.

See FISCAL COMMENTS.

The PCB provides an effective date of July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

PRESENT SITUATION

Florida's Workforce System

Background

Like all states, Florida's workforce system is organized pursuant to federal law.¹ Federal workforce laws provide structural requirements for workforce programs and partners, and investment and support in employment services, workforce development activities, job training, adult education, and vocational training throughout the country.²

Although there have been changes over the years, the law that formed the basis for Florida's current workforce system (and other states' workforce systems) is the Workforce Investment Act of 1998 (WIA), which Florida lawmakers largely implemented under the Workforce Innovation Act of 2000 (Act).³

Under the Act, four primary entities (or group of entities) are tasked with administering Florida's workforce system: CareerSource Florida, Inc. (CareerSource), the Department of Economic Opportunity (DEO), the state's 24 Regional Workforce Boards (RWBs), and the state's numerous "one-stop career centers."⁴ As discussed below, each works together and has overlapping responsibilities.⁵

CareerSource Florida, Inc.

CareerSource, a nonprofit corporation administratively housed within DEO, is the "principal workforce policy organization for the state."⁶ CareerSource works in conjunction with DEO and provides state-level workforce policy and planning, and evaluates the performance of various workforce related programs.⁷ CareerSource also oversees various activities implemented by the RWBs.⁸ CareerSource is governed by a board of directors, the majority of which must be representatives from the private sector appointed by the Governor.⁹

Department of Economic Opportunity

DEO assists CareerSource in developing and disseminating policies and provides technical assistance to CareerSource and the RWBs.¹⁰ Additionally, among other statutorily required responsibilities related to Florida's workforce, DEO prepares and submits a budget request for workforce development, ensures that the state appropriately administers federal and state workforce funding, and implements the state's reemployment assistance program.¹¹ DEO also serves as the administrative agency designated for receipt of federal workforce development grants.¹²

¹ See s. 445.003, F.S.

² Library of Congress, 113th Congress (2013-2014), H.R. 803 Section 102 – Workforce Innovation and Opportunity Act, Congress.gov, available at <https://www.congress.gov/bill/113th-congress/house-bill/803/text> (last visited Dec. 8, 2015).

³ Ch. 445, F.S.

⁴ See *id.*

⁵ See *id.*

⁶ Section 445.004(1)-(2), F.S.

⁷ See s. 445.004, F.S.

⁸ See s. 445.004(4)-(11), F.S.

⁹ Section 445.004(3), F.S.

¹⁰ See *id.*; see also DEO's workforce tab on its website at: <http://floridajobs.org/workforce-board-resources> (last visited Feb. 5, 2015).

¹¹ Section 20.60(5)-(6), F.S.

¹² Section 20.60(6), F.S.

Regional Workforce Boards and One-Stop Career Centers

The RWBs, which take policy directives from CareerSource and program and fiscal directives from DEO¹³, develop local workforce plans and directly oversee workforce development activities within the RWBs' regions.¹⁴ The RWBs also designate within their jurisdictions "one-stop delivery system" operators.¹⁵ One-stop delivery systems, which contain one-stop career centers, serve as the state's primary structures for customer-service strategy to offer every Floridian workforce services.¹⁶ Any public or private entity that is eligible to provide services under any state or federal workforce program approved by CareerSource may be designated as a one-stop delivery system operator.¹⁷

The one-stop career centers directly deliver employment services to job seekers and employers and carry-out certain state and federal workforce programs.¹⁸ Services may include, but are not limited to the following:

- job search, referral, and placement assistance;
- career counseling and educational planning;
- child care and transportation assistance;
- adult education and basic skills training;
- technical training leading to a certification or degree;
- claim filing for reemployment assistance; and
- temporary income, health, nutritional, and housing assistance.¹⁹

There are over 100 one-stop career centers throughout the state.²⁰

In addition to and in concert with CareerSource, DEO, the RWBs and one-stop career centers, many partner organizations, programs, and entities, both state and federal, play a major role in the day to day assistance and development of Florida's workforce system.²¹

State Plan

All of the entities and partners that participate in Florida's workforce system currently do so according to a five-year strategic plan developed by CareerSource in conjunction with such entities and partners.²² The strategic plan must be updated by January 1 of each year, must include criteria for allocating workforce resources to RWBs,²³ and must include strategies for the following:

- fulfilling the workforce system goals and strategies prescribed by law²⁴;

¹³ Section 20.60(5)(c), F.S.

¹⁴ See s. 445.007, F.S.

¹⁵ Section 445.009(2), F.S.

¹⁶ See s. 445.009, F.S.

¹⁷ Section 445.009(2), F.S.

¹⁸ Section 445.009, F.S.

¹⁹ Section 445.009(1), F.S.

²⁰ CareerSource Service Center Directory at: <http://www.floridajobs.org/onestop/onestopdir/> (last visited on Dec. 22, 2015).

²¹ See Workforce Florida, Inc., Five Year Strategic Plan (2010-2015), p. 8 #7. (Strategic plan is on file with House staff.) See also: CareerSource Workforce Programs at: <http://www.floridajobs.org/office-directory/division-of-workforce-services/workforce-programs>. Last visited, Dec. 22, 2015.

²² Section 445.003(2), F.S.

²³ Section 445.006(4), F.S.

²⁴ Section. 445.004(10), F.S.: "The workforce development strategy for the state shall be designed by CareerSource Florida, Inc. The strategy must include efforts that enlist business, education, and community support for students to achieve long-term career goals,

- aggregating, integrating, and leveraging workforce system resources;
- coordinating the activities of federal, state, and local workforce system partners;
- addressing the workforce needs of small businesses; and
- fostering the participation of rural communities and distressed urban cores in the workforce system.²⁵

Further, CareerSource must establish an *operational* plan to implement the state strategic plan.²⁶ CareerSource must submit the operational plan to the Governor and the Legislature along with the strategic plan and reflect the allocation of resources as appropriated by the Legislature.

As a component of the operational plan, CareerSource must develop a workforce marketing plan, with the goal of educating individuals inside and outside the state about Florida's employment market conditions.²⁷ The operational plan must also include performance measures, measurement criteria, and contract guidelines with respect to participants in the welfare transition program²⁸ and strategies that are designed to prevent or reduce the need for a person to receive public assistance.²⁹

Performance Review

Florida law requires CareerSource to establish, in collaboration with the RWBs and in consultation with the Office of Program Policy Analysis and Government Accountability (OPPAGA), uniform measures and standards to gauge the performance of the state's workforce development strategy. The measures and standards must be organized into three "outcome tiers".³⁰

- The first tier "must be organized to provide benchmarks for system-wide outcomes."³¹
- The second tier "must be organized to provide a set of benchmark outcomes for the strategic components of the workforce development strategy."³²
- The third tier "must be the operational output measures to be used by the agency implementing programs, which may be specific to federal requirements."³³

By December 1 of each year, CareerSource has to provide the Legislature with a report detailing the performance of Florida's workforce development system, as reflected in the three-tier system.³⁴ The report also must benchmark Florida outcomes for all tiers as compared with other states that collect data similarly.³⁵

In addition, the Auditor General may conduct an audit of CareerSource, or the programs or entities created by CareerSource.³⁶ OPPAGA may also review the systems and controls related to performance outcomes and quality of services offered by CareerSource and its partners.³⁷

ensuring that young people have the academic and occupational skills required to succeed in the workplace. The strategy must also assist employers in upgrading or updating the skills of their employees and assisting workers to acquire the education or training needed to secure a better job with better wages. The strategy must assist the state's efforts to attract and expand job-creating businesses offering high-paying, high-demand occupations."

²⁵ Section 445.006(1), F.S.

²⁶ Section 445.006(2), F.S.

²⁷ *Id.*

²⁸ Section 445.006(3), F.S.

²⁹ Section 445.006(6), F.S.

³⁰ Section 445.004(9), F.S.

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ Section 445.004(8).

³⁷ *Id.*

Economic Security Report

In tune with requiring an organized performance review of Florida's workforce system, Florida law also requires DEO to prepare, or contract with an entity to prepare, an annual economic security report of employment and earning outcomes for degrees or certificates earned at public post-secondary educational institutions.³⁸ The report must be clear and accessible to the public, available online, and include the following:

- data on the employment of graduates of a degree or certificate program from a public postsecondary educational institution the year after and five years after the degree or certificate is earned by number and percentage; and
- data on the earnings of graduates of a degree or certificate program from a public postsecondary educational institution the year after earning the degree or certificate.³⁹

The Workforce Innovation and Opportunity Act (2014)⁴⁰

Background

On July 22, 2014, the President of the United States signed into law a new federal workforce law to replace WIA: the Workforce Innovation and Opportunity Act (WIOA).⁴¹

WIOA maintains the broad framework of WIA (i.e., it maintains a centralized structure of power with a statewide workforce board and a form of regional boards and one-stop centers), but includes provisions aimed at unifying workforce system partners and providers, streamlining programs, easing reporting requirements, and reducing administrative barriers.

The Federal Register Online lays out the major changes in WIOA:⁴²

- WIOA requires a single state four-year plan that governs workforce programs as one system and connects strategic needs with service strategies.
- WIOA streamlines the governing bodies that establish state, regional and local workforce investment priorities by reducing the size of state and local workforce boards and assigning them additional responsibilities.
- WIOA creates a common performance accountability system and information system for job seekers and the public. WIOA also ensures that Federal investments in employment, education, and training programs are evidence-based and data-driven, and accountable to participants and the public.
- WIOA promotes alignment of workforce development programs with regional economic development strategies to meet the needs of local and regional employers.
- WIOA helps jobseekers and employers acquire the services they need in one-stop centers and online by clarifying the roles and responsibilities of the one-stop partner programs, adding the

³⁸ Section 445.07(1), F.S.

³⁹ Section 445.07(2), F.S.

⁴⁰ As used here and throughout this analysis, information related to WIOA stems from both the text of the law as well as the proposed rules, through which the United States Department of Labor will implement WIOA. The proposed rules are available at <https://www.federalregister.gov/articles/2015/04/16/2015-05530/workforce-innovation-and-opportunity-act-notice-of-proposed-rulemaking#h-13>. Last visited December 29, 2015.

⁴¹ Library of Congress, 113th Congress (2013-2014), H.R. 803 – Workforce Innovation and Opportunity Act, Congress.gov, available at <https://www.congress.gov/bill/113th-congress/house-bill/803/actions> (last visited Dec 8, 2015).

⁴² Federal Register, Workforce Innovation and Opportunity Act; Notice of Proposed Rulemaking. Supplementary Information: III. B. Major Changes From Current Workforce Investment Act of 1998. Available at: <https://www.federalregister.gov/articles/2015/04/16/2015-05530/workforce-innovation-and-opportunity-act-notice-of-proposed-rulemaking#h-13>. Last visited, December 21, 2015.

Temporary Assistance for Needy Families “TANF” program as a required one-stop partner (unless the Governor objects), requiring competitive selection of one-stop operators, and requiring the use by the one-stop system of a common one-stop delivery identifier or brand.

- WIOA stresses physical and programmatic accessibility, including the use of accessible technology to increase individuals with disabilities' access to high quality workforce services.
- WIOA emphasizes services to disconnected youth to prepare them for successful employment by increasing required spending on out-of-school youth programs and work-based training activities at the local level including on-the-job training and summer jobs. WIOA also increases out-of-school youths' access to WIOA services, including pre-apprenticeship programs that result in registered apprenticeships.
- WIOA ensures the workforce system is job-driven—matching employers with skilled individuals. In doing so, WIOA requires local boards (discussed below) to promote the use of industry and sector partnerships that include key stakeholders in an industry cluster or sector that work with public entities to identify and address the workforce needs of multiple employers.

Additionally, WIOA requires robust relationships across programs and with businesses, economic development, education and training institutions, including community colleges and career and technical education, local entities, and supportive services agencies.⁴³

Planning Regions, Local Workforce Development Areas, One-Stop Centers, and the State Plan

WIOA’s “planning regions”, “local workforce development areas”, one-stop centers, and the four-year state plan warrant additional review.

WIOA Planning Regions and Local Workforce Development Areas

WIOA requires states to identify planning regions that consist of one or more local workforce development areas.⁴⁴ Local workforce development areas, governed by a local board, serve as jurisdictions for the administration of workforce development activities and execution of federal workforce programs.⁴⁵

According to the proposed WIOA regulations, the purpose of planning regions is to “align workforce development activities and resources with larger regional economic development areas and available resources to provide coordinated and efficient services to both job seekers and employers.”⁴⁶ The regulations also recognize that regional cooperation may lower cost and increase the effectiveness of service delivery to businesses and/or industries that span more than one local workforce development area or that cross state borders.⁴⁷

According to WIOA, states should consider the following factors in determining planning regions:

- consistency with labor market areas in the state;
- consistency with regional economic development areas in the state;
- availability of federal and non-federal resources necessary to effectively administer activities under subtitle B and other applicable WIOA provisions, including whether the areas have the

⁴³ *Id.*

⁴⁴ Federal Register, Workforce Innovation and Opportunity Act; Notice of Proposed Rulemaking, Section by Section Analysis, Subpart B, Section 679.200, Published April 16, 2015, available at: <https://www.federalregister.gov/articles/2015/04/16/2015-05530/workforce-innovation-and-opportunity-act-notice-of-proposed-rulemaking>.

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ CareerSource Florida, Inc., Florida Workforce Innovation and Opportunity Act, Implementation Recommendations, page 7.

Available at: http://careersourceflorida.com/wp-content/uploads/2015/11/151120_CombinedAttachments.pdf. Last visited: December 29, 2015.

appropriate institutions of higher education and area career and technical education schools;
and

- input from local elected officials.⁴⁸

Once the state determines its planning regions, local workforce development boards and local elected officials in those regions will use regional economic data to form a regional plan that results in the establishment of regional strategies for service delivery and sector strategies for in-demand industry sectors or occupations for the region.⁴⁹ The plan should identify ways in which the region will coordinate services and the establishment of administrative cost arrangements, including the pooling of funds for administrative costs as appropriate.⁵⁰

Changes to the structure and operation of one-stop centers

WIOA identifies “one-stop required partner programs” that include a variety of federally funded employment and training programs administered by a number of federal agencies including the United States Department of Labor, United States Department of Education and the United States Department of Health and Human Services.⁵¹ Some required programs are also “core” programs, which must be part of the state plan.⁵²

According to WIOA, the required partner programs should be delivered through the one-stop system and contribute to the costs of one-stop infrastructure.⁵³ The required one-stop career center partner programs identified under WIOA are the following:

- WIOA Adult, Dislocated Worker and Youth programs (core);
- Wagner-Peyser Employment Service (core);
- Adult Education and Literacy (core);
- Vocational Rehabilitation (core);
- Title V of Older Americans Act (Senior Community Service Employment Program);
- Perkins Career and Technical Educational (CTE) programs;
- Trade Adjustment Assistance (TAA);
- Veterans Employment and Training;
- Community Services Block Grant (CSBG) employment programs;
- HUD employment programs;
- Unemployment Insurance;
- Second Chance Act; and
- Temporary Assistance to Needy Families (TANF).⁵⁴

WIOA also identifies various additional partner programs that may be part of a local one-stop delivery system.⁵⁵ These include the following:

- Social Security Administration employment and training programs;

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ *Id.* at 8.

⁵² *Id.* at 11.

⁵³ *Id.* at 8.

⁵⁴ *Id.*

⁵⁵ *Id.*

- Florida Small Business Development Center Network;
- Supplemental Nutrition Assistance Program (SNAP) employment and training programs;
- Vocational Rehabilitation special projects and demonstrations;
- National and Community Service Act programs; and
- other federal, state or local programs.⁵⁶

The WIOA one-stop career center required programs provide the funding and authorization for delivery of a host of employment and training services.⁵⁷ Each program has its own rules and regulations; however, the vision of WIOA is that these required programs have a coordinated and integrated service delivery structure to facilitate improved outcomes and customer experiences for both employers and job seekers.⁵⁸ To that end, WIOA specifically identifies the following roles and responsibilities of required partner programs:

- 1) provide access through the one-stop delivery system to such program or activities, including career services;
- 2) use a portion of the funds available for the program and activities to maintain the one-stop delivery system, including payment of the infrastructure costs of one-stop centers;
- 3) enter into a local memorandum of understanding with the local board, relating to the operation of the one-stop system;
- 4) participate in the operation of the one-stop system consistent with the terms of the memorandum of understanding and legal requirements; and
- 5) provide representation on the state board to the extent provided under WIOA.⁵⁹

One-stop center cost sharing under WIOA

WIOA Section 121 outlines the requirements for the establishment of one-stop delivery systems.⁶⁰ This section states that infrastructure costs must be shared by all of the required partners in the system.⁶¹ Infrastructure costs are defined as non-personnel costs that are necessary for the general operation of the one-stop career center, including:

- rental costs of facilities;
- costs of utilities and maintenance;
- equipment, including assessment related products and assistive technology for individuals with disabilities; and
- technology to facilitate access to the one-stop career center, including one-stop planning and outreach activities.⁶²

In each local workforce development area, the local workforce development board, chief elected officials and one-stop career center partners are charged with agreeing on a methodology for

⁵⁶ *Id.* at 8-9.

⁵⁷ *Id.* at 9.

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.* at 9-10.

⁶² CareerSource Florida, Inc., Florida Workforce Innovation and Opportunity Act, Implementation Recommendations, page 10.

Available at: http://careersourceflorida.com/wp-content/uploads/2015/11/151120_CombinedAttachments.pdf. Last visited: December 29, 2015.

determining the infrastructure cost contributions.⁶³ These agreements will be captured in memorandums of understanding among the local board and the one-stop career center partners.⁶⁴

To be eligible for infrastructure funds, one-stop career centers must be certified by local boards as meeting criteria regarding the effectiveness and the physical and programmatic accessibility of the center in accordance with the Americans with Disabilities Act of 1990, and continuous improvement of one-stop career centers and the one-stop delivery system. This certification must occur every three years.⁶⁵

WIOA leaves the negotiation of infrastructure cost sharing to the local workforce development area.⁶⁶ If local officials are unable to reach consensus, an infrastructure funding methodology determined by the Governor that is based upon the following WIOA guidelines must be used.⁶⁷

- Adult, Dislocated Worker and Youth shall not exceed 3 percent of the federal funds provided to the state.⁶⁸
- Vocational Rehabilitation shall not exceed the following:
 - .75 percent of the federal funds provided to the state in the second full program year;
 - 1 percent of the federal funds provided to the state in the third full program year;
 - 1.25 percent of the federal funds provided to the state in the fourth full program year; and
 - 1.5 percent of the federal funds provided to the state in the fifth full program year and in each succeeding year.⁶⁹
- Other partners shall not exceed 1.5 percent of the federal funds provided to the state.⁷⁰

State four year plan: "Combined" vs. "Unified"

WIOA requires a single, "Unified State Plan" covering all core programs authorized under the law, which include the following:

- Adult, Dislocated Worker and Youth workforce investment activities in title I, subtitle B;
- Adult Education and Literacy activities in title II;
- employment service activities authorized by the Wagner-Peyser Act and title III; and
- vocational rehabilitation services in title IV and title I of the Rehabilitation Act of 1973.⁷¹

WIOA also provides an option for states to submit a "Combined Plan" that includes the core programs listed above in addition to plans for one or more of the following workforce programs:

- Career and technical education programs authorized by the Perkins Act Temporary Assistance for Needy Families programs authorized under part A of title IV of the Social Security Act;
- employment and training programs authorized under section 6(d)(4) of the Food and Nutrition Act;
- work programs authorized under section 6(o) of the Food and Nutrition Act;
- trade adjustment assistance activities and NAFTA-TAA;

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.* at 11.

- veterans' activities authorized under Chapter 41 of title 38 United States Code;
- programs authorized under state unemployment compensation laws;
- Senior Community Service Employment Programs under title V of the Older Americans Act;
- employment and training activities carried out by the Department of Housing and Urban Development;
- employment and training activities carried out under the Community Services Block Grant Act; and
- reintegration of offenders programs authorized under section 212 of the Second Chance Act.⁷²

Under WIOA, states are required to submit unified or combined plans by March 2016.⁷³ The plan must describe the state's overall strategy for workforce development and how the strategy meets identified needs for workers, job seekers and employers.⁷⁴ In turn, local plans must describe how services provided at the local level are aligned to regional market needs.⁷⁵

Florida's Workforce Innovation and Opportunity Task Force

Chapter 2015-98, Laws of Florida, created the Workforce Innovation and Opportunity Task Force (Task Force) to "develop recommendations for the state's implementation of the federal Workforce Innovation and Opportunity Act."

The Task Force consisted of the following members:

- the President of CareerSource, Florida, Inc., who is required to serve as a member and the chair of the Task Force; and
- the Executive Director of the Department of Economic Opportunity or his or her designee;
- the Commissioner of Education or his or her designee;
- the Chancellor of the State University System or his or her designee;
- the Chancellor of the Florida College System or his or her designee;
- the Chancellor of the Division of Career and Adult Education of the Department of Education or his or her designee;
- the director of the Division of Vocational Rehabilitation of the Department of Education or his or her designee;
- the director of the Division of Blind Services of the Department of Education or his or her designee;
- the director of the Agency for Persons with Disabilities or his or her designee;
- the Secretary of Elderly Affairs or his or her designee;
- the Secretary of Children and Families or his or her designee;
- the Secretary of Juvenile Justice or his or her designee;
- the Secretary of Corrections or his or her designee;
- the president of Enterprise Florida, Inc., or his or her designee;

⁷² *Id.* at 11-12.

⁷³ *Id.* at 12.

⁷⁴ *Id.*

⁷⁵ *Id.*

- the president of the Florida Workforce Development Association, Inc., and two of his or her designees from regional workforce boards, one of whom must be a representative of a rural regional workforce board;
- the statewide director of the Florida Small Business Development Center Network or his or her designee;
- the president of the Florida Association of Postsecondary Schools and Colleges, Inc., or his or her designee; and
- the president of the Independent Colleges and Universities of Florida, Inc., or his or her designee.⁷⁶

The members of the Task Force met six times⁷⁷ over several months to learn about WIOA, deliberate on how best to implement WIOA in Florida, and ultimately develop recommendations, which were submitted to CareerSource's board of directors (Board).⁷⁸ The Board considered and approved the Task Force's recommendations at its November 4, 2015 meeting.⁷⁹ As required, CareerSource subsequently submitted a report, which included the approved recommendations to the Governor, Senate President, and the Speaker of the House of Representatives on November 24, 2015. The following questions and bullet points lay out the Task Force's recommendations as set forth in the report.⁸⁰

*How should Florida's Workforce Innovation and Opportunity Act planning regions be organized?*⁸¹

- The Task Force members presented a variety of regional structures that are currently utilized to serve customers throughout Florida. Because regional planning has the greatest implications for the CareerSource Florida network, much discussion surrounded the impact on the existing local workforce development areas (currently known as regional workforce boards or workforce regions).
- Recommendations submitted through the Task Force process encouraged continuing conversations within the CareerSource Florida Network after the Task Force completed its work. At the September 21 CareerSource board meeting, the Florida Workforce Development Association (FWDA) and CareerSource proposed a joint recommendation to designate the existing 24 local workforce development areas as WIOA regional planning areas in the first WIOA state plan submitted in March 2016. This plan will specify that the 24 local boards would engage chief elected officials, community and business leaders, economic developers and others in public meetings and hearings leading to recommended regional planning areas for endorsement by the CareerSource Florida board of directors to the Governor for inclusion within the March 2018 update to the March 2016 State Workforce Development Strategic Plan.⁸²

*What should be included in a comprehensive one-stop career center?*⁸³

⁷⁶ Chapter 2015-98, s. 60(2), L.O.F. The members of the Task Force serve without compensation but are entitled to reimbursement for per diem and travel expenses in accordance with s. 112.061, F.S. Such per diem and travel expenses incurred by a member of the Task Force must be paid from funds budgeted to the state agency or entity that the member represents.

⁷⁷ Two webinars and four in-person meetings: April 29 Webinar, May 14 Meeting, June 11 Meeting, July 16 Meeting, August 6 Meeting, August 27 Webinar

⁷⁸ CareerSource Florida, Inc., Florida Workforce Innovation and Opportunity Act, Implementation Recommendations, *available at*: http://careersourceflorida.com/wp-content/uploads/2015/11/151120_CombinedAttachments.pdf. Last visited: December 29, 2015.

⁷⁹ By law, the recommendations had to be presented to and approved by the board of directors of CareerSource and ultimately sent in a report to the Governor, the President of the Florida Senate, and the Speaker of the Florida House of Representatives by December 1, 2015. Chapter 2015-98, s. 60(2), L.O.F.

⁸⁰ *Id.* at 7-15.

⁸¹ *Id.* at 7-8.

⁸² *Id.*

⁸³ *Id.* at 8-9. Materials related to recommendations regarding this topic are included in Attachments 3, 4, and 5 of the Implementation Recommendations.

- One-stop career centers should be inclusive while providing flexibility as it relates to the levels of participation from required partners. The Task Force proposed that CareerSource Florida work with DEO and the core partners to develop a certification tool that provides for a uniform expectation of the levels of service for career centers. The first draft of this tool will be reviewed with the CareerSource Florida Strategic Policy Council in October, while also receiving input from required partners.

How should WIOA-required one-stop career center partners share infrastructure costs?⁸⁴

- Task Force members representing the Department of Education Divisions of Blind Services and Vocational Rehabilitation recommended that infrastructure cost sharing be determined by the Department of Education at the state level pursuant to WIOA requirements. For the core program of Adult Education, it was recommended that infrastructure cost negotiations should occur at the local level, where appropriations are made via school districts, and be responsive to the needs of the local workforce development area. Pursuant to requirements set forth in WIOA, CareerSource can assist in local negotiations when an agreement cannot otherwise be reached.
- It was also recommended that Perkins Act funding, although a required career center partner and subject to cost sharing, would not contribute toward infrastructure cost at this time based on the pending federal reauthorization of the program and the need for additional time to explore partnerships with the CareerSource Florida network. Chancellor Rod Duckworth remarked during the Task Force's July 16 meeting that the goal would be to integrate the program, its functions, and infrastructure cost sharing into a combined workforce plan in the future. This was the only required career center partner who submitted a recommendation to delay infrastructure cost sharing.

Which programs and entities should be included in Florida's workforce development system (combined or unified planning)?⁸⁵

- Optional combined planning partners should be able to voluntarily participate in workforce development planning as part of Florida's WIOA strategic state plan if they choose. This approach would not require any program or entity to participate in workforce planning other than the required core programs.
- During the Task Force meetings, there were no recommendations to include optional planning partners. Instead, the Task Force discussed submitting an initial unified plan that provides a timeline to incorporate combined planning partners in outlying years. The initial plan would recognize Florida's intention to move toward a combined plan with a staged approach. This would allow for alignment of current planning timeframes, cross training on program collaboration opportunities, and better integration of reporting mechanisms necessary in a combined plan.

Since WIOA requires common measurement and planning for the core programs, what governance or organizational structure would lead to the best outcomes?⁸⁶

- While WIOA contemplates state and local workforce development board membership participation from the core programs, additional career center partners and potential combined planning partners should be encouraged to participate. Specifically, the Florida Agency for Persons with Disabilities, the Florida Department of Corrections and the Florida Small Business Development Center Network should serve on the CareerSource Florida Board.

⁸⁴ *Id.* at 9-11. Materials related to recommendations regarding this topic are included in Attachments 3, 4, and 5 of the Implementation Recommendations.

⁸⁵ *Id.* at 11-12. Materials related to recommendations regarding this topic are included in Attachments 3, 4, and 5 of the Implementation Recommendations.

⁸⁶ *Id.* at 12-13. Materials related to recommendations regarding this topic are included in Attachments 4 and 5 of the Implementation Recommendations.

- This recommendation seeks to examine and refine state and local workforce development board makeup to include partners that will lead Florida to a more comprehensive workforce development system.
- Board participation also would provide for those core programs to report their performance accountability measures to the CareerSource Board and to local workforce development boards. Utilizing a mechanism similar to that employed between CareerSource and DEO, performance expectations could be set via a memorandum of understanding and reported quarterly to the CareerSource Board through the programs' board representatives.

How can Florida's workforce development system better share information, systems and/or customers?⁸⁷

- Resources can best be utilized by integrating existing systems to provide for a common intake and reporting system. Each core program partner and optional partner uses a technology system unique to its constituency, in which all information may not be necessary for intake and reporting for Florida's workforce development system. It follows that Florida's approach should be to align current systems for WIOA compliance, rather than advocating a new information system for all partners.
- Furthermore, some Task Force members recommended that the Employ Florida Marketplace, Florida's job-matching system, should be integrated, as a requirement, into career services available through state college and state university career centers. The Florida College System supports career services utilizing all tools available, including Employ Florida Marketplace.

What can Florida's workforce development system do to best serve individuals with obstacles to employment?⁸⁸

- The Task Force recommended that career centers employ universal design principles in their operations, including such requirements in a career center certification tool. It emphasized the importance of universal design for online or technology-oriented resources. It was also suggested that maintaining the integrity of systems for unique constituent populations would be important to be sure job seekers with disabilities are provided every opportunity to be successful. Enhanced board membership that would include the partner programs serving these populations would allow more opportunities for those with specialized needs to be considered in decision making.

What resources or relationships do you need to implement WIOA?⁸⁹

- Most Task Force recommendations on this topic centered on process-oriented needs such as memorandums of understanding developed and negotiated at the state level that outline roles and responsibilities. State-level memorandums of understanding could be explored for Department of Education programs as necessary.
- The Task Force recognized that special provisions for lease arrangements in which opportunities for co-location are explored may need to be included in state law along with appropriate partner decision-making processes.
- Enhanced data-sharing arrangements between partners should be explored as necessary to facilitate reporting.

Other Recommendations:⁹⁰

⁸⁷ *Id.* at 13. Materials related to recommendations regarding this topic are included in Attachments 3, 4, and 5 of the Implementation Recommendations.

⁸⁸ *Id.* at 14. Materials related to recommendations regarding this topic are included in Attachments 3, 4, and 5 of the Implementation Recommendations.

⁸⁹ *Id.* at 14-15. Materials related to recommendations regarding this topic are included in Attachments 4 and 5 of the Implementation Recommendations.

- Change state law references from regional workforce board to local workforce development board.
- Utilize WIOA resources to promote registered apprenticeships.
- Cross-train individuals who interface with job seekers on core programs.
- Provide after-hours access to job seekers through expanded career center hours.
- Align state law governing local workforce development board structure to WIOA.

Upon completion of its work the WIOA Task Force disbanded on September 8, 2015.⁹¹ However, CareerSource must incorporate the Task Force's recommendations into the state's plan required by WIOA.⁹²

Next Steps in WIOA Implementation

CareerSource continues to utilize information and data gathered from its workforce development partners and the Task Force's recommendations to finalize Florida's four-year state plan, which must be submitted to the United States Department of Labor by March 2016.⁹³ As the state's implementation of WIOA proceeds, additional modifications to the state workforce development system CareerSource may be requested for consideration by the Legislature.

Effect of Proposed Changes

The Proposed Committee Bill (PCB) updates and amends the Florida statutes to reflect the federal change in law from WIA to WIOA and the Task Force's recommendations. Specifically, the PCB:

- replaces the name of the old federal law (WIA) with that of the new law (WIOA), and amends other references and nomenclature throughout the Florida statutes to reflect the new terminology and workforce assistance structure contemplated by WIOA;⁹⁴
- specifies that the Incumbent Worker Training Program administration should comply with WIOA;
- changes the current state five year plan requirement (used to implement WIA) to a new four year state plan (to implement WIOA);
- requires a memorandum of understanding (MOU) between CareerSource and the Department of Education (DOE) to ensure requirements of WIOA are met in compliance with the state plan;
- removes language that relates to optional federal partners' integration with the state plan to comply with WIOA;
- adopts a Task Force recommendation to expand CareerSource's board to include the vice chairperson of the board of directors of Enterprise Florida, Inc., and one member representing each of the WIOA partners, including the Division of Career and Adult Education, and other entities representing programs identified in WIOA as determined necessary;
- adopts a Task Force recommendation to replace the current "tiers" system used to gauge performance of the state's workforce system strategy, in favor of "performance accountability measures" that are set by contract between CareerSource and core program partners and are reported on by one-stop partners to the Board;

⁹⁰ *Id* at 15.

⁹¹ E-mail from April Money, Director of Government Relations for CareerSource Florida, Inc., to House Staff on Monday, December 7, 2015 at 4:52 pm. E-mail on file with House Staff. Chapter 2015-98, s. 60(5), L.O.F., provides that the Task Force: "is abolished June 30, 2016, or at an earlier date as provided by the task force." (Emphasis added.)

⁹² Chapter 2015-98, s. 60(4), L.O.F.

⁹³ Library of Congress, 113th Congress (2013-2014), H.R. 803 Section 102 – Workforce Innovation and Opportunity Act, Congress.gov, available at <https://www.congress.gov/bill/113th-congress/house-bill/803/text> (last visited Dec. 8, 2015).

⁹⁴ For example, "regional workforce board" is changed to "local workforce development board."

- amends the process for creating and modifying the state’s workforce development strategy;
- adopts a Task Force recommendation to align the requirements of local workforce development board membership and structure to the requirements of WIOA;
- requires local workforce development boards to enter into an MOU with each mandatory or optional partner that participates in the one-stop delivery system, which details the partner’s required contribution to infrastructure costs as required in WIOA;
- updates a reference to the public assistance information system used by the Department of Children and Families; and
- requires DEO to consult with DOE on the preparation of the “economic security report of employment and earning outcomes” for degrees or certificates earned at public postsecondary educational institutions.

B. SECTION DIRECTORY:

- Section 1: Amends s. 20.60, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 2: Amends s. 212.08, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 3: Amends s. 220.183, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 4: Amends s. 250.10, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 5: Amends s. 288.047, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 6: Amends s. 290.0056, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 7: Amends s. 322.34, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 8: Amends s. 341.052, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 9: Amends s. 414.045, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 10: Amends s. 414.065, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 11: Amends s. 414.085, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 12: Amends s. 414.095, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 13: Amends s. 414.105, F.S., changing “regional workforce board” to “local workforce development board.”

- Section 14: Amends s. 414.106, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 15: Amends s. 414.295, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 16: Amends s. 420.623, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 17: Amends s. 420.624, F.S., changing “Workforce Investment Act” to “Workforce Innovation and Opportunity Act.”
- Section 18: Amends s. 427.013, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 19: Amends s. 427.0155, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 20: Amends s. 427.0157, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 21: Amends s. 443.091, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 22: Amends s. 443.1116, F.S., changing “Workforce Investment Act” to “Workforce Innovation and Opportunity Act.”
- Section 23: Amends s. 445.003, F.S., providing for the implementation of the federal Workforce Innovation and Opportunity Act through a 4-year plan; removing language relating to optional federal partners integration with the state plan; clarifying that Incumbent Worker Training program administration should comply with WIOA; removing language related to the negotiation and settlement of issues with the United States Department of Labor; requiring an MOU between CareerSource Florida, Inc., and the Department of Education to ensure requirements of WIOA are met in compliance with the state plan; and conforming provisions to changes made by WIOA.
- Section 24: Amends s. 445.004, F.S., specifying new membership requirements for the CareerSource Florida, Inc., board of directors; changing the method by which the state will gauge its workforce performance; and conforming provisions to WIOA nomenclature.
- Section 25: Amends s. 445.006, F.S., updating the structure and requirements of the state plan to comply with WIOA and conforming provisions to changes made by WIOA.
- Section 26: Amends s. 445.007, F.S., requiring local workforce development board structure and membership to comply with WIOA; establishing regional planning areas to comply with WIOA; and conforming provisions to WIOA nomenclature.
- Section 27: Amends s. 445.0071, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 28: Amends s. 445.009, F.S., directing the one-stop system to comply with WIOA; requiring local workforce development boards to enter into a memorandum of understanding with each mandatory or optional partner detailing each partner’s required contribution to infrastructure costs; updating a reference to the public assistance information system

used by the Department of Children and Families; and conforming provisions to WIOA nomenclature.

- Section 29: Amends s. 445.014, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 30: Amends s. 445.016, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 31: Amends s. 445.017, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 32: Amends s. 445.021, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 33: Amends s. 445.022, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 34: Amends s. 445.024, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 35: Amends s. 445.025, F.S., changing “regional workforce board” to “local workforce development board” and “Workforce Investment Act” to “Workforce Innovation and Opportunity Act.”
- Section 36: Amends s. 445.026, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 37: Amends s. 445.030, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 38: Amends s. 445.031, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 39: Amends s. 445.048, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 40: Amends s. 445.051, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 41: Amends s. 445.07, F.S., requiring DEO to consult with DOE on the preparation of a certain report.
- Section 42: Amends s. 985.622, F.S., changing “Workforce Investment Act” to “Workforce Innovation and Opportunity Act.”
- Section 43: Amends s. 1002.83, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 44: Amends s. 1003.491, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 45: Amends s. 1003.492, F.S., changing “regional workforce board” to “local workforce development board.”

- Section 46: Amends s. 1003.493, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 47: Amends s. 1003.4935, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 48: Amends s. 1003.52, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 49: Amends s. 1004.93, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 50: Amends s. 1006.261, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 51: Amends s. 1009.25, F.S., changing “regional workforce board” to “local workforce development board.”
- Section 52: Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See FISCAL COMMENTS.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

According to CareerSource, costs for the first year of WIOA implementation (FY 2016-17) will be absorbed through the state’s federal funding. Costs to participating agencies, which are projected to be minimal will be managed within the respective agency budgets.⁹⁵

⁹⁵ E-mail correspondence from April Money, Director of Governmental Relations, CareerSource Florida, Inc. E-mail received January 8, 2016 at 9:03 am. E-mail on file with House staff.

As the state's implementation of WIOA proceeds, additional costs may be incurred in future years for data sharing and information technology projects in order to improve the collaboration amongst the various workforce development system partners.⁹⁶

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The PCB does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The PCB does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The PCB does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

⁹⁶ *Id.*

27 partners, to develop a state plan for workforce
 28 development; requiring the state plan to include a
 29 strategic plan and an operational plan; revising
 30 requirements related to the plans; conforming
 31 provisions to changes made by the act; amending s.
 32 445.007, F.S.; revising local workforce development
 33 board membership requirements; requiring CareerSource
 34 Florida, Inc., to establish regional planning areas
 35 subject to certain requirements; requiring local
 36 workforce development boards and specified officials
 37 to prepare a regional workforce development plan;
 38 conforming provisions to changes made by the act;
 39 amending s. 445.0071, F.S.; conforming provisions to
 40 changes made by the act; amending s. 445.009, F.S.;
 41 requiring a local workforce development board to enter
 42 into a memorandum of understanding with each mandatory
 43 or optional partner for certain purposes; providing
 44 that costs will be allocated pursuant to a policy
 45 established by the Governor under certain conditions;
 46 revising the systems that may be accessed with the
 47 one-stop delivery system; conforming provisions to
 48 changes made by the act; amending ss. 445.014,
 49 445.016, 445.017, 445.021, 445.022, 445.024, 445.025,
 50 445.026, 445.030, 445.031, 445.048, and 445.051, F.S.;
 51 conforming provisions to changes made by the act;
 52 amending s. 445.07, F.S.; requiring the Department of

53 Education to consult with the Department of Economic
 54 Opportunity in preparing, or contracting with an
 55 entity to prepare, certain economic security reports;
 56 amending ss. 985.622, 1002.83, 1003.491, 1003.492,
 57 1003.493, 1003.4935, 1003.52, 1004.93, 1006.261, and
 58 1009.25, F.S.; conforming provisions to changes made
 59 by the act; providing an effective date.

60

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

62

63 Section 1. Paragraph (c) of subsection (5) of section
 64 20.60, Florida Statutes, is amended to read:

65 20.60 Department of Economic Opportunity; creation; powers
 66 and duties.—

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

70 (c) The Division of Workforce Services shall:

71 1. Prepare and submit a unified budget request for
 72 workforce development in accordance with chapter 216 for, and in
 73 conjunction with, CareerSource Florida, Inc., and its board.

74 2. Ensure that the state appropriately administers federal
 75 and state workforce funding by administering plans and policies
 76 of CareerSource Florida, Inc., under contract with CareerSource
 77 Florida, Inc. The operating budget and midyear amendments
 78 thereto must be part of such contract.

79 a. All program and fiscal instructions to local ~~regional~~
 80 workforce development boards shall emanate from the Department
 81 of Economic Opportunity pursuant to plans and policies of
 82 CareerSource Florida, Inc., which shall be responsible for all
 83 policy directions to the local ~~regional~~ workforce development
 84 boards.

85 b. Unless otherwise provided by agreement with
 86 CareerSource Florida, Inc., administrative and personnel
 87 policies of the Department of Economic Opportunity apply.

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

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

94 Section 2. Paragraph (p) of subsection (5) of section
 95 212.08, Florida Statutes, is amended to read:

96 212.08 Sales, rental, use, consumption, distribution, and
 97 storage tax; specified exemptions.—The sale at retail, the
 98 rental, the use, the consumption, the distribution, and the
 99 storage to be used or consumed in this state of the following
 100 are hereby specifically exempt from the tax imposed by this
 101 chapter.

102 (5) EXEMPTIONS; ACCOUNT OF USE.—

103 (p) Community contribution tax credit for donations.—

104 1. Authorization.—Persons who are registered with the

105 department under s. 212.18 to collect or remit sales or use tax
 106 and who make donations to eligible sponsors are eligible for tax
 107 credits against their state sales and use tax liabilities as
 108 provided in this paragraph:

109 a. The credit shall be computed as 50 percent of the
 110 person's approved annual community contribution.

111 b. The credit shall be granted as a refund against state
 112 sales and use taxes reported on returns and remitted in the 12
 113 months preceding the date of application to the department for
 114 the credit as required in sub-subparagraph 3.c. If the annual
 115 credit is not fully used through such refund because of
 116 insufficient tax payments during the applicable 12-month period,
 117 the unused amount may be included in an application for a refund
 118 made pursuant to sub-subparagraph 3.c. in subsequent years
 119 against the total tax payments made for such year. Carryover
 120 credits may be applied for a 3-year period without regard to any
 121 time limitation that would otherwise apply under s. 215.26.

122 c. A person may not receive more than \$200,000 in annual
 123 tax credits for all approved community contributions made in any
 124 one year.

125 d. All proposals for the granting of the tax credit
 126 require the prior approval of the Department of Economic
 127 Opportunity.

128 e. The total amount of tax credits which may be granted
 129 for all programs approved under this paragraph, s. 220.183, and
 130 s. 624.5105 is \$18.4 million in the 2015-2016 fiscal year, \$21.4

131 million in the 2016-2017 fiscal year, and \$21.4 million in the
 132 2017-2018 fiscal year for projects that provide housing
 133 opportunities for persons with special needs or homeownership
 134 opportunities for low-income households or very-low-income
 135 households and \$3.5 million annually for all other projects. As
 136 used in this paragraph, the term "person with special needs" has
 137 the same meaning as in s. 420.0004 and the terms "low-income
 138 person," "low-income household," "very-low-income person," and
 139 "very-low-income household" have the same meanings as in s.
 140 420.9071.

141 f. A person who is eligible to receive the credit provided
 142 in this paragraph, s. 220.183, or s. 624.5105 may receive the
 143 credit only under one section of the person's choice.

144 2. Eligibility requirements.—

145 a. A community contribution by a person must be in the
 146 following form:

- 147 (I) Cash or other liquid assets;
- 148 (II) Real property;
- 149 (III) Goods or inventory; or
- 150 (IV) Other physical resources identified by the Department
 151 of Economic Opportunity.

152 b. All community contributions must be reserved
 153 exclusively for use in a project. As used in this sub-
 154 subparagraph, the term "project" means activity undertaken by an
 155 eligible sponsor which is designed to construct, improve, or
 156 substantially rehabilitate housing that is affordable to low-

157 income households or very-low-income households; designed to
 158 provide housing opportunities for persons with special needs;
 159 designed to provide commercial, industrial, or public resources
 160 and facilities; or designed to improve entrepreneurial and job-
 161 development opportunities for low-income persons. A project may
 162 be the investment necessary to increase access to high-speed
 163 broadband capability in a rural community that had an enterprise
 164 zone designated pursuant to chapter 290 as of May 1, 2015,
 165 including projects that result in improvements to communications
 166 assets that are owned by a business. A project may include the
 167 provision of museum educational programs and materials that are
 168 directly related to a project approved between January 1, 1996,
 169 and December 31, 1999, and located in an area which was in an
 170 enterprise zone designated pursuant to s. 290.0065 as of May 1,
 171 2015. This paragraph does not preclude projects that propose to
 172 construct or rehabilitate housing for low-income households or
 173 very-low-income households on scattered sites or housing
 174 opportunities for persons with special needs. With respect to
 175 housing, contributions may be used to pay the following eligible
 176 special needs, low-income, and very-low-income housing-related
 177 activities:

- 178 (I) Project development impact and management fees for
- 179 special needs, low-income, or very-low-income housing projects;
- 180 (II) Down payment and closing costs for persons with
- 181 special needs, low-income persons, and very-low-income persons;
- 182 (III) Administrative costs, including housing counseling

183 and marketing fees, not to exceed 10 percent of the community
 184 contribution, directly related to special needs, low-income, or
 185 very-low-income projects; and

186 (IV) Removal of liens recorded against residential
 187 property by municipal, county, or special district local
 188 governments if satisfaction of the lien is a necessary precedent
 189 to the transfer of the property to a low-income person or very-
 190 low-income person for the purpose of promoting home ownership.
 191 Contributions for lien removal must be received from a
 192 nonrelated third party.

193 c. The project must be undertaken by an "eligible
 194 sponsor," which includes:

195 (I) A community action program;

196 (II) A nonprofit community-based development organization
 197 whose mission is the provision of housing for persons with
 198 special needs, low-income households, or very-low-income
 199 households or increasing entrepreneurial and job-development
 200 opportunities for low-income persons;

201 (III) A neighborhood housing services corporation;

202 (IV) A local housing authority created under chapter 421;

203 (V) A community redevelopment agency created under s.
 204 163.356;

205 (VI) A historic preservation district agency or
 206 organization;

207 (VII) A local regional workforce development board;

208 (VIII) A direct-support organization as provided in s.

209 1009.983;

210 (IX) An enterprise zone development agency created under

211 s. 290.0056;

212 (X) A community-based organization incorporated under

213 chapter 617 which is recognized as educational, charitable, or

214 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code

215 and whose bylaws and articles of incorporation include

216 affordable housing, economic development, or community

217 development as the primary mission of the corporation;

218 (XI) Units of local government;

219 (XII) Units of state government; or

220 (XIII) Any other agency that the Department of Economic

221 Opportunity designates by rule.

222

223 A contributing person may not have a financial interest in the

224 eligible sponsor.

225 d. The project must be located in an area which was in an

226 enterprise zone designated pursuant to chapter 290 as of May 1,

227 2015, or a Front Porch Florida Community, unless the project

228 increases access to high-speed broadband capability in a rural

229 community that had an enterprise zone designated pursuant to

230 chapter 290 as of May 1, 2015, but is physically located outside

231 the designated rural zone boundaries. Any project designed to

232 construct or rehabilitate housing for low-income households or

233 very-low-income households or housing opportunities for persons

234 with special needs is exempt from the area requirement of this

235 sub-subparagraph.

236 e.(I) If, during the first 10 business days of the state
 237 fiscal year, eligible tax credit applications for projects that
 238 provide housing opportunities for persons with special needs or
 239 homeownership opportunities for low-income households or very-
 240 low-income households are received for less than the annual tax
 241 credits available for those projects, the Department of Economic
 242 Opportunity shall grant tax credits for those applications and
 243 grant remaining tax credits on a first-come, first-served basis
 244 for subsequent eligible applications received before the end of
 245 the state fiscal year. If, during the first 10 business days of
 246 the state fiscal year, eligible tax credit applications for
 247 projects that provide housing opportunities for persons with
 248 special needs or homeownership opportunities for low-income
 249 households or very-low-income households are received for more
 250 than the annual tax credits available for those projects, the
 251 Department of Economic Opportunity shall grant the tax credits
 252 for those applications as follows:

253 (A) If tax credit applications submitted for approved
 254 projects of an eligible sponsor do not exceed \$200,000 in total,
 255 the credits shall be granted in full if the tax credit
 256 applications are approved.

257 (B) If tax credit applications submitted for approved
 258 projects of an eligible sponsor exceed \$200,000 in total, the
 259 amount of tax credits granted pursuant to sub-sub-sub-
 260 subparagraph (A) shall be subtracted from the amount of

261 available tax credits, and the remaining credits shall be
 262 granted to each approved tax credit application on a pro rata
 263 basis.

264 (II) If, during the first 10 business days of the state
 265 fiscal year, eligible tax credit applications for projects other
 266 than those that provide housing opportunities for persons with
 267 special needs or homeownership opportunities for low-income
 268 households or very-low-income households are received for less
 269 than the annual tax credits available for those projects, the
 270 Department of Economic Opportunity shall grant tax credits for
 271 those applications and shall grant remaining tax credits on a
 272 first-come, first-served basis for subsequent eligible
 273 applications received before the end of the state fiscal year.
 274 If, during the first 10 business days of the state fiscal year,
 275 eligible tax credit applications for projects other than those
 276 that provide housing opportunities for persons with special
 277 needs or homeownership opportunities for low-income households
 278 or very-low-income households are received for more than the
 279 annual tax credits available for those projects, the Department
 280 of Economic Opportunity shall grant the tax credits for those
 281 applications on a pro rata basis.

282 3. Application requirements.—

283 a. An eligible sponsor seeking to participate in this
 284 program must submit a proposal to the Department of Economic
 285 Opportunity which sets forth the name of the sponsor, a
 286 description of the project, and the area in which the project is

287 located, together with such supporting information as is
288 prescribed by rule. The proposal must also contain a resolution
289 from the local governmental unit in which the project is located
290 certifying that the project is consistent with local plans and
291 regulations.

292 b. A person seeking to participate in this program must
293 submit an application for tax credit to the Department of
294 Economic Opportunity which sets forth the name of the sponsor, a
295 description of the project, and the type, value, and purpose of
296 the contribution. The sponsor shall verify, in writing, the
297 terms of the application and indicate its receipt of the
298 contribution, and such verification must accompany the
299 application for tax credit. The person must submit a separate
300 tax credit application to the Department of Economic Opportunity
301 for each individual contribution that it makes to each
302 individual project.

303 c. A person who has received notification from the
304 Department of Economic Opportunity that a tax credit has been
305 approved must apply to the department to receive the refund.
306 Application must be made on the form prescribed for claiming
307 refunds of sales and use taxes and be accompanied by a copy of
308 the notification. A person may submit only one application for
309 refund to the department within a 12-month period.

310 4. Administration.—

311 a. The Department of Economic Opportunity may adopt rules
312 necessary to administer this paragraph, including rules for the

313 approval or disapproval of proposals by a person.

314 b. The decision of the Department of Economic Opportunity
 315 must be in writing, and, if approved, the notification shall
 316 state the maximum credit allowable to the person. Upon approval,
 317 the Department of Economic Opportunity shall transmit a copy of
 318 the decision to the department.

319 c. The Department of Economic Opportunity shall
 320 periodically monitor all projects in a manner consistent with
 321 available resources to ensure that resources are used in
 322 accordance with this paragraph; however, each project must be
 323 reviewed at least once every 2 years.

324 d. The Department of Economic Opportunity shall, in
 325 consultation with the statewide and regional housing and
 326 financial intermediaries, market the availability of the
 327 community contribution tax credit program to community-based
 328 organizations.

329 5. Expiration.—This paragraph expires June 30, 2018;
 330 however, any accrued credit carryover that is unused on that
 331 date may be used until the expiration of the 3-year carryover
 332 period for such credit.

333 Section 3. Paragraph (c) of subsection (2) of section
 334 220.183, Florida Statutes, is amended to read:

335 220.183 Community contribution tax credit.—

336 (2) ELIGIBILITY REQUIREMENTS.—

337 (c) The project must be undertaken by an "eligible
 338 sponsor," defined here as:

- 339 1. A community action program;
- 340 2. A nonprofit community-based development organization
- 341 whose mission is the provision of housing for persons with
- 342 special needs or low-income or very-low-income households or
- 343 increasing entrepreneurial and job-development opportunities for
- 344 low-income persons;
- 345 3. A neighborhood housing services corporation;
- 346 4. A local housing authority, created pursuant to chapter
- 347 421;
- 348 5. A community redevelopment agency, created pursuant to
- 349 s. 163.356;
- 350 6. A historic preservation district agency or
- 351 organization;
- 352 7. A local ~~regional~~ workforce development board;
- 353 8. A direct-support organization as provided in s.
- 354 1009.983;
- 355 9. An enterprise zone development agency created pursuant
- 356 to s. 290.0056;
- 357 10. A community-based organization incorporated under
- 358 chapter 617 which is recognized as educational, charitable, or
- 359 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code
- 360 and whose bylaws and articles of incorporation include
- 361 affordable housing, economic development, or community
- 362 development as the primary mission of the corporation;
- 363 11. Units of local government;
- 364 12. Units of state government; or

365 13. Such other agency as the Department of Economic
 366 Opportunity may, from time to time, designate by rule.

367
 368 In no event shall a contributing business firm have a financial
 369 interest in the eligible sponsor.

370 Section 4. Paragraph (1) of subsection (2) of section
 371 250.10, Florida Statutes, is amended to read:

372 250.10 Appointment and duties of the Adjutant General.—

373 (2) The Adjutant General shall:

374 (1) Subject to annual appropriations, administer youth
 375 About Face programs and adult Forward March programs at sites to
 376 be selected by the Adjutant General. Both programs must provide
 377 schoolwork assistance, focusing on the skills needed to master
 378 basic high school competencies and functional life skills,
 379 including teaching students to work effectively in groups;
 380 providing basic instruction in computer skills; teaching basic
 381 problem-solving, decisionmaking, and reasoning skills; teaching
 382 how the business world and free enterprise work through computer
 383 simulations; and teaching home finance and budgeting and other
 384 daily living skills.

385 1. About Face is a summer and year-round after-school
 386 life-preparation program for economically disadvantaged and at-
 387 risk youths from 13 through 17 years of age. The program must
 388 provide training in academic study skills, and the basic skills
 389 that businesses require for employment consideration.

390 2. Forward March is a job-readiness program for

391 economically disadvantaged participants who are directed to
 392 Forward March by the local ~~regional~~ workforce development
 393 boards. The Forward March program shall provide training on
 394 topics that directly relate to the skills required for real-
 395 world success. The program shall emphasize functional life
 396 skills, computer literacy, interpersonal relationships,
 397 critical-thinking skills, business skills, preemployment and
 398 work maturity skills, job-search skills, exploring careers
 399 activities, how to be a successful and effective employee, and
 400 some job-specific skills. The program also shall provide
 401 extensive opportunities for participants to practice generic job
 402 skills in a supervised work setting. Upon completion of the
 403 program, Forward March shall return participants to the local
 404 ~~regional~~ workforce development boards for placement in a job
 405 placement pool.

406 Section 5. Subsection (8) of section 288.047, Florida
 407 Statutes, is amended to read:

408 288.047 Quick-response training for economic development.—

409 (8) The Quick-Response Training Program is created to
 410 provide assistance to participants in the welfare transition
 411 program. CareerSource Florida, Inc., may award quick-response
 412 training grants and develop applicable guidelines for the
 413 training of participants in the welfare transition program. In
 414 addition to a local economic development organization, grants
 415 must be endorsed by the applicable local ~~regional~~ workforce
 416 development board.

417 (a) Training funded pursuant to this subsection may not
 418 exceed 12 months, and may be provided by the local community
 419 college, school district, local ~~regional~~ workforce development
 420 board, or the business employing the participant, including on-
 421 the-job training. Training will provide entry-level skills to
 422 new workers, including those employed in retail, who are
 423 participants in the welfare transition program.

424 (b) Participants trained pursuant to this subsection must
 425 be employed at a job paying at least \$6 per hour.

426 (c) Funds made available pursuant to this subsection may
 427 be expended in connection with the relocation of a business from
 428 one community to another if approved by CareerSource Florida,
 429 Inc.

430 Section 6. Subsection (2) of section 290.0056, Florida
 431 Statutes, is amended to read:

432 290.0056 Enterprise zone development agency.—

433 (2) When the governing body creates an enterprise zone
 434 development agency, that body shall appoint a board of
 435 commissioners of the agency, which shall consist of not fewer
 436 than 8 or more than 13 commissioners. The governing body may
 437 appoint at least one representative from each of the following:
 438 the local chamber of commerce; local financial or insurance
 439 entities; local businesses and, where possible, businesses
 440 operating within the nominated area; the residents residing
 441 within the nominated area; nonprofit community-based
 442 organizations operating within the nominated area; the local

443 ~~regional~~ workforce development board; the local code enforcement
 444 agency; and the local law enforcement agency. The terms of
 445 office of the commissioners shall be for 4 years, except that,
 446 in making the initial appointments, the governing body shall
 447 appoint two members for terms of 3 years, two members for terms
 448 of 2 years, and one member for a term of 1 year; the remaining
 449 initial members shall serve for terms of 4 years. A vacancy
 450 occurring during a term shall be filled for the unexpired term.
 451 The importance of including individuals from the nominated area
 452 shall be considered in making appointments. Further, the
 453 importance of minority representation on the agency shall be
 454 considered in making appointments so that the agency generally
 455 reflects the gender and ethnic composition of the community as a
 456 whole.

457 Section 7. Paragraph (c) of subsection (9) of section
 458 322.34, Florida Statutes, is amended to read:

459 322.34 Driving while license suspended, revoked, canceled,
 460 or disqualified.—

461 (9)

462 (c) Notwithstanding s. 932.703(1)(c) or s. 932.7055, when
 463 the seizing agency obtains a final judgment granting forfeiture
 464 of the motor vehicle under this section, 30 percent of the net
 465 proceeds from the sale of the motor vehicle shall be retained by
 466 the seizing law enforcement agency and 70 percent shall be
 467 deposited in the General Revenue Fund for use by local ~~regional~~
 468 workforce development boards in providing transportation

469 services for participants of the welfare transition program. In
 470 a forfeiture proceeding under this section, the court may
 471 consider the extent that the family of the owner has other
 472 public or private means of transportation.

473 Section 8. Subsection (1) of section 341.052, Florida
 474 Statutes, is amended to read:

475 341.052 Public transit block grant program;
 476 administration; eligible projects; limitation.-

477 (1) There is created a public transit block grant program
 478 which shall be administered by the department. Block grant funds
 479 shall only be provided to "Section 9" providers and "Section 18"
 480 providers designated by the United States Department of
 481 Transportation and community transportation coordinators as
 482 defined in chapter 427. Eligible providers must establish public
 483 transportation development plans consistent, to the maximum
 484 extent feasible, with approved local government comprehensive
 485 plans of the units of local government in which the provider is
 486 located. In developing public transportation development plans,
 487 eligible providers must solicit comments from local ~~regional~~
 488 workforce development boards established under chapter 445. The
 489 development plans must address how the public transit provider
 490 will work with the appropriate local ~~regional~~ workforce
 491 development board to provide services to participants in the
 492 welfare transition program. Eligible providers must provide
 493 information to the local ~~regional~~ workforce development board
 494 serving the county in which the provider is located regarding

495 the availability of transportation services to assist program
 496 participants.

497 Section 9. Subsection (2) of section 414.045, Florida
 498 Statutes, is amended to read:

499 414.045 Cash assistance program.—Cash assistance families
 500 include any families receiving cash assistance payments from the
 501 state program for temporary assistance for needy families as
 502 defined in federal law, whether such funds are from federal
 503 funds, state funds, or commingled federal and state funds. Cash
 504 assistance families may also include families receiving cash
 505 assistance through a program defined as a separate state
 506 program.

507 (2) Oversight by the board of directors of CareerSource
 508 Florida, Inc., and the service delivery and financial planning
 509 responsibilities of the local ~~regional~~ workforce development
 510 boards apply to the families defined as work-eligible cases in
 511 paragraph (1)(a). The department shall be responsible for
 512 program administration related to families in groups defined in
 513 paragraph (1)(b), and the department shall coordinate such
 514 administration with the board of directors of CareerSource
 515 Florida, Inc., to the extent needed for operation of the
 516 program.

517 Section 10. Paragraphs (a), (d), and (e) of subsection (4)
 518 of section 414.065, Florida Statutes, are amended to read:

519 414.065 Noncompliance with work requirements.—

520 (4) EXCEPTIONS TO NONCOMPLIANCE PENALTIES.—Unless

521 otherwise provided, the situations listed in this subsection
 522 shall constitute exceptions to the penalties for noncompliance
 523 with participation requirements, except that these situations do
 524 not constitute exceptions to the applicable time limit for
 525 receipt of temporary cash assistance:

526 (a) Noncompliance related to child care.—Temporary cash
 527 assistance may not be terminated for refusal to participate in
 528 work activities if the individual is a single parent caring for
 529 a child who has not attained 6 years of age, and the adult
 530 proves to the local ~~regional~~ workforce development board an
 531 inability to obtain needed child care for one or more of the
 532 following reasons, as defined in the Child Care and Development
 533 Fund State Plan required by 45 C.F.R. part 98:

534 1. Unavailability of appropriate child care within a
 535 reasonable distance from the individual's home or worksite.

536 2. Unavailability or unsuitability of informal child care
 537 by a relative or under other arrangements.

538 3. Unavailability of appropriate and affordable formal
 539 child care arrangements.

540 (d) Noncompliance related to medical incapacity.—If an
 541 individual cannot participate in assigned work activities due to
 542 a medical incapacity, the individual may be excepted from the
 543 activity for a specific period, except that the individual shall
 544 be required to comply with the course of treatment necessary for
 545 the individual to resume participation. A participant may not be
 546 excused from work activity requirements unless the participant's

547 medical incapacity is verified by a physician licensed under
 548 chapter 458 or chapter 459, in accordance with procedures
 549 established by rule of the department. An individual for whom
 550 there is medical verification of limitation to participate in
 551 work activities shall be assigned to work activities consistent
 552 with such limitations. Evaluation of an individual's ability to
 553 participate in work activities or development of a plan for work
 554 activity assignment may include vocational assessment or work
 555 evaluation. The department or a local ~~regional~~ workforce
 556 development board may require an individual to cooperate in
 557 medical or vocational assessment necessary to evaluate the
 558 individual's ability to participate in a work activity.

559 (e) Noncompliance related to outpatient mental health or
 560 substance abuse treatment.—If an individual cannot participate
 561 in the required hours of work activity due to a need to become
 562 or remain involved in outpatient mental health or substance
 563 abuse counseling or treatment, the individual may be exempted
 564 from the work activity for up to 5 hours per week, not to exceed
 565 100 hours per year. An individual may not be excused from a work
 566 activity unless a mental health or substance abuse professional
 567 recognized by the department or local ~~regional~~ workforce
 568 development board certifies the treatment protocol and provides
 569 verification of attendance at the counseling or treatment
 570 sessions each week.

571 Section 11. Paragraph (d) of subsection (1) of section
 572 414.085, Florida Statutes, is amended to read:

573 414.085 Income eligibility standards.—

574 (1) For purposes of program simplification and effective
 575 program management, certain income definitions, as outlined in
 576 the food assistance regulations at 7 C.F.R. s. 273.9, shall be
 577 applied to the temporary cash assistance program as determined
 578 by the department to be consistent with federal law regarding
 579 temporary cash assistance and Medicaid for needy families,
 580 except as to the following:

581 (d) An incentive payment to a participant authorized by a
 582 local regional workforce development board shall not be
 583 considered income.

584 Section 12. Subsection (1) of section 414.095, Florida
 585 Statutes, is amended to read:

586 414.095 Determining eligibility for temporary cash
 587 assistance.—

588 (1) ELIGIBILITY.—An applicant must meet eligibility
 589 requirements of this section before receiving services or
 590 temporary cash assistance under this chapter, except that an
 591 applicant shall be required to register for work and engage in
 592 work activities in accordance with s. 445.024, as designated by
 593 the local regional workforce development board, and may receive
 594 support services or child care assistance in conjunction with
 595 such requirement. The department shall make a determination of
 596 eligibility based on the criteria listed in this chapter. The
 597 department shall monitor continued eligibility for temporary
 598 cash assistance through periodic reviews consistent with the

599 food assistance eligibility process. Benefits may ~~shall~~ not be
 600 denied to an individual solely based on a felony drug
 601 conviction, unless the conviction is for trafficking pursuant to
 602 s. 893.135. To be eligible under this section, an individual
 603 convicted of a drug felony must be satisfactorily meeting the
 604 requirements of the temporary cash assistance program, including
 605 all substance abuse treatment requirements. Within the limits
 606 specified in this chapter, the state opts out of the provision
 607 of s. 115, Pub. L. No. 104-193, ~~s. 115~~, that eliminates
 608 eligibility for temporary cash assistance and food assistance
 609 for any individual convicted of a controlled substance felony.

610 Section 13. Subsections (3) and (10) of section 414.105,
 611 Florida Statutes, are amended to read:

612 414.105 Time limitations of temporary cash assistance.—
 613 Except as otherwise provided in this section, an applicant or
 614 current participant shall receive temporary cash assistance for
 615 no more than a lifetime cumulative total of 48 months, unless
 616 otherwise provided by law.

617 (3) The department, in cooperation with CareerSource
 618 Florida, Inc., shall establish a procedure for approving
 619 hardship exemptions and for reviewing hardship cases at least
 620 once every 2 years. Local ~~Regional~~ workforce development boards
 621 may assist in making these determinations.

622 (10) A member of the staff of the local ~~regional~~ workforce
 623 development board shall interview and assess the employment
 624 prospects and barriers of each participant who is within 6

625 months of reaching the 48-month time limit. The staff member
 626 shall assist the participant in identifying actions necessary to
 627 become employed prior to reaching the benefit time limit for
 628 temporary cash assistance and, if appropriate, shall refer the
 629 participant for services that could facilitate employment.

630 Section 14. Section 414.106, Florida Statutes, is amended
 631 to read:

632 414.106 Exemption from public meetings law.—That portion
 633 of a meeting held by the department, CareerSource Florida, Inc.,
 634 or a local regional ~~workforce~~ development board or local
 635 committee created pursuant to s. 445.007 at which personal
 636 identifying information contained in records relating to
 637 temporary cash assistance is discussed is exempt from s. 286.011
 638 and s. 24(b), Art. I of the State Constitution if the
 639 information identifies a participant, a participant's family, or
 640 a participant's family or household member.

641 Section 15. Subsection (1) of section 414.295, Florida
 642 Statutes, is amended to read:

643 414.295 Temporary cash assistance programs; public records
 644 exemption.—

645 (1) Personal identifying information of a temporary cash
 646 assistance program participant, a participant's family, or a
 647 participant's family or household member, except for information
 648 identifying a parent who does not live in the same home as the
 649 child, which is held by the department, the Office of Early
 650 Learning, CareerSource Florida, Inc., the Department of Health,

651 the Department of Revenue, the Department of Education, or a
 652 local regional workforce development board or local committee
 653 created pursuant to s. 445.007 is confidential and exempt from
 654 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
 655 Such confidential and exempt information may be released for
 656 purposes directly connected with:

657 (a) The administration of the temporary assistance for
 658 needy families plan under Title IV-A of the Social Security Act,
 659 as amended, by the department, the Office of Early Learning,
 660 CareerSource Florida, Inc., the Department of Military Affairs,
 661 the Department of Health, the Department of Revenue, the
 662 Department of Education, a local regional workforce development
 663 board or local committee created pursuant to s. 445.007, or a
 664 school district.

665 (b) The administration of the state's plan or program
 666 approved under Title IV-B, Title IV-D, or Title IV-E of the
 667 Social Security Act, as amended, or under Title I, Title X,
 668 Title XIV, Title XVI, Title XIX, Title XX, or Title XXI of the
 669 Social Security Act, as amended.

670 (c) An investigation, prosecution, or criminal, civil, or
 671 administrative proceeding conducted in connection with the
 672 administration of any of the plans or programs specified in
 673 paragraph (a) or paragraph (b) by a federal, state, or local
 674 governmental entity, upon request by that entity, if such
 675 request is made pursuant to the proper exercise of that entity's
 676 duties and responsibilities.

677 (d) The administration of any other state, federal, or
 678 federally assisted program that provides assistance or services
 679 on the basis of need, in cash or in kind, directly to a
 680 participant.

681 (e) An audit or similar activity, such as a review of
 682 expenditure reports or financial review, conducted in connection
 683 with the administration of plans or programs specified in
 684 paragraph (a) or paragraph (b) by a governmental entity
 685 authorized by law to conduct such audit or activity.

686 (f) The administration of the reemployment assistance
 687 program.

688 (g) The reporting to the appropriate agency or official of
 689 information about known or suspected instances of physical or
 690 mental injury, sexual abuse or exploitation, or negligent
 691 treatment or maltreatment of a child or elderly person receiving
 692 assistance, if circumstances indicate that the health or welfare
 693 of the child or elderly person is threatened.

694 (h) The administration of services to elderly persons
 695 under ss. 430.601-430.606.

696 Section 16. Paragraph (e) of subsection (1) of section
 697 420.623, Florida Statutes, is amended to read:

698 420.623 Local coalitions for the homeless.—

699 (1) ESTABLISHMENT.—The department shall establish local
 700 coalitions to plan, network, coordinate, and monitor the
 701 delivery of services to the homeless. Appropriate local groups
 702 and organizations involved in providing services for the

703 homeless and interested business groups and associations shall
 704 be given an opportunity to participate in such coalitions,
 705 including, but not limited to:

706 (e) Local ~~Regional~~ workforce development boards.

707 Section 17. Subsection (8) of section 420.624, Florida
 708 Statutes, is amended to read:

709 420.624 Local homeless assistance continuum of care.—

710 (8) Continuum of care plans must promote participation by
 711 all interested individuals and organizations and may not exclude
 712 individuals and organizations on the basis of race, color,
 713 national origin, sex, handicap, familial status, or religion.
 714 Faith-based organizations must be encouraged to participate. To
 715 the extent possible, these components should be coordinated and
 716 integrated with other mainstream health, social services, and
 717 employment programs for which homeless populations may be
 718 eligible, including Medicaid, State Children's Health Insurance
 719 Program, Temporary Assistance for Needy Families, Food
 720 Assistance Program, and services funded through the Mental
 721 Health and Substance Abuse Block Grant, the Workforce Innovation
 722 and Opportunity Investment ~~Investment~~ Act, and the welfare-to-work grant
 723 program.

724 Section 18. Subsection (27) of section 427.013, Florida
 725 Statutes, is amended to read:

726 427.013 The Commission for the Transportation
 727 Disadvantaged; purpose and responsibilities.—The purpose of the
 728 commission is to accomplish the coordination of transportation

729 services provided to the transportation disadvantaged. The goal
 730 of this coordination is to assure the cost-effective provision
 731 of transportation by qualified community transportation
 732 coordinators or transportation operators for the transportation
 733 disadvantaged without any bias or presumption in favor of
 734 multioperator systems or not-for-profit transportation operators
 735 over single operator systems or for-profit transportation
 736 operators. In carrying out this purpose, the commission shall:

737 (27) Ensure that local community transportation
 738 coordinators work cooperatively with local ~~regional~~ workforce
 739 development boards established in chapter 445 to provide
 740 assistance in the development of innovative transportation
 741 services for participants in the welfare transition program.

742 Section 19. Subsection (9) of section 427.0155, Florida
 743 Statutes, is amended to read:

744 427.0155 Community transportation coordinators; powers and
 745 duties.—Community transportation coordinators shall have the
 746 following powers and duties:

747 (9) Work cooperatively with local ~~regional~~ workforce
 748 development boards established in chapter 445 to provide
 749 assistance in the development of innovative transportation
 750 services for participants in the welfare transition program.

751 Section 20. Subsection (7) of section 427.0157, Florida
 752 Statutes, is amended to read:

753 427.0157 Coordinating boards; powers and duties.—The
 754 purpose of each coordinating board is to develop local service

755 needs and to provide information, advice, and direction to the
 756 community transportation coordinators on the coordination of
 757 services to be provided to the transportation disadvantaged. The
 758 commission shall, by rule, establish the membership of
 759 coordinating boards. The members of each board shall be
 760 appointed by the metropolitan planning organization or
 761 designated official planning agency. The appointing authority
 762 shall provide each board with sufficient staff support and
 763 resources to enable the board to fulfill its responsibilities
 764 under this section. Each board shall meet at least quarterly and
 765 shall:

766 (7) Work cooperatively with local ~~regional~~ workforce
 767 development boards established in chapter 445 to provide
 768 assistance in the development of innovative transportation
 769 services for participants in the welfare transition program.

770 Section 21. Paragraphs (b) and (c) of subsection (1) of
 771 section 443.091, Florida Statutes, are amended to read:

772 443.091 Benefit eligibility conditions.—

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

776 (b) She or he has completed the department's online work
 777 registration and subsequently reports to the one-stop career
 778 center as directed by the local ~~regional~~ workforce development
 779 board for reemployment services. This requirement does not apply
 780 to persons who are:

- 781 1. Non-Florida residents;
- 782 2. On a temporary layoff;
- 783 3. Union members who customarily obtain employment through
- 784 a union hiring hall;
- 785 4. Claiming benefits under an approved short-time
- 786 compensation plan as provided in s. 443.1116; or
- 787 5. Unable to complete the online work registration due to
- 788 illiteracy, physical or mental impairment, a legal prohibition
- 789 from using a computer, or a language impediment. If a person is
- 790 exempted from the online work registration under this
- 791 subparagraph, then the filing of his or her claim constitutes
- 792 registration for work.

793 (c) To make continued claims for benefits, she or he is
 794 reporting to the department in accordance with this paragraph
 795 and department rules. Department rules may not conflict with s.
 796 443.111(1)(b), which requires that each claimant continue to
 797 report regardless of any pending appeal relating to her or his
 798 eligibility or disqualification for benefits.

799 1. For each week of unemployment claimed, each report
 800 must, at a minimum, include the name, address, and telephone
 801 number of each prospective employer contacted, or the date the
 802 claimant reported to a one-stop career center, pursuant to
 803 paragraph (d).

804 2. The department shall offer an online assessment aimed
 805 at identifying an individual's skills, abilities, and career
 806 aptitude. The skills assessment must be voluntary, and the

807 department shall allow a claimant to choose whether to take the
808 skills assessment. The online assessment shall be made available
809 to any person seeking services from a local ~~regional~~ workforce
810 development board or a one-stop career center.

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

823 b. Individuals shall be informed of and offered services
824 through the one-stop delivery system, including career
825 counseling, the provision of skill match and job market
826 information, and skills upgrade and other training
827 opportunities, and shall be encouraged to participate in such
828 services at no cost to the individuals. The department shall
829 coordinate with CareerSource Florida, Inc., the local workforce
830 development boards, and the one-stop career centers to identify,
831 develop, and use best practices for improving the skills of
832 individuals who choose to participate in skills upgrade and

833 other training opportunities. The department may contract with
 834 an entity to create the online assessment in accordance with the
 835 competitive bidding requirements in s. 287.057. The online
 836 assessment must work seamlessly with the Reemployment Assistance
 837 Claims and Benefits Information System.

838 Section 22. Paragraph (c) of subsection (5) of section
 839 443.1116, Florida Statutes, is amended to read:

840 443.1116 Short-time compensation.—

841 (5) ELIGIBILITY REQUIREMENTS FOR SHORT-TIME COMPENSATION
 842 BENEFITS.—

843 (c) The department may not deny short-time compensation
 844 benefits to an individual who is otherwise eligible for these
 845 benefits for any week because such individual is participating
 846 in an employer-sponsored training or a training under the
 847 Workforce Innovation and Opportunity Investment Act to improve
 848 job skills when the training is approved by the department.

849 Section 23. Section 445.003, Florida Statutes, is amended
 850 to read:

851 445.003 Implementation of the federal Workforce Innovation
 852 and Opportunity Investment Act ~~of 1998~~.—

853 (1) WORKFORCE INNOVATION AND OPPORTUNITY INVESTMENT ACT
 854 PRINCIPLES.—The state's approach to implementing the federal
 855 Workforce Innovation and Opportunity Investment Act ~~of 1998~~,
 856 Pub. L. No. 113-128 ~~105-220~~, should have six elements:

857 (a) Streamlining services.—Florida's employment and
 858 training programs must be coordinated and consolidated at

859 locally managed one-stop delivery system centers.

860 (b) Empowering individuals.—Eligible participants will
861 make informed decisions, choosing the qualified training program
862 that best meets their needs.

863 (c) Universal access.—Through a one-stop delivery system,
864 every Floridian will have access to employment services.

865 (d) Increased accountability.—The state, localities, and
866 training providers will be held accountable for their
867 performance.

868 (e) Local board and private sector leadership.—Local
869 workforce development boards will focus on strategic planning,
870 policy development, and oversight of the local system, choosing
871 local managers to direct the operational details of their one-
872 stop delivery system centers.

873 (f) Local flexibility and integration.—Localities will
874 have exceptional flexibility to build on existing reforms.
875 Unified planning will free local groups from conflicting
876 micromanagement, while waivers and WorkFlex will allow local
877 innovations.

878 (2) FOUR-YEAR ~~FIVE-YEAR~~ PLAN.—CareerSource Florida, Inc.,
879 shall prepare and submit a 4-year ~~5-year~~ plan, consistent with
880 the requirements of the Workforce Innovation and Opportunity Act
881 ~~which must include secondary career education, to fulfill the~~
882 ~~early implementation requirements of Pub. L. No. 105-220 and~~
883 ~~applicable state statutes.~~ Mandatory and optional federal
884 partners shall be fully involved in designing the plan's one-

885 stop delivery system strategy. The plan must ~~shall~~ clearly
 886 define each program's statewide duties and role relating to the
 887 system. ~~Any optional federal partner may immediately choose to~~
 888 ~~fully integrate its program's plan with this plan, which shall,~~
 889 ~~notwithstanding any other state provisions, fulfill all their~~
 890 ~~state planning and reporting requirements as they relate to the~~
 891 ~~one stop delivery system.~~ The plan must detail a process that
 892 would fully integrate all federally mandated and optional
 893 partners ~~by the second year of the plan.~~ All optional federal
 894 program partners in the planning process shall be mandatory
 895 participants in the second year of the plan.

896 (3) FUNDING.—

897 (a) Title I, Workforce Innovation and Opportunity
 898 ~~Investment Act of 1998~~ funds; Wagner-Peyser funds; and
 899 NAFTA/Trade Act funds will be expended based on the 4-year ~~5-~~
 900 ~~year~~ plan of CareerSource Florida, Inc. The plan must ~~shall~~
 901 outline and direct the method used to administer and coordinate
 902 various funds and programs that are operated by various
 903 agencies. The following provisions apply to these funds:

- 904 1. At least 50 percent of the Title I funds for Adults and
 905 Dislocated Workers which are passed through to local ~~regional~~
 906 workforce development boards shall be allocated to and expended
 907 on Individual Training Accounts unless a local ~~regional~~
 908 workforce development board obtains a waiver from CareerSource
 909 Florida, Inc. Tuition, books, and fees of training providers and
 910 other training services prescribed and authorized by the

911 Workforce Innovation and Opportunity Investment Act of 1998
 912 qualify as Individual Training Account expenditures.

913 2. Fifteen percent of Title I funding shall be retained at
 914 the state level and dedicated to state administration and shall
 915 be used to design, develop, induce, and fund innovative
 916 Individual Training Account pilots, demonstrations, and
 917 programs. Of such funds retained at the state level, \$2 million
 918 shall be reserved for the Incumbent Worker Training Program
 919 created under subparagraph 3. Eligible state administration
 920 costs include the costs of+ funding for the board and staff of
 921 CareerSource Florida, Inc.; operating fiscal, compliance, and
 922 management accountability systems through CareerSource Florida,
 923 Inc.; conducting evaluation and research on workforce
 924 development activities; and providing technical and capacity
 925 building assistance to local workforce development areas regions
 926 at the direction of CareerSource Florida, Inc. Notwithstanding
 927 s. 445.004, such administrative costs may not exceed 25 percent
 928 of these funds. An amount not to exceed 75 percent of these
 929 funds shall be allocated to Individual Training Accounts and
 930 other workforce development strategies for other training
 931 designed and tailored by CareerSource Florida, Inc., including,
 932 but not limited to, programs for incumbent workers, displaced
 933 homemakers, nontraditional employment, and enterprise zones.
 934 CareerSource Florida, Inc., shall design, adopt, and fund
 935 Individual Training Accounts for distressed urban and rural
 936 communities.

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

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

947 b. The program shall be administered pursuant to s.
 948 134(d)(4) of the Workforce Innovation and Opportunity Act ~~To be~~
 949 ~~eligible for the program's grant funding, a business must have~~
 950 ~~been in operation in Florida for a minimum of 1 year prior to~~
 951 ~~the application for grant funding; have at least one full-time~~
 952 ~~employee; demonstrate financial viability; and be current on all~~
 953 ~~state tax obligations.~~ Priority for funding shall be given to
 954 businesses with 25 employees or fewer, businesses in rural
 955 areas, businesses in distressed inner-city areas, businesses in
 956 a qualified targeted industry, businesses whose grant proposals
 957 represent a significant upgrade in employee skills, or
 958 businesses whose grant proposals represent a significant layoff
 959 avoidance strategy.

960 c. All costs reimbursed by the program must be preapproved
 961 by CareerSource Florida, Inc., or the grant administrator. The
 962 program may not reimburse businesses for trainee wages, the

963 purchase of capital equipment, or the purchase of any item or
 964 service that may possibly be used outside the training project.
 965 A business approved for a grant may be reimbursed for
 966 preapproved, direct, training-related costs including tuition,
 967 fees, books and training materials, and overhead or indirect
 968 costs not to exceed 5 percent of the grant amount.

969 d. A business that is selected to receive grant funding
 970 must provide a matching contribution to the training project,
 971 including, but not limited to, wages paid to trainees or the
 972 purchase of capital equipment used in the training project; must
 973 sign an agreement with CareerSource Florida, Inc., or the grant
 974 administrator to complete the training project as proposed in
 975 the application; must keep accurate records of the project's
 976 implementation process; and must submit monthly or quarterly
 977 reimbursement requests with required documentation.

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

985 f. CareerSource Florida, Inc., may establish guidelines
 986 necessary to implement the Incumbent Worker Training Program.

987 g. No more than 10 percent of the Incumbent Worker
 988 Training Program's total appropriation may be used for overhead

989 or indirect purposes.

990 4. At least 50 percent of Rapid Response funding shall be
 991 dedicated to Intensive Services Accounts and Individual Training
 992 Accounts for dislocated workers and incumbent workers who are at
 993 risk of dislocation. CareerSource Florida, Inc., shall also
 994 maintain an Emergency Preparedness Fund from Rapid Response
 995 funds, which will immediately issue Intensive Service Accounts,
 996 Individual Training Accounts, and other federally authorized
 997 assistance to eligible victims of natural or other disasters. At
 998 the direction of the Governor, these Rapid Response funds shall
 999 be released to local ~~regional~~ workforce development boards for
 1000 immediate use after events that qualify under federal law.
 1001 Funding shall also be dedicated to maintain a unit at the state
 1002 level to respond to Rapid Response emergencies and to work with
 1003 state emergency management officials and local ~~regional~~
 1004 workforce development boards. All Rapid Response funds must be
 1005 expended based on a plan developed by CareerSource Florida,
 1006 Inc., and approved by the Governor.

1007 (b) The administrative entity for Title I, Workforce
 1008 Innovation and Opportunity Investment Act of 1998 funds, and
 1009 Rapid Response activities is the Department of Economic
 1010 Opportunity, which shall provide direction to local ~~regional~~
 1011 workforce development boards regarding Title I programs and
 1012 Rapid Response activities pursuant to the direction of
 1013 CareerSource Florida, Inc.

1014 (4) FEDERAL REQUIREMENTS, EXCEPTIONS AND REQUIRED

1015 MODIFICATIONS.—

1016 (a) CareerSource Florida, Inc., may provide
 1017 indemnification from audit liabilities to local regional
 1018 workforce development boards that act in full compliance with
 1019 state law and board policy.

1020 ~~(b) CareerSource Florida, Inc., may negotiate and settle~~
 1021 ~~all outstanding issues with the United States Department of~~
 1022 ~~Labor relating to decisions made by CareerSource Florida, Inc.,~~
 1023 ~~any predecessor workforce organization, and the Legislature with~~
 1024 ~~regard to the Job Training Partnership Act, making settlements~~
 1025 ~~and closing out all JTPA program year grants.~~

1026 (b)(e) CareerSource Florida, Inc., may make modifications
 1027 to the state's plan, policies, and procedures to comply with
 1028 federally mandated requirements that in its judgment must be
 1029 complied with to maintain funding provided pursuant to Pub. L.
 1030 No. 113-128 ~~105-220~~. The board shall provide written notice to
 1031 the Governor, the President of the Senate, and the Speaker of
 1032 the House of Representatives within 30 days after any such
 1033 changes or modifications.

1034 (c) CareerSource Florida, Inc., shall enter into a
 1035 memorandum of understanding with the Department of Education to
 1036 ensure that federally mandated requirements of Pub. L. No. 113-
 1037 128 are met and comply with the state plan for workforce
 1038 development.

1039 (5) LONG-TERM CONSOLIDATION OF WORKFORCE DEVELOPMENT.—
 1040 CareerSource Florida, Inc., may recommend workforce-related

1041 divisions, bureaus, units, programs, duties, commissions,
 1042 boards, and councils for elimination, consolidation, or
 1043 privatization.

1044 Section 24. Subsections (3), (4), (5), (9), (11), and (12)
 1045 of section 445.004, Florida Statutes, are amended to read:

1046 445.004 CareerSource Florida, Inc.; creation; purpose;
 1047 membership; duties and powers.—

1048 (3) (a) CareerSource Florida, Inc., shall be governed by a
 1049 board of directors, whose membership and appointment must be
 1050 consistent with Title I, s. 101(b), Pub. L. No. 113-128 ~~105-220~~,
 1051 ~~Title I, s. 111(b)~~. Members described in Title I, s.
 1052 101(b) (1) (C) (iii) (I) (aa), Pub. L. No. 113-128 ~~105-220~~, ~~Title I,~~
 1053 ~~s. 111(b) (1) (C) (vi)~~ shall be nonvoting members. The number of
 1054 directors shall be determined by the Governor, who shall
 1055 consider the importance of minority, gender, and geographic
 1056 representation in making appointments to the board. When the
 1057 Governor is in attendance, he or she shall preside at all
 1058 meetings of the board of directors.

1059 (b) The board of directors of CareerSource Florida, Inc.,
 1060 shall be chaired by a board member designated by the Governor
 1061 pursuant to Pub. L. No. 113-128 ~~105-220~~. A member may not serve
 1062 more than two terms.

1063 (c) Members appointed by the Governor may serve no more
 1064 than two terms and must be appointed for 3-year terms. However,
 1065 in order to establish staggered terms for board members, the
 1066 Governor shall appoint or reappoint one-third of the board

1067 members for 1-year terms, one-third of the board members for 2-
 1068 year terms, and one-third of the board members for 3-year terms
 1069 beginning July 1, 2016 ~~2005~~. Subsequent appointments or
 1070 reappointments shall be for 3-year terms, except that a member
 1071 appointed to fill a vacancy on the board shall be appointed to
 1072 serve only the remainder of the term of the member whom he or
 1073 she is replacing, and may be appointed for a subsequent 3-year
 1074 term. Private sector representatives of businesses, appointed by
 1075 the Governor pursuant to Pub. L. No. 113-128 ~~105-220~~, shall
 1076 constitute a majority of the membership of the board. Private
 1077 sector representatives shall be appointed from nominations
 1078 received by the Governor, including, but not limited to, those
 1079 nominations made by the President of the Senate and the Speaker
 1080 of the House of Representatives. Private sector appointments to
 1081 the board must be representative of the business community of
 1082 this state; no fewer than one-half of the appointments must be
 1083 representative of small businesses, and at least five members
 1084 must have economic development experience. Members appointed by
 1085 the Governor serve at the pleasure of the Governor and are
 1086 eligible for reappointment.

1087 (d) The board shall include the vice chair of the board of
 1088 directors of Enterprise Florida, Inc., one member representing
 1089 each of the Workforce Innovation and Opportunity Act partners,
 1090 including the Division of Career and Adult Education of the
 1091 Department of Education, and other entities representing
 1092 programs identified and determined necessary in the federal

1093 Workforce Innovation and Opportunity Act.

1094 (e)~~(d)~~ A member of the board of directors of CareerSource
 1095 Florida, Inc., may be removed by the Governor for cause. Absence
 1096 from three consecutive meetings results in automatic removal.
 1097 The chair of CareerSource Florida, Inc., shall notify the
 1098 Governor of such absences.

1099 (f)~~(e)~~ Representatives of businesses appointed to the
 1100 board of directors may not include providers of workforce
 1101 services.

1102 (4) (a) The president of CareerSource Florida, Inc., shall
 1103 be hired by the board of directors of CareerSource Florida,
 1104 Inc., and shall serve at the pleasure of the Governor in the
 1105 capacity of an executive director and secretary of CareerSource
 1106 Florida, Inc.

1107 (b) The board of directors of CareerSource Florida, Inc.,
 1108 shall meet at least quarterly and at other times upon the call
 1109 of its chair. The board and its committees, subcommittees, or
 1110 other subdivisions may use any method of telecommunications to
 1111 conduct meetings, including establishing a quorum through
 1112 telecommunications, if the public is given proper notice of the
 1113 telecommunications meeting and is given reasonable access to
 1114 observe and, if appropriate, participate.

1115 (c) A majority of the total current membership of the
 1116 board of directors of CareerSource Florida, Inc., constitutes a
 1117 quorum.

1118 (d) A majority of those voting is required to organize and

1119 conduct the business of the board, except that a majority of the
 1120 entire board of directors is required to adopt or amend the
 1121 bylaws.

1122 (e) Except as delegated or authorized by the board of
 1123 directors of CareerSource Florida, Inc., individual members have
 1124 no authority to control or direct the operations of CareerSource
 1125 Florida, Inc., or the actions of its officers and employees,
 1126 including the president.

1127 (f) Members of the board of directors of CareerSource
 1128 Florida, Inc., and its committees serve without compensation,
 1129 but these members, the president, and the employees of
 1130 CareerSource Florida, Inc., may be reimbursed for all
 1131 reasonable, necessary, and actual expenses pursuant to s.
 1132 112.061.

1133 (g) The board of directors of CareerSource Florida, Inc.,
 1134 may establish an executive committee consisting of the chair and
 1135 at least six additional board members selected by the chair, one
 1136 of whom must be a representative of organized labor. The
 1137 executive committee and the president have such authority as the
 1138 board delegates to them, except that the board of directors may
 1139 not delegate to the executive committee authority to take action
 1140 that requires approval by a majority of the entire board of
 1141 directors.

1142 (h) The chair may appoint committees to fulfill the
 1143 board's responsibilities, to comply with federal requirements,
 1144 or to obtain technical assistance, and must incorporate members

1145 of local ~~regional~~ workforce development boards into its
 1146 structure.

1147 (i) Each member of the board of directors who is not
 1148 otherwise required to file a financial disclosure pursuant to s.
 1149 8, Art. II of the State Constitution or s. 112.3144 must file
 1150 disclosure of financial interests pursuant to s. 112.3145.

1151 (5) CareerSource Florida, Inc., shall have all the powers
 1152 and authority not explicitly prohibited by statute which are
 1153 necessary or convenient to carry out and effectuate its purposes
 1154 as determined by statute, Pub. L. No. 113-128 ~~105-220~~, and the
 1155 Governor, as well as its functions, duties, and
 1156 responsibilities, including, but not limited to, the following:

1157 (a) Serving as the state's Workforce Development
 1158 ~~Investment~~ Board pursuant to Pub. L. No. 113-128 ~~105-220~~. Unless
 1159 otherwise required by federal law, at least 90 percent of
 1160 workforce development funding must go toward direct customer
 1161 service.

1162 (b) Providing oversight and policy direction to ensure
 1163 that the following programs are administered by the department
 1164 in compliance with approved plans and under contract with
 1165 CareerSource Florida, Inc.:

1166 1. Programs authorized under Title I of the Workforce
 1167 Innovation and Opportunity Investment ~~Act of 1998~~, Pub. L. No.
 1168 113-128 ~~105-220~~, with the exception of programs funded directly
 1169 by the United States Department of Labor under Title I, s. 167.

1170 2. Programs authorized under the Wagner-Peyser Act of

1171 1933, as amended, 29 U.S.C. ss. 49 et seq.

1172 3. Activities authorized under Title II of the Trade Act
 1173 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade
 1174 Adjustment Assistance Program.

1175 4. Activities authorized under 38 U.S.C. chapter 41,
 1176 including job counseling, training, and placement for veterans.

1177 5. Employment and training activities carried out under
 1178 funds awarded to this state by the United States Department of
 1179 Housing and Urban Development.

1180 6. Welfare transition services funded by the Temporary
 1181 Assistance for Needy Families Program, created under the
 1182 Personal Responsibility and Work Opportunity Reconciliation Act
 1183 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,
 1184 of the Social Security Act, as amended.

1185 7. Displaced homemaker programs, provided under s. 446.50.

1186 8. The Florida Bonding Program, provided under s.
 1187 164(a)(1), Pub. L. No. 97-300, ~~s. 164(a)(1)~~.

1188 9. The Food Assistance Employment and Training Program,
 1189 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.
 1190 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;
 1191 and the Hunger Prevention Act, Pub. L. No. 100-435.

1192 10. The Quick-Response Training Program, provided under
 1193 ss. 288.046-288.047. Matching funds and in-kind contributions
 1194 that are provided by clients of the Quick-Response Training
 1195 Program shall count toward the requirements of s. 288.904,
 1196 pertaining to the return on investment from activities of

1197 Enterprise Florida, Inc.

1198 11. The Work Opportunity Tax Credit, provided under the
 1199 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,
 1200 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

1201 12. Offender placement services, provided under ss.
 1202 944.707-944.708.

1203 (c) The department may adopt rules necessary to administer
 1204 the provisions of this chapter which relate to implementing and
 1205 administering the programs listed in paragraph (b) as well as
 1206 rules related to eligible training providers and auditing and
 1207 monitoring subrecipients of the workforce system grant funds.

1208 (d) Contracting with public and private entities as
 1209 necessary to further the directives of this section. All
 1210 contracts executed by CareerSource Florida, Inc., must include
 1211 specific performance expectations and deliverables. All
 1212 CareerSource Florida, Inc., contracts, including those
 1213 solicited, managed, or paid by the department pursuant to s.
 1214 20.60(5)(c) are exempt from s. 112.061, but shall be governed by
 1215 subsection (1).

1216 (e) Notifying the Governor, the President of the Senate,
 1217 and the Speaker of the House of Representatives of noncompliance
 1218 by the department or other agencies or obstruction of the
 1219 board's efforts by such agencies. Upon such notification, the
 1220 Executive Office of the Governor shall assist agencies to bring
 1221 them into compliance with board objectives.

1222 (f) Ensuring that the state does not waste valuable

1223 training resources. The board shall direct that all resources,
 1224 including equipment purchased for training Workforce Innovation
 1225 and Opportunity Investment Act clients, be available for use at
 1226 all times by eligible populations as first priority users. At
 1227 times when eligible populations are not available, such
 1228 resources shall be used for any other state-authorized education
 1229 and training purpose. CareerSource Florida, Inc., may authorize
 1230 expenditures to award suitable framed certificates, pins, or
 1231 other tokens of recognition for performance by a local ~~regional~~
 1232 workforce development board, its committees and subdivisions,
 1233 and other units of the workforce system. CareerSource Florida,
 1234 Inc., may also authorize expenditures for promotional items,
 1235 such as t-shirts, hats, or pens printed with messages promoting
 1236 the state's workforce system to employers, job seekers, and
 1237 program participants. However, such expenditures are subject to
 1238 federal regulations applicable to the expenditure of federal
 1239 funds.

1240 (g) Establishing a dispute resolution process for all
 1241 memoranda of understanding or other contracts or agreements
 1242 entered into between the department and local ~~regional~~ workforce
 1243 development boards.

1244 (h) Archiving records with the Bureau of Archives and
 1245 Records Management of the Division of Library and Information
 1246 Services of the Department of State.

1247 (9) CareerSource Florida, Inc., in collaboration with the
 1248 local ~~regional~~ workforce development boards and appropriate

1249 state agencies and local public and private service providers
 1250 ~~and in consultation with the Office of Program Policy Analysis~~
 1251 ~~and Government Accountability~~, shall establish uniform
 1252 performance accountability measures that apply across the core
 1253 programs and standards to gauge the performance of the state and
 1254 local workforce development areas in achieving the workforce
 1255 development strategy. These measures and standards must be
 1256 organized into three outcome tiers.

1257 (a) The performance accountability measures for the core
 1258 programs shall consist of the primary indicators of performance,
 1259 any additional indicators of performance, and a state adjusted
 1260 level of performance for each indicator pursuant to Title I, s.
 1261 116(b), Pub. L. No. 113-128.

1262 (b) The performance accountability measures for each local
 1263 workforce development area shall consist of the primary
 1264 indicators of performance, any additional indicators of
 1265 performance, and a local level of performance for each indicator
 1266 pursuant to Pub. L. No. 113-128. The local level of performance
 1267 shall be determined by the local workforce development board,
 1268 the chief elected official, and the Governor pursuant to Title
 1269 I, s. 116(c), Pub. L. No. 113-128.

1270 (c) Performance accountability measures shall be used to
 1271 generate performance reports pursuant to Title I, s. 116(d),
 1272 Pub. L. No. 113-128.

1273 ~~(a) The first tier of measures must be organized to~~
 1274 ~~provide benchmarks for systemwide outcomes. CareerSource~~

1275 ~~Florida, Inc., shall, in collaboration with the Office of~~
 1276 ~~Program Policy Analysis and Government Accountability, establish~~
 1277 ~~goals for the tier one outcomes. Systemwide outcomes may include~~
 1278 ~~employment in occupations demonstrating continued growth in~~
 1279 ~~wages; continued employment after 3, 6, 12, and 24 months;~~
 1280 ~~reduction in and elimination of public assistance reliance; job~~
 1281 ~~placement; employer satisfaction; and positive return on~~
 1282 ~~investment of public resources.~~

1283 ~~(b) The second tier of measures must be organized to~~
 1284 ~~provide a set of benchmark outcomes for the strategic components~~
 1285 ~~of the workforce development strategy. Cost per entered~~
 1286 ~~employment, earnings at placement, retention in employment, job~~
 1287 ~~placement, and entered employment rate must be included among~~
 1288 ~~the performance outcome measures.~~

1289 ~~(c) The third tier of measures must be the operational~~
 1290 ~~output measures to be used by the agency implementing programs,~~
 1291 ~~which may be specific to federal requirements. The tier three~~
 1292 ~~measures must be developed by the agencies implementing~~
 1293 ~~programs, which may consult with CareerSource Florida, Inc., in~~
 1294 ~~this effort. Such measures must be reported to CareerSource~~
 1295 ~~Florida, Inc., by the appropriate implementing agency.~~

1296 ~~(d) Regional differences must be reflected in the~~
 1297 ~~establishment of performance goals and may include job~~
 1298 ~~availability, unemployment rates, average worker wage, and~~
 1299 ~~available employable population.~~

1300 ~~(e) Job placement must be reported pursuant to s. 1008.39.~~

1301 ~~Positive outcomes for providers of education and training must~~
 1302 ~~be consistent with ss. 1008.42 and 1008.43.~~

1303 ~~(d)(f)~~ The performance accountability ~~uniform~~ measures of
 1304 success that are adopted by CareerSource Florida, Inc., or the
 1305 local regional workforce development boards must be developed in
 1306 a manner that provides for an equitable comparison of the
 1307 relative success or failure of any service provider in terms of
 1308 positive outcomes.

1309 ~~(g)~~ ~~By December 1 of each year, CareerSource Florida,~~
 1310 ~~Inc., shall provide the Legislature with a report detailing the~~
 1311 ~~performance of Florida's workforce development system, as~~
 1312 ~~reflected in the three tier measurement system. The report also~~
 1313 ~~must benchmark Florida outcomes for all tiers as compared with~~
 1314 ~~other states that collect data similarly.~~

1315 (11) The workforce development system must use a charter-
 1316 process approach aimed at encouraging local design and control
 1317 of service delivery and targeted activities. CareerSource
 1318 Florida, Inc., shall be responsible for granting charters to
 1319 local regional workforce development boards that have a
 1320 membership consistent with the requirements of federal and state
 1321 law and have developed a plan consistent with the state's
 1322 workforce development strategy. The plan must specify methods
 1323 for allocating the resources and programs in a manner that
 1324 eliminates unwarranted duplication, minimizes administrative
 1325 costs, meets the existing job market demands and the job market
 1326 demands resulting from successful economic development

1327 activities, ensures access to quality workforce development
 1328 services for all Floridians, allows for pro rata or partial
 1329 distribution of benefits and services, prohibits the creation of
 1330 a waiting list or other indication of an unserved population,
 1331 serves as many individuals as possible within available
 1332 resources, and maximizes successful outcomes. As part of the
 1333 charter process, CareerSource Florida, Inc., shall establish
 1334 incentives for effective coordination of federal and state
 1335 programs, outline rewards for successful job placements, and
 1336 institute collaborative approaches among local service
 1337 providers. Local decisionmaking and control shall be important
 1338 components for inclusion in this charter application.

1339 (12) CareerSource Florida, Inc., shall enter into
 1340 agreement with Space Florida and collaborate with vocational
 1341 institutes, community colleges, colleges, and universities in
 1342 this state, to develop a workforce development strategy to
 1343 implement the workforce provisions of s. 331.3051.

1344 Section 25. Section 445.006, Florida Statutes, is amended
 1345 to read:

1346 445.006 State plan ~~Strategic and operational plans~~ for
 1347 workforce development.—

1348 (1) CareerSource Florida, Inc., in conjunction with state
 1349 and local partners in the workforce system, shall develop a
 1350 state strategic plan ~~that produces skilled employees for~~
 1351 ~~employers in the state.~~ The state strategic plan shall be used
 1352 to implement the strategic goals for preparing an educated and

1353 skilled workforce. The state plan shall consist of a strategic
 1354 plan and an operational plan ~~updated or modified by January 1 of~~
 1355 ~~each year.~~

1356 (2) CareerSource Florida, Inc., shall establish a
 1357 strategic plan, which must be updated or modified by January 1
 1358 every 2 years.

1359 (a) The strategic plan shall include strategic planning
 1360 elements pursuant to Title I, s. 102, Pub. L. No. 113-128. The
 1361 strategic plan must include, but need not be limited to,
 1362 strategies for:

1363 1.(a) Fulfilling the workforce system goals and strategies
 1364 prescribed in s. 445.004;

1365 2.(b) Aggregating, integrating, and leveraging workforce
 1366 system resources;

1367 3.(e) Coordinating the activities of federal, state, and
 1368 local workforce system partners;

1369 4.(d) Addressing the workforce needs of small businesses;
 1370 and

1371 5.(e) Fostering the participation of rural communities and
 1372 distressed urban cores in the workforce system.

1373 (b)(4) The strategic plan must include criteria for
 1374 allocating workforce resources to local ~~regional~~ workforce
 1375 development boards. With respect to allocating funds to serve
 1376 customers of the welfare transition program, such criteria may
 1377 include weighting factors that indicate the relative degree of
 1378 difficulty associated with securing and retaining employment

1379 placements for specific subsets of the welfare transition
 1380 caseload.

1381 (3)~~(2)~~ CareerSource Florida, Inc., shall establish an
 1382 operational plan to implement the state strategic goals for
 1383 preparing an educated and skilled workforce plan. The
 1384 operational plan shall be submitted to the Governor and the
 1385 Legislature along with the strategic plan. The operational plan
 1386 shall include operational planning elements pursuant to Title I,
 1387 s. 102, Pub. L. No. 113-128. and must reflect the allocation of
 1388 resources as appropriated by the Legislature to specific
 1389 responsibilities enumerated in law. As a component of the
 1390 operational plan required under this section, CareerSource
 1391 Florida, Inc., shall develop a workforce marketing plan, with
 1392 the goal of educating individuals inside and outside the state
 1393 about the employment market and employment conditions in the
 1394 state. The marketing plan must include, but need not be limited
 1395 to, strategies for:

1396 ~~(a) Distributing information to secondary and~~
 1397 ~~postsecondary education institutions about the diversity of~~
 1398 ~~businesses in the state, specific clusters of businesses or~~
 1399 ~~business sectors in the state, and occupations by industry which~~
 1400 ~~are in demand by employers in the state;~~

1401 ~~(b) Distributing information about and promoting use of~~
 1402 ~~the Internet based job matching and labor market information~~
 1403 ~~system authorized under s. 445.011; and~~

1404 ~~(c) Coordinating with Enterprise Florida, Inc., to ensure~~

1405 ~~that workforce marketing efforts complement the economic~~
 1406 ~~development marketing efforts of the state.~~
 1407 ~~(3) The operational plan must include performance~~
 1408 ~~measures, standards, measurement criteria, and contract~~
 1409 ~~guidelines in the following areas with respect to participants~~
 1410 ~~in the welfare transition program:~~
 1411 ~~(a) Work participation rates, by type of activity;~~
 1412 ~~(b) Caseload trends;~~
 1413 ~~(c) Recidivism;~~
 1414 ~~(d) Participation in diversion and relocation assistance~~
 1415 ~~programs;~~
 1416 ~~(e) Employment retention;~~
 1417 ~~(f) Wage growth; and~~
 1418 ~~(g) Other issues identified by the board of directors of~~
 1419 ~~CareerSource Florida, Inc.~~
 1420 ~~(5) (a) The operational plan may include a performance-~~
 1421 ~~based payment structure to be used for all welfare transition~~
 1422 ~~program customers which takes into account:~~
 1423 ~~1. The degree of difficulty associated with placement and~~
 1424 ~~retention;~~
 1425 ~~2. The quality of the placement with respect to salary,~~
 1426 ~~benefits, and opportunities for advancement; and~~
 1427 ~~3. The employee's retention in the placement.~~
 1428 ~~(b) The payment structure may provide for bonus payments~~
 1429 ~~of up to 10 percent of the contract amount to providers that~~
 1430 ~~achieve notable success in achieving contract objectives,~~

1431 ~~including, but not limited to, success in diverting families in~~
 1432 ~~which there is an adult who is subject to work requirements from~~
 1433 ~~receiving cash assistance and in achieving long term job~~
 1434 ~~retention and wage growth with respect to welfare transition~~
 1435 ~~program customers. A service provider shall be paid a maximum of~~
 1436 ~~one payment per service for each participant during any given 6-~~
 1437 ~~month period.~~

1438 ~~(6) (a) The operational plan must include strategies that~~
 1439 ~~are designed to prevent or reduce the need for a person to~~
 1440 ~~receive public assistance, including:~~

1441 ~~1. A teen pregnancy prevention component that includes,~~
 1442 ~~but is not limited to, a plan for implementing the Teen~~
 1443 ~~Pregnancy Prevention Community Initiative within each county of~~
 1444 ~~the services area in which the teen birth rate is higher than~~
 1445 ~~the state average;~~

1446 ~~2. A component that encourages community based welfare~~
 1447 ~~prevention and reduction initiatives that increase support~~
 1448 ~~provided by noncustodial parents to their welfare dependent~~
 1449 ~~children and are consistent with program and financial~~
 1450 ~~guidelines developed by CareerSource Florida, Inc., and the~~
 1451 ~~Commission on Responsible Fatherhood. These initiatives may~~
 1452 ~~include improved paternity establishment, work activities for~~
 1453 ~~noncustodial parents, programs aimed at decreasing out of-~~
 1454 ~~wedlock pregnancies, encouraging involvement of fathers with~~
 1455 ~~their children which includes court ordered supervised~~
 1456 ~~visitation, and increasing child support payments;~~

1457 ~~3. A component that encourages formation and maintenance~~
 1458 ~~of two parent families through, among other things, court-~~
 1459 ~~ordered supervised visitation;~~

1460 ~~4. A component that fosters responsible fatherhood in~~
 1461 ~~families receiving assistance; and~~

1462 ~~5. A component that fosters the provision of services that~~
 1463 ~~reduce the incidence and effects of domestic violence on women~~
 1464 ~~and children in families receiving assistance.~~

1465 ~~(b) Specifications for welfare transition program services~~
 1466 ~~that are to be delivered include, but are not limited to:~~

1467 ~~1. Initial assessment services prior to an individual~~
 1468 ~~being placed in an employment service, to determine whether the~~
 1469 ~~individual should be referred for relocation, up front~~
 1470 ~~diversion, education, or employment placement. Assessment~~
 1471 ~~services shall be paid on a fixed unit rate and may not provide~~
 1472 ~~educational or employment placement services.~~

1473 ~~2. Referral of participants to diversion and relocation~~
 1474 ~~programs.~~

1475 ~~3. Preplacement services, including assessment, staffing,~~
 1476 ~~career plan development, work orientation, and employability~~
 1477 ~~skills enhancement.~~

1478 ~~4. Services necessary to secure employment for a welfare~~
 1479 ~~transition program participant.~~

1480 ~~5. Services necessary to assist participants in retaining~~
 1481 ~~employment, including, but not limited to, remedial education,~~
 1482 ~~language skills, and personal and family counseling.~~

- 1483 6. ~~Desired quality of job placements with regard to~~
 1484 ~~salary, benefits, and opportunities for advancement.~~
 1485 7. ~~Expectations regarding job retention.~~
 1486 8. ~~Strategies to ensure that transition services are~~
 1487 ~~provided to participants for the mandated period of eligibility.~~
 1488 9. ~~Services that must be provided to the participant~~
 1489 ~~throughout an education or training program, such as monitoring~~
 1490 ~~attendance and progress in the program.~~
 1491 10. ~~Services that must be delivered to welfare transition~~
 1492 ~~program participants who have a deferral from work requirements~~
 1493 ~~but wish to participate in activities that meet federal~~
 1494 ~~participation requirements.~~
 1495 11. ~~Expectations regarding continued participant awareness~~
 1496 ~~of available services and benefits.~~

1497 Section 26. Section 445.007, Florida Statutes, is amended
 1498 to read:

1499 445.007 Local Regional workforce development boards.—

1500 (1) One ~~regional~~ workforce development board shall be
 1501 appointed in each designated service delivery area and shall
 1502 serve as the local workforce development ~~investment~~ board
 1503 pursuant to Pub. L. No. 113-128 ~~105-220~~. The membership of the
 1504 board shall be consistent with Pub. L. No. 113-128 ~~105-220~~,
 1505 Title I, s. 107(b) ~~117(b)~~ but may not exceed the minimum
 1506 membership required in Pub. L. No. ~~105-220~~, Title I, s.
 1507 ~~117(b)(2)(A)~~ and in this subsection. Upon approval by the
 1508 Governor, the chief elected official may appoint additional

1509 ~~members above the limit set by this subsection. If a public~~
 1510 ~~education or training provider is represented on the board, a~~
 1511 ~~representative of a private nonprofit provider and a~~
 1512 ~~representative of a private for profit provider must also be~~
 1513 ~~appointed to the board. The board shall include one nonvoting~~
 1514 ~~representative from a military installation if a military~~
 1515 ~~installation is located within the region and the appropriate~~
 1516 ~~military command or organization authorizes such representation.~~
 1517 ~~It is the intent of the Legislature that membership of a~~
 1518 ~~regional workforce board include persons who are current or~~
 1519 ~~former recipients of welfare transition assistance as defined in~~
 1520 ~~s. 445.002(2) or workforce services as provided in s. 445.009(1)~~
 1521 ~~or that such persons be included as ex officio members of the~~
 1522 ~~board or of committees organized by the board. The importance of~~
 1523 ~~minority and gender representation shall be considered when~~
 1524 ~~making appointments to the board. The board, its committees,~~
 1525 ~~subcommittees, and subdivisions, and other units of the~~
 1526 ~~workforce system, including units that may consist in whole or~~
 1527 ~~in part of local governmental units, may use any method of~~
 1528 ~~telecommunications to conduct meetings, including establishing a~~
 1529 ~~quorum through telecommunications, provided that the public is~~
 1530 ~~given proper notice of the telecommunications meeting and~~
 1531 ~~reasonable access to observe and, when appropriate, participate.~~
 1532 Local Regional workforce development boards are subject to
 1533 chapters 119 and 286 and s. 24, Art. I of the State
 1534 Constitution. If the local regional workforce development board

1535 enters into a contract with an organization or individual
 1536 represented on the board of directors, the contract must be
 1537 approved by a two-thirds vote of the board, a quorum having been
 1538 established, and the board member who could benefit financially
 1539 from the transaction must abstain from voting on the contract. A
 1540 board member must disclose any such conflict in a manner that is
 1541 consistent with the procedures outlined in s. 112.3143. Each
 1542 member of a local ~~regional~~ workforce development board who is
 1543 not otherwise required to file a full and public disclosure of
 1544 financial interests pursuant to s. 8, Art. II of the State
 1545 Constitution or s. 112.3144 shall file a statement of financial
 1546 interests pursuant to s. 112.3145. The executive director or
 1547 designated person responsible for the operational and
 1548 administrative functions of the local ~~regional~~ workforce
 1549 development board who is not otherwise required to file a full
 1550 and public disclosure of financial interests pursuant to s. 8,
 1551 Art. II of the State Constitution or s. 112.3144 shall file a
 1552 statement of financial interests pursuant to s. 112.3145.

1553 (2) (a) The local ~~regional~~ workforce development board
 1554 shall elect a chair from among the representatives described in
 1555 Title I, s. 107(b)(2)(A), Pub. L. No. 113-128 105-220, Title I,
 1556 ~~s. 117(b)(2)(A)(i)~~ to serve for a term of no more than 2 years
 1557 and shall serve no more than two terms.

1558 (b) The Governor may remove a member of the board, the
 1559 executive director of the board, or the designated person
 1560 responsible for the operational and administrative functions of

1561 the board for cause. As used in this paragraph, the term "cause"
 1562 includes, but is not limited to, engaging in fraud or other
 1563 criminal acts, incapacity, unfitness, neglect of duty, official
 1564 incompetence and irresponsibility, misfeasance, malfeasance,
 1565 nonfeasance, or lack of performance.

1566 (3) The Department of Economic Opportunity, under the
 1567 direction of CareerSource Florida, Inc., shall assign staff to
 1568 meet with each local ~~regional~~ workforce development board
 1569 annually to review the board's performance and to certify that
 1570 the board is in compliance with applicable state and federal
 1571 law.

1572 (4) In addition to the duties and functions specified by
 1573 CareerSource Florida, Inc., and by the interlocal agreement
 1574 approved by the local county or city governing bodies, the local
 1575 ~~regional~~ workforce development board shall have the following
 1576 responsibilities:

1577 (a) Develop, submit, ratify, or amend the local plan
 1578 pursuant to Title I, s. 108, Pub. L. No. 113-128 ~~105-220~~, Title
 1579 ~~I, s. 118~~, and the provisions of this act.

1580 (b) Conclude agreements necessary to designate the fiscal
 1581 agent and administrative entity. A public or private entity,
 1582 including an entity established pursuant to s. 163.01, which
 1583 makes a majority of the appointments to a local ~~regional~~
 1584 workforce development board may serve as the board's
 1585 administrative entity if approved by CareerSource Florida, Inc.,
 1586 based upon a showing that a fair and competitive process was

1587 used to select the administrative entity.

1588 (c) Complete assurances required for the charter process
 1589 of CareerSource Florida, Inc., and provide ongoing oversight
 1590 related to administrative costs, duplicated services, career
 1591 counseling, economic development, equal access, compliance and
 1592 accountability, and performance outcomes.

1593 (d) Oversee the one-stop delivery system in its local
 1594 area.

1595 (5) CareerSource Florida, Inc., shall implement a training
 1596 program for the local ~~regional~~ workforce development boards to
 1597 familiarize board members with the state's workforce development
 1598 goals and strategies.

1599 (6) The local ~~regional~~ workforce development board shall
 1600 designate all local service providers and may not transfer this
 1601 authority to a third party. Consistent with the intent of the
 1602 Workforce Innovation and Opportunity ~~Investment~~ Act, local
 1603 ~~regional~~ workforce development boards should provide the
 1604 greatest possible choice of training providers to those who
 1605 qualify for training services. A local ~~regional~~ workforce
 1606 development board may not restrict the choice of training
 1607 providers based upon cost, location, or historical training
 1608 arrangements. However, a board may restrict the amount of
 1609 training resources available to any one client. Such
 1610 restrictions may vary based upon the cost of training in the
 1611 client's chosen occupational area. The local ~~regional~~ workforce
 1612 development board may be designated as a one-stop operator and

1613 direct provider of intake, assessment, eligibility
 1614 determinations, or other direct provider services except
 1615 training services. Such designation may occur only with the
 1616 agreement of the chief elected official and the Governor as
 1617 specified in 29 U.S.C. s. 2832(f)(2). CareerSource Florida,
 1618 Inc., shall establish procedures by which a local ~~regional~~
 1619 workforce development board may request permission to operate
 1620 under this section and the criteria under which such permission
 1621 may be granted. The criteria shall include, but need not be
 1622 limited to, a reduction in the cost of providing the permitted
 1623 services. Such permission shall be granted for a period not to
 1624 exceed 3 years for any single request submitted by the local
 1625 ~~regional~~ workforce development board.

1626 (7) Local ~~Regional~~ workforce development boards shall
 1627 adopt a committee structure consistent with applicable federal
 1628 law and state policies established by CareerSource Florida, Inc.

1629 (8) The importance of minority and gender representation
 1630 shall be considered when appointments are made to any committee
 1631 established by the local ~~regional~~ workforce development board.

1632 (9) For purposes of procurement, local ~~regional~~ workforce
 1633 development boards and their administrative entities are not
 1634 state agencies and are exempt from chapters 120 and 287. The
 1635 local ~~regional~~ workforce development boards shall apply the
 1636 procurement and expenditure procedures required by federal law
 1637 and policies of the Department of Economic Opportunity and
 1638 CareerSource Florida, Inc., for the expenditure of federal,

1639 state, and nonpass-through funds. The making or approval of
 1640 smaller, multiple payments for a single purchase with the intent
 1641 to avoid or evade the monetary thresholds and procedures
 1642 established by federal law and policies of the Department of
 1643 Economic Opportunity and CareerSource Florida, Inc., is grounds
 1644 for removal for cause. Local ~~Regional~~ workforce development
 1645 boards, their administrative entities, committees, and
 1646 subcommittees, and other workforce units may authorize
 1647 expenditures to award suitable framed certificates, pins, or
 1648 other tokens of recognition for performance by units of the
 1649 workforce system. Local ~~Regional~~ workforce development boards;
 1650 their administrative entities, committees, and subcommittees;
 1651 and other workforce units may authorize expenditures for
 1652 promotional items, such as t-shirts, hats, or pens printed with
 1653 messages promoting Florida's workforce system to employers, job
 1654 seekers, and program participants. However, such expenditures
 1655 are subject to federal regulations applicable to the expenditure
 1656 of federal funds. All contracts executed by local ~~regional~~
 1657 workforce development boards must include specific performance
 1658 expectations and deliverables.

1659 (10) State and federal funds provided to the local
 1660 ~~regional~~ workforce development boards may not be used directly
 1661 or indirectly to pay for meals, food, or beverages for board
 1662 members, staff, or employees of local ~~regional~~ workforce
 1663 development boards, CareerSource Florida, Inc., or the
 1664 Department of Economic Opportunity except as expressly

1665 authorized by state law. Preapproved, reasonable, and necessary
 1666 per diem allowances and travel expenses may be reimbursed. Such
 1667 reimbursement shall be at the standard travel reimbursement
 1668 rates established in s. 112.061 and shall be in compliance with
 1669 all applicable federal and state requirements. CareerSource
 1670 Florida, Inc., shall develop a statewide fiscal policy
 1671 applicable to the state board and all local ~~regional~~ workforce
 1672 development boards, to hold both the state and local ~~regional~~
 1673 workforce development boards strictly accountable for adherence
 1674 to the policy and subject to regular and periodic monitoring by
 1675 the Department of Economic Opportunity, the administrative
 1676 entity for CareerSource Florida, Inc. Boards are prohibited from
 1677 expending state or federal funds for entertainment costs and
 1678 recreational activities for board members and employees as these
 1679 terms are defined by 2 C.F.R. part 230.

1680 (11) To increase transparency and accountability, a local
 1681 ~~regional~~ workforce development board must comply with the
 1682 requirements of this section before contracting with a member of
 1683 the board or a relative, as defined in s. 112.3143(1)(c), of a
 1684 board member or of an employee of the board. Such contracts may
 1685 not be executed before or without the approval of CareerSource
 1686 Florida, Inc. Such contracts, as well as documentation
 1687 demonstrating adherence to this section as specified by
 1688 CareerSource Florida, Inc., must be submitted to the Department
 1689 of Economic Opportunity for review and recommendation according
 1690 to criteria to be determined by CareerSource Florida, Inc. Such

1691 a contract must be approved by a two-thirds vote of the board, a
 1692 quorum having been established; all conflicts of interest must
 1693 be disclosed before the vote; and any member who may benefit
 1694 from the contract, or whose relative may benefit from the
 1695 contract, must abstain from the vote. A contract under \$25,000
 1696 between a local ~~regional~~ workforce development board and a
 1697 member of that board or between a relative, as defined in s.
 1698 112.3143(1)(c), of a board member or of an employee of the board
 1699 is not required to have the prior approval of CareerSource
 1700 Florida, Inc., but must be approved by a two-thirds vote of the
 1701 board, a quorum having been established, and must be reported to
 1702 the Department of Economic Opportunity and CareerSource Florida,
 1703 Inc., within 30 days after approval. If a contract cannot be
 1704 approved by CareerSource Florida, Inc., a review of the decision
 1705 to disapprove the contract may be requested by the local
 1706 ~~regional~~ workforce development board or other parties to the
 1707 disapproved contract.

1708 (12) Each local ~~regional~~ workforce development board shall
 1709 develop a budget for the purpose of carrying out the duties of
 1710 the board under this section, subject to the approval of the
 1711 chief elected official. Each local ~~regional~~ workforce
 1712 development board shall submit its annual budget for review to
 1713 CareerSource Florida, Inc., no later than 2 weeks after the
 1714 chair approves the budget.

1715 (13) CareerSource Florida, Inc., shall establish regional
 1716 planning areas in accordance with Title I, s. 106(a)(2), Pub. L.

1717 No. 113-128, by March 1, 2018. Local workforce development
 1718 boards and chief elected officials within an identified regional
 1719 planning area shall prepare a regional workforce development
 1720 plan as required under Title I, s. 106(c)(2), Pub. L. No. 113-
 1721 128.

1722 Section 27. Subsections (4) and (5) of section 445.0071,
 1723 Florida Statutes, are amended to read:

1724 445.0071 Florida Youth Summer Jobs Pilot Program.—

1725 (4) GOVERNANCE.—

1726 (a) The pilot program shall be administered by the local
 1727 ~~regional~~ workforce development board in consultation with
 1728 CareerSource Florida, Inc.

1729 (b) The local ~~regional~~ workforce development board shall
 1730 report to CareerSource Florida, Inc., the number of at-risk and
 1731 disadvantaged children who enter the program, the types of work
 1732 activities they participate in, and the number of children who
 1733 return to school, go on to postsecondary school, or enter the
 1734 workforce full time at the end of the program. CareerSource
 1735 Florida, Inc., shall report to the Legislature by November 1 of
 1736 each year on the performance of the program.

1737 (5) FUNDING.—

1738 (a) The local ~~regional~~ workforce development board shall,
 1739 consistent with state and federal laws, use funds appropriated
 1740 specifically for the pilot program to provide youth wage
 1741 payments and educational enrichment activities. The local
 1742 ~~regional~~ workforce development board and local communities may

1743 obtain private or state and federal grants or other sources of
 1744 funds in addition to any appropriated funds.

1745 (b) Program funds shall be used as follows:

1746 1. No less than 85 percent of the funds shall be used for
 1747 youth wage payments or educational enrichment activities. These
 1748 funds shall be matched on a one-to-one basis by each local
 1749 community that participates in the program.

1750 2. No more than 2 percent of the funds may be used for
 1751 administrative purposes.

1752 3. The remainder of the funds may be used for
 1753 transportation assistance, child care assistance, or other
 1754 assistance to enable a program participant to enter or remain in
 1755 the program.

1756 (c) The local ~~regional~~ workforce development board shall
 1757 pay a participating employer an amount equal to one-half of the
 1758 wages paid to a youth participating in the program. Payments
 1759 shall be made monthly for the duration that the youth
 1760 participant is employed as documented by the employer and
 1761 confirmed by the local ~~regional~~ workforce development board.

1762 Section 28. Subsections (2) through (7), paragraphs (b),
 1763 (c), and (d) of subsection (8), paragraph (b) of subsection (9),
 1764 and subsection (10) of section 445.009, Florida Statutes, are
 1765 amended to read:

1766 445.009 One-stop delivery system.—

1767 (2) (a) Subject to a process designed by CareerSource
 1768 Florida, Inc., and in compliance with Pub. L. No. 113-128 ~~105-~~

1769 ~~220, local regional~~ workforce development boards shall designate
 1770 one-stop delivery system operators.

1771 (b) A local regional workforce development board may
 1772 designate as its one-stop delivery system operator any public or
 1773 private entity that is eligible to provide services under any
 1774 state or federal workforce program that is a mandatory or
 1775 discretionary partner in the local workforce development area's
 1776 ~~region's~~ one-stop delivery system if approved by CareerSource
 1777 Florida, Inc., upon a showing by the local regional workforce
 1778 development board that a fair and competitive process was used
 1779 in the selection. As a condition of authorizing a local regional
 1780 workforce development board to designate such an entity as its
 1781 one-stop delivery system operator, CareerSource Florida, Inc.,
 1782 must require the local regional workforce development board to
 1783 demonstrate that safeguards are in place to ensure that the one-
 1784 stop delivery system operator will not exercise an unfair
 1785 competitive advantage or unfairly refer or direct customers of
 1786 the one-stop delivery system to services provided by that one-
 1787 stop delivery system operator. A local regional workforce
 1788 development board may retain its current one-stop career center
 1789 operator without further procurement action if the board has an
 1790 established one-stop career center that has complied with
 1791 federal and state law.

1792 (c) The local workforce development board must enter into
 1793 a memorandum of understanding with each mandatory or optional
 1794 partner participating in the one-stop delivery system which

1795 details the partner's required contribution to infrastructure
 1796 costs, as required by s. 121(h), Pub. L. No. 113-128. If the
 1797 local workforce development board and the one-stop partner are
 1798 unable to come to an agreement regarding infrastructure costs by
 1799 July 1, 2016, the costs shall be allocated pursuant to a policy
 1800 established by the Governor.

1801 (3) Local Regional workforce development boards shall
 1802 enter into a memorandum of understanding with the Department of
 1803 Economic Opportunity for the delivery of employment services
 1804 authorized by the federal Wagner-Peyser Act. This memorandum of
 1805 understanding must be performance based.

1806 (a) Unless otherwise required by federal law, at least 90
 1807 percent of the Wagner-Peyser funding must go into direct
 1808 customer service costs.

1809 (b) Employment services must be provided through the one-
 1810 stop delivery system, under the guidance of one-stop delivery
 1811 system operators. One-stop delivery system operators shall have
 1812 overall authority for directing the staff of the workforce
 1813 system. Personnel matters shall remain under the ultimate
 1814 authority of the department. However, the one-stop delivery
 1815 system operator shall submit to the department information
 1816 concerning the job performance of employees of the department
 1817 who deliver employment services. The department shall consider
 1818 any such information submitted by the one-stop delivery system
 1819 operator in conducting performance appraisals of the employees.

1820 (c) The department shall retain fiscal responsibility and

1821 accountability for the administration of funds allocated to the
 1822 state under the Wagner-Peyser Act. An employee of the department
 1823 who is providing services authorized under the Wagner-Peyser Act
 1824 shall be paid using Wagner-Peyser Act funds.

1825 (4) One-stop delivery system partners shall enter into a
 1826 memorandum of understanding pursuant to Title I, s. 121, Pub. L.
 1827 No. 113-128 ~~105-220~~, Title I, s. 121, with the local regional
 1828 workforce development board. Failure of a local partner to
 1829 participate cannot unilaterally block the majority of partners
 1830 from moving forward with their one-stop delivery system, and
 1831 CareerSource Florida, Inc., pursuant to s. 445.004(5)(e), may
 1832 make notification of a local partner that fails to participate.

1833 (5) To the extent possible, local regional workforce
 1834 development boards shall include as partners in the local one-
 1835 stop delivery system entities that provide programs or
 1836 activities designed to meet the needs of homeless persons.

1837 (6)(a) To the extent possible, core services, as defined
 1838 by Pub. L. No. 113-128 ~~105-220~~, shall be provided
 1839 electronically, using existing systems. These electronic systems
 1840 shall be linked and integrated into a comprehensive service
 1841 system to simplify access to core services by:

1842 1. Maintaining staff to serve as the first point of
 1843 contact with the public seeking access to employment services
 1844 who are knowledgeable about each program located in each one-
 1845 stop delivery system center as well as related services. An
 1846 initial determination of the programs for which a customer is

1847 likely to be eligible and any referral for a more thorough
 1848 eligibility determination must be made at this first point of
 1849 contact; and

1850 2. Establishing an automated, integrated intake screening
 1851 and eligibility process where customers will provide information
 1852 through a self-service intake process that may be accessed by
 1853 staff from any participating program.

1854 (b) To expand electronic capabilities, CareerSource
 1855 Florida, Inc., working with local ~~regional~~ workforce development
 1856 boards, shall develop a centralized help center to assist local
 1857 ~~regional~~ workforce development boards in fulfilling core
 1858 services, minimizing the need for fixed-site one-stop delivery
 1859 system centers.

1860 (c) To the extent feasible, core services shall be
 1861 accessible through the Internet. Through this technology, core
 1862 services shall be made available at public libraries, public and
 1863 private educational institutions, community centers, kiosks,
 1864 neighborhood facilities, and satellite one-stop delivery system
 1865 sites. Each local ~~regional~~ workforce development board's web
 1866 page shall serve as a portal for contacting potential employees
 1867 by integrating the placement efforts of universities and private
 1868 companies, including staffing services firms, into the existing
 1869 one-stop delivery system.

1870 (7) Intensive services and training provided pursuant to
 1871 Pub. L. No. 113-128 ~~105-220~~, shall be provided to individuals
 1872 through Intensive Service Accounts and Individual Training

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1873 Accounts. CareerSource Florida, Inc., shall develop an
1874 implementation plan, including identification of initially
1875 eligible training providers, transition guidelines, and criteria
1876 for use of these accounts. Individual Training Accounts must be
1877 compatible with Individual Development Accounts for education
1878 allowed in federal and state welfare reform statutes.

1879 (8)

1880 (b) For each approved training program, local ~~regional~~
1881 workforce development boards, in consultation with training
1882 providers, shall establish a fair-market purchase price to be
1883 paid through an Individual Training Account. The purchase price
1884 must be based on prevailing costs and reflect local economic
1885 factors, program complexity, and program benefits, including
1886 time to beginning of training and time to completion. The price
1887 shall ensure the fair participation of public and nonpublic
1888 postsecondary educational institutions as authorized service
1889 providers and shall prohibit the use of unlawful remuneration to
1890 the student in return for attending an institution. Unlawful
1891 remuneration does not include student financial assistance
1892 programs.

1893 (c) CareerSource Florida, Inc., shall periodically review
1894 Individual Training Account pricing schedules developed by local
1895 ~~regional~~ workforce development boards and present findings and
1896 recommendations for process improvement to the President of the
1897 Senate and the Speaker of the House of Representatives.

1898 (d) To the maximum extent possible, training providers

1899 shall use funding sources other than the funding provided under
 1900 Pub. L. No. 113-128 ~~105-220~~. CareerSource Florida, Inc., shall
 1901 develop a system to encourage the leveraging of appropriated
 1902 resources for the workforce system and shall report on such
 1903 efforts as part of the required annual report.

1904 (9)

1905 (b) The network shall assure that a uniform method is used
 1906 to determine eligibility for and management of services provided
 1907 by agencies that conduct workforce development activities. The
 1908 Department of Management Services shall develop strategies to
 1909 allow access to the databases and information management systems
 1910 of the following systems in order to link information in those
 1911 databases with the one-stop delivery system:

1912 1. The Reemployment Assistance Program under chapter 443.

1913 2. The public employment service described in s. 443.181.

1914 3. The public assistance information system used by the
 1915 Department of Children and Families ~~FLORIDA System~~ and the
 1916 components related to temporary cash assistance, food
 1917 assistance, and Medicaid eligibility.

1918 4. The Student Financial Assistance System of the
 1919 Department of Education.

1920 5. Enrollment in the public postsecondary education
 1921 system.

1922 6. Other information systems determined appropriate by
 1923 CareerSource Florida, Inc.

1924 (10) To the maximum extent feasible, the one-stop delivery

1925 system may use private sector staffing services firms in the
 1926 provision of workforce services to individuals and employers in
 1927 the state. Local ~~Regional~~ workforce development boards may
 1928 collaborate with staffing services firms in order to facilitate
 1929 the provision of workforce services. Local ~~Regional~~ workforce
 1930 development boards may contract with private sector staffing
 1931 services firms to design programs that meet the employment needs
 1932 of the local workforce development area ~~region~~. All such
 1933 contracts must be performance-based and require a specific
 1934 period of job tenure prior to payment.

1935 Section 29. Subsections (1) and (3) of section 445.014,
 1936 Florida Statutes, are amended to read:

1937 445.014 Small business workforce service initiative.—

1938 (1) Subject to legislative appropriation, CareerSource
 1939 Florida, Inc., shall establish a program to encourage local
 1940 ~~regional~~ workforce development boards to establish one-stop
 1941 delivery systems that maximize the provision of workforce and
 1942 human-resource support services to small businesses. Under the
 1943 program, a local ~~regional~~ workforce development board may apply,
 1944 on a competitive basis, for funds to support the provision of
 1945 such services to small businesses through the local workforce
 1946 development area's ~~region's~~ one-stop delivery system.

1947 (3) CareerSource Florida, Inc., shall establish guidelines
 1948 governing the administration of this program and shall establish
 1949 criteria to be used in evaluating applications for funding. Such
 1950 criteria must include, but need not be limited to, a showing

1951 that the local workforce development ~~regional~~ board has in place
 1952 a detailed plan for establishing a one-stop delivery system
 1953 designed to meet the workforce needs of small businesses and for
 1954 leveraging other funding sources in support of such activities.

1955 Section 30. Subsection (3) of section 445.016, Florida
 1956 Statutes, is amended to read:

1957 445.016 Untried Worker Placement and Employment Incentive
 1958 Act.—

1959 (3) Incentive payments may be made to for-profit or not-
 1960 for-profit agents selected by local ~~regional~~ workforce
 1961 development boards who successfully place untried workers in
 1962 full-time employment for 6 months with an employer after the
 1963 employee successfully completes a probationary placement of no
 1964 more than 6 months with that employer. Full-time employment that
 1965 includes health care benefits will receive an additional
 1966 incentive payment.

1967 Section 31. Subsections (3), (4), and (5) of section
 1968 445.017, Florida Statutes, are amended to read:

1969 445.017 Diversion.—

1970 (3) Before finding an applicant family eligible for up-
 1971 front diversion services, the local ~~regional~~ workforce
 1972 development board must determine that all requirements of
 1973 eligibility for diversion services would likely be met.

1974 (4) The local ~~regional~~ workforce development board shall
 1975 screen each family on a case-by-case basis for barriers to
 1976 obtaining or retaining employment. The screening shall identify

1977 barriers that, if corrected, may prevent the family from
 1978 receiving temporary cash assistance on a regular basis.
 1979 Assistance to overcome a barrier to employment is not limited to
 1980 cash, but may include vouchers or other in-kind benefits.

1981 (5) The family receiving up-front diversion must sign an
 1982 agreement restricting the family from applying for temporary
 1983 cash assistance for 3 months, unless an emergency is
 1984 demonstrated to the local ~~regional~~ workforce development board.
 1985 If a demonstrated emergency forces the family to reapply for
 1986 temporary cash assistance within 3 months after receiving a
 1987 diversion payment, the diversion payment shall be prorated over
 1988 an 8-month period and deducted from any temporary assistance for
 1989 which the family is eligible.

1990 Section 32. Subsections (2) and (3) of section 445.021,
 1991 Florida Statutes, are amended to read:

1992 445.021 Relocation assistance program.—

1993 (2) The relocation assistance program shall involve five
 1994 steps by the local ~~regional~~ workforce development board, in
 1995 cooperation with the Department of Children and Families:

1996 (a) A determination that the family is receiving temporary
 1997 cash assistance or that all requirements of eligibility for
 1998 diversion services would likely be met.

1999 (b) A determination that there is a basis for believing
 2000 that relocation will contribute to the ability of the applicant
 2001 to achieve self-sufficiency. For example, the applicant:

2002 1. Is unlikely to achieve economic self-sufficiency at the

2003 current community of residence;

2004 2. Has secured a job that provides an increased salary or
 2005 improved benefits and that requires relocation to another
 2006 community;

2007 3. Has a family support network that will contribute to
 2008 job retention in another community;

2009 4. Is determined, pursuant to criteria or procedures
 2010 established by the board of directors of CareerSource Florida,
 2011 Inc., to be a victim of domestic violence who would experience
 2012 reduced probability of further incidents through relocation; or

2013 5. Must relocate in order to receive education or training
 2014 that is directly related to the applicant's employment or career
 2015 advancement.

2016 (c) Establishment of a relocation plan that includes such
 2017 requirements as are necessary to prevent abuse of the benefit
 2018 and provisions to protect the safety of victims of domestic
 2019 violence and avoid provisions that place them in anticipated
 2020 danger. The payment to defray relocation expenses shall be
 2021 determined based on criteria approved by the board of directors
 2022 of CareerSource Florida, Inc. Participants in the relocation
 2023 program shall be eligible for diversion or transitional
 2024 benefits.

2025 (d) A determination, pursuant to criteria adopted by the
 2026 board of directors of CareerSource Florida, Inc., that a
 2027 community receiving a relocated family has the capacity to
 2028 provide needed services and employment opportunities.

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2029 (e) Monitoring the relocation.

2030 (3) A family receiving relocation assistance for reasons
 2031 other than domestic violence must sign an agreement restricting
 2032 the family from applying for temporary cash assistance for a
 2033 period of 6 months, unless an emergency is demonstrated to the
 2034 local ~~regional~~ workforce development board. If a demonstrated
 2035 emergency forces the family to reapply for temporary cash
 2036 assistance within such period, after receiving a relocation
 2037 assistance payment, repayment must be made on a prorated basis
 2038 and subtracted from any regular payment of temporary cash
 2039 assistance for which the applicant may be eligible.

2040 Section 33. Section 445.022, Florida Statutes, is amended
 2041 to read:

2042 445.022 Retention Incentive Training Accounts.—To promote
 2043 job retention and to enable upward job advancement into higher
 2044 skilled, higher paying employment, the board of directors of
 2045 CareerSource Florida, Inc., and the local ~~regional~~ workforce
 2046 development boards may assemble a list of programs and courses
 2047 offered by postsecondary educational institutions which may be
 2048 available to participants who have become employed to promote
 2049 job retention and advancement.

2050 (1) The board of directors of CareerSource Florida, Inc.,
 2051 may establish Retention Incentive Training Accounts (RITAs) to
 2052 use Temporary Assistance to Needy Families (TANF) block grant
 2053 funds specifically appropriated for this purpose. RITAs must
 2054 complement the Individual Training Account required by the

2055 federal Workforce Innovation and Opportunity Investment Act of
 2056 1998, Pub. L. No. 113-128 ~~105-220~~.

2057 (2) RITAs may pay for tuition, fees, educational
 2058 materials, coaching and mentoring, performance incentives,
 2059 transportation to and from courses, child care costs during
 2060 education courses, and other such costs as the local ~~regional~~
 2061 workforce development boards determine are necessary to effect
 2062 successful job retention and advancement.

2063 (3) Local ~~Regional~~ workforce development boards shall
 2064 retain only those courses that continue to meet their
 2065 performance standards as established in their local plan.

2066 (4) Local ~~Regional~~ workforce development boards shall
 2067 report annually to the Legislature on the measurable retention
 2068 and advancement success of each program provider and the
 2069 effectiveness of RITAs, making recommendations for any needed
 2070 changes or modifications.

2071 Section 34. Subsections (4) and (5) of section 445.024,
 2072 Florida Statutes, are amended to read:

2073 445.024 Work requirements.—

2074 (4) PRIORITIZATION OF WORK REQUIREMENTS.—Local ~~Regional~~
 2075 workforce development boards shall require participation in work
 2076 activities to the maximum extent possible, subject to federal
 2077 and state funding. If funds are projected to be insufficient to
 2078 allow full-time work activities by all program participants who
 2079 are required to participate in work activities, local ~~regional~~
 2080 workforce development boards shall screen participants and

2081 assign priority based on the following:

2082 (a) In accordance with federal requirements, at least one
 2083 adult in each two-parent family shall be assigned priority for
 2084 full-time work activities.

2085 (b) Among single-parent families, a family that has older
 2086 preschool children or school-age children shall be assigned
 2087 priority for work activities.

2088 (c) A participant who has access to child care services
 2089 may be assigned priority for work activities.

2090 (d) Priority may be assigned based on the amount of time
 2091 remaining until the participant reaches the applicable time
 2092 limit for program participation or may be based on requirements
 2093 of a case plan.

2094
 2095 Local ~~Regional~~ workforce development boards may limit a
 2096 participant's weekly work requirement to the minimum required to
 2097 meet federal work activity requirements. Local ~~Regional~~
 2098 workforce development boards may develop screening and
 2099 prioritization procedures based on the allocation of resources,
 2100 the availability of community resources, the provision of
 2101 supportive services, or the work activity needs of the service
 2102 area.

2103 (5) USE OF CONTRACTS.—Local ~~Regional~~ workforce development
 2104 boards shall provide work activities, training, and other
 2105 services, as appropriate, through contracts. In contracting for
 2106 work activities, training, or services, the following applies:

2107 (a) A contract must be performance-based. Payment shall be
 2108 tied to performance outcomes that include factors such as, but
 2109 not limited to, diversion from cash assistance, job entry, job
 2110 entry at a target wage, job retention, and connection to
 2111 transition services rather than tied to completion of training
 2112 or education or any other phase of the program participation
 2113 process.

2114 (b) A contract may include performance-based incentive
 2115 payments that may vary according to the extent to which the
 2116 participant is more difficult to place. Contract payments may be
 2117 weighted proportionally to reflect the extent to which the
 2118 participant has limitations associated with the long-term
 2119 receipt of welfare and difficulty in sustaining employment. The
 2120 factors may include the extent of prior receipt of welfare, lack
 2121 of employment experience, lack of education, lack of job skills,
 2122 and other factors determined appropriate by the local ~~regional~~
 2123 workforce development board.

2124 (c) Notwithstanding the exemption from the competitive
 2125 sealed bid requirements provided in s. 287.057(3)(e) for certain
 2126 contractual services, each contract awarded under this chapter
 2127 must be awarded on the basis of a competitive sealed bid, except
 2128 for a contract with a governmental entity as determined by the
 2129 local ~~regional~~ workforce development board.

2130 (d) Local ~~Regional~~ workforce development boards may
 2131 contract with commercial, charitable, or religious
 2132 organizations. A contract must comply with federal requirements

2133 with respect to nondiscrimination and other requirements that
 2134 safeguard the rights of participants. Services may be provided
 2135 under contract, certificate, voucher, or other form of
 2136 disbursement.

2137 (e) The administrative costs associated with a contract
 2138 for services provided under this section may not exceed the
 2139 applicable administrative cost ceiling established in federal
 2140 law. An agency or entity that is awarded a contract under this
 2141 section may not charge more than 7 percent of the value of the
 2142 contract for administration unless an exception is approved by
 2143 the local ~~regional~~ workforce development board. A list of any
 2144 exceptions approved must be submitted to the board of directors
 2145 of CareerSource Florida, Inc., for review, and the board may
 2146 rescind approval of the exception.

2147 (f) Local ~~Regional~~ workforce development boards may enter
 2148 into contracts to provide short-term work experience for the
 2149 chronically unemployed as provided in this section.

2150 (g) A tax-exempt organization under s. 501(c) of the
 2151 Internal Revenue Code of 1986 which receives funds under this
 2152 chapter must disclose receipt of federal funds on any
 2153 advertising, promotional, or other material in accordance with
 2154 federal requirements.

2155 Section 35. Section 445.025, Florida Statutes, is amended
 2156 to read:

2157 445.025 Other support services.—Support services shall be
 2158 provided, if resources permit, to assist participants in

2159 complying with work activity requirements outlined in s.
 2160 445.024. If resources do not permit the provision of needed
 2161 support services, the local ~~regional~~ workforce development board
 2162 may prioritize or otherwise limit provision of support services.
 2163 This section does not constitute an entitlement to support
 2164 services. Lack of provision of support services may be
 2165 considered as a factor in determining whether good cause exists
 2166 for failing to comply with work activity requirements but does
 2167 not automatically constitute good cause for failing to comply
 2168 with work activity requirements, and does not affect any
 2169 applicable time limit on the receipt of temporary cash
 2170 assistance or the provision of services under chapter 414.
 2171 Support services shall include, but need not be limited to:
 2172 (1) TRANSPORTATION.—Transportation expenses may be
 2173 provided to any participant when the assistance is needed to
 2174 comply with work activity requirements or employment
 2175 requirements, including transportation to and from a child care
 2176 provider. Payment may be made in cash or tokens in advance or
 2177 through reimbursement paid against receipts or invoices.
 2178 Transportation services may include, but are not limited to,
 2179 cooperative arrangements with the following: public transit
 2180 providers; community transportation coordinators designated
 2181 under chapter 427; school districts; churches and community
 2182 centers; donated motor vehicle programs, van pools, and
 2183 ridesharing programs; small enterprise developments and
 2184 entrepreneurial programs that encourage participants to become

2185 transportation providers; public and private transportation
 2186 partnerships; and other innovative strategies to expand
 2187 transportation options available to program participants.

2188 (a) Local ~~Regional~~ workforce development boards may
 2189 provide payment for vehicle operational and repair expenses,
 2190 including repair expenditures necessary to make a vehicle
 2191 functional; vehicle registration fees; driver license fees; and
 2192 liability insurance for the vehicle for a period of up to 6
 2193 months. Request for vehicle repairs must be accompanied by an
 2194 estimate of the cost prepared by a repair facility registered
 2195 under s. 559.904.

2196 (b) Transportation disadvantaged funds as defined in
 2197 chapter 427 do not include support services funds or funds
 2198 appropriated to assist persons eligible under the Workforce
 2199 Innovation and Opportunity Act ~~Job Training Partnership Act~~. It
 2200 is the intent of the Legislature that local ~~regional~~ workforce
 2201 development boards consult with local community transportation
 2202 coordinators designated under chapter 427 regarding the
 2203 availability and cost of transportation services through the
 2204 coordinated transportation system prior to contracting for
 2205 comparable transportation services outside the coordinated
 2206 system.

2207 (2) ANCILLARY EXPENSES.—Ancillary expenses such as books,
 2208 tools, clothing, fees, and costs necessary to comply with work
 2209 activity requirements or employment requirements may be
 2210 provided.

2211 (3) MEDICAL SERVICES.—A family that meets the eligibility
 2212 requirements for Medicaid shall receive medical services under
 2213 the Medicaid program.

2214 (4) PERSONAL AND FAMILY COUNSELING AND THERAPY.—Counseling
 2215 may be provided to participants who have a personal or family
 2216 problem or problems caused by substance abuse that is a barrier
 2217 to compliance with work activity requirements or employment
 2218 requirements. In providing these services, local ~~regional~~
 2219 workforce development boards shall use services that are
 2220 available in the community at no additional cost. If these
 2221 services are not available, local ~~regional~~ workforce development
 2222 boards may use support services funds. Personal or family
 2223 counseling not available through Medicaid may not be considered
 2224 a medical service for purposes of the required statewide
 2225 implementation plan or use of federal funds.

2226 Section 36. Subsection (5) of section 445.026, Florida
 2227 Statutes, is amended to read:

2228 445.026 Cash assistance severance benefit.—An individual
 2229 who meets the criteria listed in this section may choose to
 2230 receive a lump-sum payment in lieu of ongoing cash assistance
 2231 payments, provided the individual:

2232 (5) Provides employment and earnings information to the
 2233 local ~~regional~~ workforce development board, so that the local
 2234 ~~regional~~ workforce development board can ensure that the
 2235 family's eligibility for severance benefits can be evaluated.

2236

2237 Such individual may choose to accept a one-time, lump-sum
 2238 payment of \$1,000 in lieu of receiving ongoing cash assistance.
 2239 Such payment shall only count toward the time limitation for the
 2240 month in which the payment is made in lieu of cash assistance. A
 2241 participant choosing to accept such payment shall be terminated
 2242 from cash assistance. However, eligibility for Medicaid, food
 2243 assistance, or child care shall continue, subject to the
 2244 eligibility requirements of those programs.

2245 Section 37. Subsections (2) and (4) of section 445.030,
 2246 Florida Statutes, are amended to read:

2247 445.030 Transitional education and training.—In order to
 2248 assist former recipients of temporary cash assistance who are
 2249 working or actively seeking employment in continuing their
 2250 training and upgrading their skills, education, or training,
 2251 support services may be provided for up to 2 years after the
 2252 family is no longer receiving temporary cash assistance. This
 2253 section does not constitute an entitlement to transitional
 2254 education and training. If funds are not sufficient to provide
 2255 services under this section, the board of directors of
 2256 CareerSource Florida, Inc., may limit or otherwise prioritize
 2257 transitional education and training.

2258 (2) Local ~~Regional~~ workforce development boards may
 2259 authorize child care or other support services in addition to
 2260 services provided in conjunction with employment. For example, a
 2261 participant who is employed full time may receive child care
 2262 services related to that employment and may also receive

2263 additional child care services in conjunction with training to
 2264 upgrade the participant's skills.

2265 (4) A local ~~Regional~~ workforce development board may enter
 2266 into an agreement with an employer to share the costs relating
 2267 to upgrading the skills of participants hired by the employer.
 2268 For example, a local ~~regional~~ workforce development board may
 2269 agree to provide support services such as transportation or a
 2270 wage subsidy in conjunction with training opportunities provided
 2271 by the employer.

2272 Section 38. Section 445.031, Florida Statutes, is amended
 2273 to read:

2274 445.031 Transitional transportation.—In order to assist
 2275 former recipients of temporary cash assistance in maintaining
 2276 and sustaining employment or educational opportunities,
 2277 transportation may be provided, if funds are available, for up
 2278 to 2 years after the participant is no longer in the program.
 2279 This does not constitute an entitlement to transitional
 2280 transportation. If funds are not sufficient to provide services
 2281 under this section, local ~~regional~~ workforce development boards
 2282 may limit or otherwise prioritize transportation services.

2283 (1) Transitional transportation must be job or education
 2284 related.

2285 (2) Transitional transportation may include expenses
 2286 identified in s. 445.025, paid directly or by voucher, as well
 2287 as a vehicle valued at not more than \$8,500 if the vehicle is
 2288 needed for training, employment, or educational purposes.

2289 Section 39. Subsection (1), paragraph (b) of subsection
 2290 (4), and subsection (5) of section 445.048, Florida Statutes,
 2291 are amended to read:

2292 445.048 Passport to Economic Progress program.—

2293 (1) AUTHORIZATION.—Notwithstanding any law to the
 2294 contrary, CareerSource Florida, Inc., in conjunction with the
 2295 Department of Children and Families and the Department of
 2296 Economic Opportunity, shall implement a Passport to Economic
 2297 Progress program consistent with the provisions of this section.
 2298 CareerSource Florida, Inc., may designate local ~~regional~~
 2299 workforce development boards to participate in the program.
 2300 Expenses for the program may come from appropriated revenues or
 2301 from funds otherwise available to a local ~~regional~~ workforce
 2302 development board which may be legally used for such purposes.
 2303 CareerSource Florida, Inc., must consult with the applicable
 2304 local ~~regional~~ workforce development boards and the applicable
 2305 local offices of the Department of Children and Families which
 2306 serve the program areas and must encourage community input into
 2307 the implementation process.

2308 (4) INCENTIVES TO ECONOMIC SELF-SUFFICIENCY.—

2309 (b) CareerSource Florida, Inc., in cooperation with the
 2310 Department of Children and Families and the Department of
 2311 Economic Opportunity, shall offer performance-based incentive
 2312 bonuses as a component of the Passport to Economic Progress
 2313 program. The bonuses do not represent a program entitlement and
 2314 are contingent on achieving specific benchmarks prescribed in

2315 the self-sufficiency plan. If the funds appropriated for this
 2316 purpose are insufficient to provide this financial incentive,
 2317 the board of directors of CareerSource Florida, Inc., may reduce
 2318 or suspend the bonuses in order not to exceed the appropriation
 2319 or may direct the local workforce development ~~regional~~ boards to
 2320 use resources otherwise given to the local workforce development
 2321 board ~~regional workforce~~ to pay such bonuses if such payments
 2322 comply with applicable state and federal laws.

2323 (5) EVALUATIONS AND RECOMMENDATIONS.—CareerSource Florida,
 2324 Inc., in conjunction with the Department of Children and
 2325 Families, the Department of Economic Opportunity, and the local
 2326 ~~regional~~ workforce development boards, shall conduct a
 2327 comprehensive evaluation of the effectiveness of the program
 2328 operated under this section. Evaluations and recommendations for
 2329 the program shall be submitted by CareerSource Florida, Inc., as
 2330 part of its annual report to the Legislature.

2331 Section 40. Paragraph (b) of subsection (2), paragraph (d)
 2332 of subsection (4), and subsections (6) and (7) of section
 2333 445.051, Florida Statutes, are amended to read:

2334 445.051 Individual development accounts.—

2335 (2) As used in this section, the term:

2336 (b) "Qualified entity" means:

2337 1. A not-for-profit organization described in s. 501(c)(3)
 2338 of the Internal Revenue Code of 1986, as amended, and exempt
 2339 from taxation under s. 501(a) of such code; or

2340 2. A state or local government agency acting in

2341 cooperation with an organization described in subparagraph 1.
 2342 For purposes of this section, a local ~~regional~~ workforce
 2343 development board is a government agency.

2344 (4)

2345 (d) Eligible participants may receive matching funds for
 2346 contributions to the individual development account, pursuant to
 2347 the strategic plan for workforce development. When not
 2348 restricted to the contrary, matching funds may be paid from
 2349 state and federal funds under the control of the local ~~regional~~
 2350 workforce development board, from local agencies, or from
 2351 private donations.

2352 (6) CareerSource Florida, Inc., shall establish procedures
 2353 for local ~~regional~~ workforce development boards to include in
 2354 their annual program and financial plan an application to offer
 2355 an individual development account program as part of their TANF
 2356 allocation. These procedures must include, but need not be
 2357 limited to, administrative costs permitted for the fiduciary
 2358 organization and policies relative to identifying the match
 2359 ratio and limits on the deposits for which the match will be
 2360 provided in the application process. CareerSource Florida, Inc.,
 2361 shall establish policies and procedures necessary to ensure that
 2362 funds held in an individual development account are not
 2363 withdrawn except for one or more of the qualified purposes
 2364 described in this section.

2365 (7) Fiduciary organizations shall be the local ~~regional~~
 2366 workforce development board or other community-based

2367 organizations designated by the local ~~regional~~ workforce
 2368 development board to serve as intermediaries between individual
 2369 account holders and financial institutions holding accounts.
 2370 Responsibilities of such fiduciary organizations may include
 2371 marketing participation, soliciting matching contributions,
 2372 counseling program participants, and conducting verification and
 2373 compliance activities.

2374 Section 41. Subsection (1) of section 445.07, Florida
 2375 Statutes, is amended to read:

2376 445.07 Economic security report of employment and earning
 2377 outcomes.—

2378 (1) Beginning December 31, 2013, and annually thereafter,
 2379 the Department of Economic Opportunity, in consultation with the
 2380 Department of Education, shall prepare, or contract with an
 2381 entity to prepare, an economic security report of employment and
 2382 earning outcomes for degrees or certificates earned at public
 2383 postsecondary educational institutions.

2384 Section 42. Paragraph (a) of subsection (1) of section
 2385 985.622, Florida Statutes, is amended to read:

2386 985.622 Multiagency plan for career and professional
 2387 education (CAPE).—

2388 (1) The Department of Juvenile Justice and the Department
 2389 of Education shall, in consultation with the statewide Workforce
 2390 Development Youth Council, school districts, providers, and
 2391 others, jointly develop a multiagency plan for career and
 2392 professional education (CAPE) that establishes the curriculum,

2393 goals, and outcome measures for CAPE programs in juvenile
 2394 justice education programs. The plan must be reviewed annually,
 2395 revised as appropriate, and include:

2396 (a) Provisions for maximizing appropriate state and
 2397 federal funding sources, including funds under the Workforce
 2398 Innovation and Opportunity Act ~~Workforce Investment Act~~ and the
 2399 Perkins Act.

2400 Section 43. Paragraph (c) of subsection (4) of section
 2401 1002.83, Florida Statutes, is amended to read:

2402 1002.83 Early learning coalitions.—

2403 (4) Each early learning coalition must include the
 2404 following member positions; however, in a multicounty coalition,
 2405 each ex officio member position may be filled by multiple
 2406 nonvoting members but no more than one voting member shall be
 2407 seated per member position. If an early learning coalition has
 2408 more than one member representing the same entity, only one of
 2409 such members may serve as a voting member:

2410 (c) A local ~~regional~~ workforce development board executive
 2411 director or his or her permanent designee.

2412 Section 44. Subsections (2) and (3) and paragraph (b) of
 2413 subsection (4) of section 1003.491, Florida Statutes, are
 2414 amended to read:

2415 1003.491 Florida Career and Professional Education Act.—
 2416 The Florida Career and Professional Education Act is created to
 2417 provide a statewide planning partnership between the business
 2418 and education communities in order to attract, expand, and

2419 retain targeted, high-value industry and to sustain a strong,
 2420 knowledge-based economy.

2421 (2) Each district school board shall develop, in
 2422 collaboration with local ~~regional~~ workforce development boards,
 2423 economic development agencies, and postsecondary institutions
 2424 approved to operate in the state, a strategic 3-year plan to
 2425 address and meet local ~~and regional~~ workforce demands. If
 2426 involvement of a local ~~regional~~ workforce development board or
 2427 an economic development agency in the strategic plan development
 2428 is not feasible, the local school board, with the approval of
 2429 the Department of Economic Opportunity, shall collaborate with
 2430 the most appropriate local ~~regional~~ business leadership board.
 2431 Two or more school districts may collaborate in the development
 2432 of the strategic plan and offer career-themed courses, as
 2433 defined in s. 1003.493(1)(b), or a career and professional
 2434 academy as a joint venture. The strategic plan must describe in
 2435 detail provisions for the efficient transportation of students,
 2436 the maximum use of shared resources, access to courses aligned
 2437 to state curriculum standards through virtual education
 2438 providers legislatively authorized to provide part-time
 2439 instruction to middle school students, and an objective review
 2440 of proposed career and professional academy courses and other
 2441 career-themed courses to determine if the courses will lead to
 2442 the attainment of industry certifications included on the
 2443 Industry Certified Funding List pursuant to rules adopted by the
 2444 State Board of Education. Each strategic plan shall be reviewed,

2445 updated, and jointly approved every 3 years by the local school
 2446 district, local ~~regional~~ workforce development boards, economic
 2447 development agencies, and state-approved postsecondary
 2448 institutions.

2449 (3) The strategic 3-year plan developed jointly by the
 2450 local school district, local ~~regional~~ workforce development
 2451 boards, economic development agencies, and state-approved
 2452 postsecondary institutions shall be constructed and based on:

2453 (a) Research conducted to objectively determine local ~~and~~
 2454 ~~regional~~ workforce needs for the ensuing 3 years, using labor
 2455 projections of the United States Department of Labor and the
 2456 Department of Economic Opportunity;

2457 (b) Strategies to develop and implement career academies
 2458 or career-themed courses based on those careers determined to be
 2459 high-wage, high-skill, and high-demand;

2460 (c) Strategies to provide shared, maximum use of private
 2461 sector facilities and personnel;

2462 (d) Strategies that ensure instruction by industry-
 2463 certified faculty and standards and strategies to maintain
 2464 current industry credentials and for recruiting and retaining
 2465 faculty to meet those standards;

2466 (e) Strategies to provide personalized student advisement,
 2467 including a parent-participation component, and coordination
 2468 with middle grades to promote and support career-themed courses
 2469 and education planning as required under s. 1003.4156;

2470 (f) Alignment of requirements for middle school career

2471 planning under s. 1003.4156(1)(e), middle and high school career
 2472 and professional academies or career-themed courses leading to
 2473 industry certification or postsecondary credit, and high school
 2474 graduation requirements;

2475 (g) Provisions to ensure that career-themed courses and
 2476 courses offered through career and professional academies are
 2477 academically rigorous, meet or exceed appropriate state-adopted
 2478 subject area standards, result in attainment of industry
 2479 certification, and, when appropriate, result in postsecondary
 2480 credit;

2481 (h) Plans to sustain and improve career-themed courses and
 2482 career and professional academies;

2483 (i) Strategies to improve the passage rate for industry
 2484 certification examinations if the rate falls below 50 percent;

2485 (j) Strategies to recruit students into career-themed
 2486 courses and career and professional academies which include
 2487 opportunities for students who have been unsuccessful in
 2488 traditional classrooms but who are interested in enrolling in
 2489 career-themed courses or a career and professional academy.
 2490 School boards shall provide opportunities for students who may
 2491 be deemed as potential dropouts to enroll in career-themed
 2492 courses or participate in career and professional academies;

2493 (k) Strategies to provide sufficient space within
 2494 academies to meet workforce needs and to provide access to all
 2495 interested and qualified students;

2496 (l) Strategies to implement career-themed courses or

2497 career and professional academy training that lead to industry
 2498 certification in juvenile justice education programs;

2499 (m) Opportunities for high school students to earn
 2500 weighted or dual enrollment credit for higher-level career and
 2501 technical courses;

2502 (n) Promotion of the benefits of the Gold Seal Bright
 2503 Futures Scholarship;

2504 (o) Strategies to ensure the review of district pupil-
 2505 progression plans and to amend such plans to include career-
 2506 themed courses and career and professional academy courses and
 2507 to include courses that may qualify as substitute courses for
 2508 core graduation requirements and those that may be counted as
 2509 elective courses;

2510 (p) Strategies to provide professional development for
 2511 secondary certified school counselors on the benefits of career
 2512 and professional academies and career-themed courses that lead
 2513 to industry certification; and

2514 (q) Strategies to redirect appropriated career funding in
 2515 secondary and postsecondary institutions to support career
 2516 academies and career-themed courses that lead to industry
 2517 certification.

2518 (4) The State Board of Education shall establish a process
 2519 for the continual and uninterrupted review of newly proposed
 2520 core secondary courses and existing courses requested to be
 2521 considered as core courses to ensure that sufficient rigor and
 2522 relevance is provided for workforce skills and postsecondary

2523 education and aligned to state curriculum standards.

2524 (b) The curriculum review committee shall review newly
 2525 proposed core courses electronically. Each proposed core course
 2526 shall be approved or denied within 30 days after submission by a
 2527 district school board or local ~~regional~~ workforce development
 2528 board. All courses approved as core courses for purposes of
 2529 middle school promotion and high school graduation shall be
 2530 immediately added to the Course Code Directory. Approved core
 2531 courses shall also be reviewed and considered for approval for
 2532 dual enrollment credit. The Board of Governors and the
 2533 Commissioner of Education shall jointly recommend an annual
 2534 deadline for approval of new core courses to be included for
 2535 purposes of postsecondary admissions and dual enrollment credit
 2536 the following academic year. The State Board of Education shall
 2537 establish an appeals process in the event that a proposed course
 2538 is denied which shall require a consensus ruling by the
 2539 Department of Economic Opportunity and the Commissioner of
 2540 Education within 15 days.

2541 Section 45. Paragraph (a) of subsection (3) of section
 2542 1003.492, Florida Statutes, is amended to read:

2543 1003.492 Industry-certified career education programs.—

2544 (3) The State Board of Education shall use the expertise
 2545 of CareerSource Florida, Inc., and the Department of Agriculture
 2546 and Consumer Services to develop and adopt rules pursuant to ss.
 2547 120.536(1) and 120.54 for implementing an industry certification
 2548 process.

2549 (a) For nonfarm occupations, industry certification must
 2550 be based upon the highest available national standards for
 2551 specific industry certification to ensure student skill
 2552 proficiency and to address emerging labor market and industry
 2553 trends. A local ~~regional~~ workforce development board or a school
 2554 principal may apply to CareerSource Florida, Inc., to request
 2555 additions to the approved list of industry certifications based
 2556 on high-skill, high-wage, and high-demand job requirements in
 2557 the local ~~regional~~ economy.

2558 Section 46. Subsection (1) and paragraph (d) of subsection
 2559 (4) of section 1003.493, Florida Statutes, are amended to read:

2560 1003.493 Career and professional academies and career-
 2561 themed courses.—

2562 (1)(a) A "career and professional academy" is a research-
 2563 based program that integrates a rigorous academic curriculum
 2564 with an industry-specific curriculum aligned directly to
 2565 priority workforce needs established by the local ~~regional~~
 2566 workforce development board or the Department of Economic
 2567 Opportunity. Career and professional academies shall be offered
 2568 by public schools and school districts. The Florida Virtual
 2569 School is encouraged to develop and offer rigorous career and
 2570 professional courses as appropriate. Students completing career
 2571 and professional academy programs must receive a standard high
 2572 school diploma, the highest available industry certification,
 2573 and opportunities to earn postsecondary credit if the academy
 2574 partners with a postsecondary institution approved to operate in

2575 the state.

2576 (b) A "career-themed course" is a course, or a course in a
 2577 series of courses, that leads to an industry certification
 2578 identified in the CAPE Industry Certification Funding List
 2579 pursuant to rules adopted by the State Board of Education.
 2580 Career-themed courses have industry-specific curriculum aligned
 2581 directly to priority workforce needs established by the local
 2582 ~~regional~~ workforce development board or the Department of
 2583 Economic Opportunity. School districts shall offer at least two
 2584 career-themed courses, and each secondary school is encouraged
 2585 to offer at least one career-themed course. The Florida Virtual
 2586 School is encouraged to develop and offer rigorous career-themed
 2587 courses as appropriate. Students completing a career-themed
 2588 course must be provided opportunities to earn postsecondary
 2589 credit if the credit for the career-themed course can be
 2590 articulated to a postsecondary institution approved to operate
 2591 in the state.

2592 (4) Each career and professional academy and secondary
 2593 school providing a career-themed course must:

2594 (d) Provide instruction in careers designated as high-
 2595 skill, high-wage, and high-demand by the local ~~regional~~
 2596 workforce development board, the chamber of commerce, economic
 2597 development agencies, or the Department of Economic Opportunity.

2598 Section 47. Subsection (1) of section 1003.4935, Florida
 2599 Statutes, is amended to read:

2600 1003.4935 Middle grades career and professional academy

2601 courses and career-themed courses.—

2602 (1) Beginning with the 2011-2012 school year, each
 2603 district school board, in collaboration with local ~~regional~~
 2604 workforce development boards, economic development agencies, and
 2605 state-approved postsecondary institutions, shall include plans
 2606 to implement a career and professional academy or a career-
 2607 themed course, as defined in s. 1003.493(1)(b), in at least one
 2608 middle school in the district as part of the strategic 3-year
 2609 plan pursuant to s. 1003.491(2). The strategic plan must provide
 2610 students the opportunity to transfer from a middle school career
 2611 and professional academy or a career-themed course to a high
 2612 school career and professional academy or a career-themed course
 2613 currently operating within the school district. Students who
 2614 complete a middle school career and professional academy or a
 2615 career-themed course must have the opportunity to earn an
 2616 industry certificate and high school credit and participate in
 2617 career planning, job shadowing, and business leadership
 2618 development activities.

2619 Section 48. Paragraph (a) of subsection (1) of section
 2620 1003.52, Florida Statutes, is amended to read:

2621 1003.52 Educational services in Department of Juvenile
 2622 Justice programs.—

2623 (1) The Department of Education shall serve as the lead
 2624 agency for juvenile justice education programs, curriculum,
 2625 support services, and resources. To this end, the Department of
 2626 Education and the Department of Juvenile Justice shall each

2627 designate a Coordinator for Juvenile Justice Education Programs
 2628 to serve as the point of contact for resolving issues not
 2629 addressed by district school boards and to provide each
 2630 department's participation in the following activities:

2631 (a) Training, collaborating, and coordinating with
 2632 district school boards, local regional workforce development
 2633 boards, and local youth councils, educational contract
 2634 providers, and juvenile justice providers, whether state
 2635 operated or contracted.

2636
 2637 Annually, a cooperative agreement and plan for juvenile justice
 2638 education service enhancement shall be developed between the
 2639 Department of Juvenile Justice and the Department of Education
 2640 and submitted to the Secretary of Juvenile Justice and the
 2641 Commissioner of Education by June 30. The plan shall include, at
 2642 a minimum, each agency's role regarding educational program
 2643 accountability, technical assistance, training, and coordination
 2644 of services.

2645 Section 49. Paragraph (a) of subsection (3) and paragraph
 2646 (e) of subsection (4) of section 1004.93, Florida Statutes, are
 2647 amended to read:

2648 1004.93 Adult general education.—

2649 (3)(a) Each district school board or Florida College
 2650 System institution board of trustees shall negotiate with the
 2651 local regional workforce development board for basic and
 2652 functional literacy skills assessments for participants in the

2653 welfare transition employment and training programs. Such
 2654 assessments shall be conducted at a site mutually acceptable to
 2655 the district school board or Florida College System institution
 2656 board of trustees and the local ~~regional~~ workforce development
 2657 board.

2658 (4)

2659 (e) A district school board or a Florida College System
 2660 institution board of trustees may negotiate a contract with the
 2661 local ~~regional~~ workforce development board for specialized
 2662 services for participants in the welfare transition program,
 2663 beyond what is routinely provided for the general public, to be
 2664 funded by the local ~~regional~~ workforce development board.

2665 Section 50. Paragraph (b) of subsection (1) of section
 2666 1006.261, Florida Statutes, is amended to read:

2667 1006.261 Use of school buses for public purposes.—

2668 (1)

2669 (b) Each district school board may enter into agreements
 2670 with local ~~regional~~ workforce development boards for the
 2671 provision of transportation services to participants in the
 2672 welfare transition program. Agreements must provide for
 2673 reimbursement in full or in part for the proportionate share of
 2674 fixed and operating costs incurred by the district school board
 2675 attributable to the use of buses in accordance with the
 2676 agreement.

2677 Section 51. Paragraph (e) of subsection (1) of section
 2678 1009.25, Florida Statutes, is amended to read:

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ORIGINAL

2016

2679 1009.25 Fee exemptions.—

2680 (1) The following students are exempt from the payment of
 2681 tuition and fees, including lab fees, at a school district that
 2682 provides workforce education programs, Florida College System
 2683 institution, or state university:

2684 (e) A student enrolled in an employment and training
 2685 program under the welfare transition program. The local ~~regional~~
 2686 workforce development board shall pay the state university,
 2687 Florida College System institution, or school district for costs
 2688 incurred for welfare transition program participants.

2689 Section 52. This act shall take effect July 1, 2016.



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Development &
 2 Tourism Subcommittee
 3 Representative Drake offered the following:

Amendment

Remove line 1500 and insert:

(1) One local ~~regional~~ workforce development board shall be

HB 627

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 627 Community Contribution Tax Credits
SPONSOR(S): Moraitis, Jr.
TIED BILLS: **IDEN./SIM. BILLS:** SB 868

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Economic Development & Tourism Subcommittee		Lukis <i>AL</i>	Duncan <i>pbdd</i>
2) Finance & Tax Committee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The Florida Legislature created the Community Contribution Tax Credit Program (CCTCP) to encourage private sector participation in community revitalization and housing projects. The CCTCP offers a corporate income tax credit, an insurance premium tax credit, or a refund against sales tax to businesses or persons (donor) that contribute to eligible projects undertaken by approved CCTCP sponsors. The credit or refund is calculated as 50 percent of the donor's annual contribution, but a donor may not receive more than \$200,000 in credits or refunds in any one year.

Eligible CCTCP sponsors under the program include a wide variety of community development organizations, housing organizations, and units of state and local government. An eligible project includes activity undertaken by an eligible sponsor that is designed to:

- construct, improve or substantially rehabilitate housing that is affordable to low or very-low income households;
- provide housing opportunities for persons with special needs;
- provide commercial, industrial, or public resources and facilities; or
- improve entrepreneurial and job-development opportunities for low-income persons.

Contributions to eligible sponsor projects may only be in the following forms:

- cash or other liquid assets;
- real property;
- goods or inventory; or
- other physical resources as identified by the Department of Economic Opportunity (DEO or department).

The bill specifies that the donation of "real property" in the CCTCP includes the transfer of "ownership interests in a real property holding company." The bill defines "real property holding company" to mean a Florida entity, such as a Florida limited liability company, that must meet four requirements:

- 1) is wholly owned by the taxpayer;
- 2) is the sole owner of the real property;
- 3) is a disregarded entity for federal income tax purposes; and
- 4) at the time of contribution to an eligible sponsor, has no material assets other than the real property and any other property that qualifies as a community contribution.

See FISCAL COMMENTS.

The bill has an effective date of July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

In 1980, the Legislature established the Community Contribution Tax Credit Program (CCTCP) to encourage private sector participation in community revitalization and housing projects. Broadly, the CCTCP offers tax credits to businesses or persons (donor) that make certain contributions to eligible projects undertaken by approved CCTCP sponsors.¹

Eligible sponsors under the CCTCP include a wide variety of organizations and entities, including community development agencies, housing organizations, historic preservation organizations, units of state and local government, regional workforce boards, and any other agency that the Department of Economic Opportunity (department or DEO) designates by rule.² There are currently 122 approved sponsors in Florida.³

Eligible projects include activities undertaken by an eligible sponsor that are designed to accomplish one of the following purposes:

- to construct, improve, or substantially rehabilitate housing that is affordable to low-income or very-low-income households as defined in s. 420.9071(19) and (28), F.S.;
- to provide housing opportunities for persons with special needs as defined in s. 420.0004, F.S.;
- to provide commercial, industrial, or public resources and facilities; or
- to improve entrepreneurial and job-development opportunities for low-income persons.⁴

Additionally, eligible projects must be located in an area previously designated as an enterprise zone pursuant to Ch. 290, F.S., as of May 1, 2015, or a Front Porch Florida Community.⁵ However, the law permits the following three exceptions:

- any project designed to construct or rehabilitate housing for low-income households or very-low-income households as those terms are defined in s. 420.9071, F.S.;⁶
- any project designed to construct or rehabilitate housing opportunities for persons with special needs as defined in s. 420.0004, F.S.;⁷ and
- any project designed to provide increased access to high-speed broadband capabilities that includes coverage of an area designated as a rural enterprise zone as of May 1, 2015.⁸

Any eligible sponsor wishing to participate in the program must submit a proposal to DEO, which sets forth the sponsor, the project, the area in which the project is located, and any supporting information as may be prescribed by rule.⁹ The proposal must also contain a resolution from the local governmental unit in which it is located certifying that the project is consistent with local plans and regulations.¹⁰

¹ See ss. 212.08(5)(p); 220.183; and 624.5105, F.S. The contributing taxpayer may not have a financial interest in the eligible sponsor.

² See ss. 212.08(5)(p)2.c.; 220.183(2)(c); and 624.5105(2)(c), F.S.

³ Department of Economic Opportunity, 2016 Agency Legislative Bill Analysis for HB 627, page 3, December 2, 2015.

⁴ Sections 212.08(5)(p)2.b.; 220.183(2)(b); 624.5105(2)(b); and 220.03(1)(t), F.S.

⁵ Sections 212.08(p)2.d.; 220.183(2)(d); and 624.5102(2)(d), F.S.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.* The infrastructure of such projects may be located in any area of a rural county (inside or outside of the zone).

⁹ Sections 212.08(5)(p)3.a.; 220.183(3)(a); and 624.5105(3)(a), F.S.

¹⁰ *Id.*

Contributions to eligible sponsor projects may only be in the form of cash or other liquid assets, real property, goods or inventory, other physical resources as identified by DEO.¹¹ If the donation is of real property, it must be made directly from the donor to the eligible sponsor via a deed.¹²

Donors wishing to participate in the program must submit an application for a tax credit to DEO.¹³ The application sets forth the sponsor, project, and the type, value, and purpose of the contribution.¹⁴ The sponsor must verify the terms of the application and indicate its receipt of the contribution, which verification must be in writing and accompany the application for tax credit.¹⁵

Once DEO approves a taxpayer's application for a community contribution tax credit under the program, the donor must claim the credit from the Department of Revenue.¹⁶ The credit is calculated as 50 percent of the donor's annual contribution, but a taxpayer may not receive more than \$200,000 in credits in any one year.¹⁷ The donor may use the credit against corporate income tax, insurance premium tax, or as a refund against sales tax.¹⁸ Unused credits against corporate income taxes and insurance premium taxes may be carried forward for five years.¹⁹ Unused credits against sales taxes may be carried forward for three years.²⁰

The department may approve \$18.4 million in Fiscal Year (FY) 2015-16; \$21.4 million in FY 2016-17; and \$21.4 million in FY 2017-18 for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low or very-low income households. The department may approve \$3.5 million in those same FYs for all other types of eligible projects.²¹

As of December 2015, in FY 2015-16, DEO has approved approximately \$11.2 million of the \$18.4 million available for tax credits for homeownership projects and housing projects for persons with special needs.²² Approximately \$3.6 million worth of tax credits were requested for all other projects, resulting in a pro-rata approval rate of 95% of each tax credit application.²³

The CCTCP expires June 30, 2018.²⁴

Effect of Proposed Changes

The bill specifies that the donation of "real property" in the CCTCP includes the transfer of "ownership interests in a real property holding company." The bill defines "real property holding company" to mean a Florida entity, such as a Florida limited liability company, that must meet four requirements:

- 1) is wholly owned by the taxpayer;
- 2) is the sole owner of the real property;
- 3) is a disregarded entity for federal income tax purposes; and

¹¹ Sections 212.08(5)(p)2.a.; 220.183(2)(a); 624.5105(5)(a); and 220.03(1)(d), F.S.

¹² See s. 192.001(12), F.S.

¹³ Sections 212.08(5)(p)3.b.; 220.183(3)(b); and 624.5105(3)(b), F.S. Taxpayers must submit separate applications for each individual contribution that it makes to each individual project. ¹³ Sections 212.08(5)(p)3.c.; 220.183(3)(c); and 624.5105(3)(c), F.S.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Sections 212.08(5)(p)4.; 220.183(4); and 624.5105(4), F.S.

¹⁷ Sections 212.08(5)(p)1.; 220.183 (1)(a) and (b); and 624.5105(1), F.S.

¹⁸ See ss. 212.08(5)(p); 220.183; and 624.5105, F.S. A donor may only apply the credits toward one tax obligation.

¹⁹ Sections 220.183(1)(e); and 624.5105(e), F.S.

²⁰ Section 212.08(5)(p)1.b. and f., F.S.

²¹ Sections 212.08(5)(p)1.e.; 220.183(1)(c); and 624.5105(1)(c), F.S.

²² Department of Economic Opportunity, 2016 Agency Bill Analysis for HB 627, December 2, 2015. Analysis on file with House staff.

²³ *Id.*

²⁴ Sections 212.08(5)(p)5.; 220.183(5); and 624.5105(6), F.S.

- 4) at the time of contribution to an eligible sponsor, has no material assets other than the real property and any other property that qualifies as a community contribution.

B. SECTION DIRECTORY:

- Section 1: Amends s. 220.03(1)(d), F.S., relating to corporate income taxes, allowing the transfer of “ownership interests in a real property holding company” as an eligible donation under the CCTCP and defining “real property holding company.”
- Section 2: Amends s. 212.08(5)(p), F.S., relating to sales and use taxes, allowing the transfer of “ownership interests in a real property holding company” as an eligible donation under the CCTCP and defining “real property holding company.”
- Section 3: Amends s. 624.5105(5)(a), F.S., relating to insurance premium taxes, allowing the transfer of “ownership interests in a real property holding company” as an eligible donation under the CCTCP and defining “real property holding company.”

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
None.
2. Expenditures:
None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
None.
2. Expenditures:
None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The Revenue Estimating Conference (REC) estimated that the bill would have no fiscal impact on state funds.²⁵ The REC analysis on the bill notes that the proposed language “does not affect eligibility or restrict access to the credits, which were already assumed to reach the allotted cap in each of the two respective fiscal years for which they are authorized under current law. As such, the result of the language would be to possibly shift credits between otherwise eligible entities but would not have an impact in the aggregate.”²⁶

²⁵ Revenue Estimating Conference Analysis, HB 627/SB 868, 12/2/2015. Analysis on file with House staff.

²⁶ *Id.*

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill is unclear as to whether the transfer of an interest in a real property holding company must be 100 percent, or if the transfer of an interest may be less than 100 percent.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to community contribution tax credits;
 3 amending s. 220.03, F.S.; providing definitions
 4 related to community contribution tax credits that may
 5 apply to business firms against certain income tax
 6 liabilities; amending s. 212.08, F.S.; providing
 7 definitions related to community contribution tax
 8 credits that may apply against sales and use tax
 9 liabilities; amending s. 624.5105, F.S.; providing
 10 definitions related to community contribution tax
 11 credits that may apply against certain premium tax
 12 liabilities; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Paragraph (d) of subsection (1) of section
 17 220.03, F.S., is amended to read:

18 220.03 Definitions.—

19 (1) SPECIFIC TERMS.—When used in this code, and when not
 20 otherwise distinctly expressed or manifestly incompatible with
 21 the intent thereof, the following terms shall have the following
 22 meanings:

23 (d) "Community Contribution" means the grant by a business
 24 firm of any of the following items:

- 25 1. Cash or other liquid assets.
- 26 2. Real property, which for purposes of this subparagraph

27 | includes ownership interests in a real property holding company.
 28 | The term "real property holding company" means a Florida entity,
 29 | such as a Florida limited liability company, that:

- 30 | a. Is wholly owned by the business firm.
- 31 | b. Is the sole owner of real property, as defined in s.
 32 | 192.001(12), located in the state.
- 33 | c. Is disregarded as an entity for federal income tax
 34 | purposes pursuant to 26 C.F.R. s. 301.7701-3(b)(1)(ii).
- 35 | d. At the time of contribution to an eligible sponsor, has
 36 | no material assets other than the real property and any other
 37 | property that qualifies as a community contribution.

- 38 | 3. Goods or inventory.
- 39 | 4. Other physical resources as identified by the
 40 | department.

41 |
 42 | This paragraph expires June 30, 2018.

43 | Section 2. Paragraph (p) of subsection (5) of section
 44 | 212.08, Florida Statutes, is amended to read:

45 | 212.08 Sales, rental, use, consumption, distribution, and
 46 | storage tax; specified exemptions.—The sale at retail, the
 47 | rental, the use, the consumption, the distribution, and the
 48 | storage to be used or consumed in this state of the following
 49 | are hereby specifically exempt from the tax imposed by this
 50 | chapter.

51 | (5) EXEMPTIONS; ACCOUNT OF USE.—

52 | (p) Community contribution tax credit for donations.—

53 1. Authorization.—Persons who are registered with the
 54 department under s. 212.18 to collect or remit sales or use tax
 55 and who make donations to eligible sponsors are eligible for tax
 56 credits against their state sales and use tax liabilities as
 57 provided in this paragraph:

58 a. The credit shall be computed as 50 percent of the
 59 person's approved annual community contribution.

60 b. The credit shall be granted as a refund against state
 61 sales and use taxes reported on returns and remitted in the 12
 62 months preceding the date of application to the department for
 63 the credit as required in sub-subparagraph 3.c. If the annual
 64 credit is not fully used through such refund because of
 65 insufficient tax payments during the applicable 12-month period,
 66 the unused amount may be included in an application for a refund
 67 made pursuant to sub-subparagraph 3.c. in subsequent years
 68 against the total tax payments made for such year. Carryover
 69 credits may be applied for a 3-year period without regard to any
 70 time limitation that would otherwise apply under s. 215.26.

71 c. A person may not receive more than \$200,000 in annual
 72 tax credits for all approved community contributions made in any
 73 one year.

74 d. All proposals for the granting of the tax credit
 75 require the prior approval of the Department of Economic
 76 Opportunity.

77 e. The total amount of tax credits which may be granted
 78 for all programs approved under this paragraph, s. 220.183, and

79 s. 624.5105 is \$18.4 million in the 2015-2016 fiscal year, \$21.4
 80 million in the 2016-2017 fiscal year, and \$21.4 million in the
 81 2017-2018 fiscal year for projects that provide housing
 82 opportunities for persons with special needs or homeownership
 83 opportunities for low-income households or very-low-income
 84 households and \$3.5 million annually for all other projects. As
 85 used in this paragraph, the term "person with special needs" has
 86 the same meaning as in s. 420.0004 and the terms "low-income
 87 person," "low-income household," "very-low-income person," and
 88 "very-low-income household" have the same meanings as in s.
 89 420.9071.

90 f. A person who is eligible to receive the credit provided
 91 in this paragraph, s. 220.183, or s. 624.5105 may receive the
 92 credit only under one section of the person's choice.

93 2. Eligibility requirements.—

94 a. A community contribution by a person must be in the
 95 following form:

96 (I) Cash or other liquid assets;

97 (II) Real property, including ownership interests in a
 98 real property holding company;

99 (III) Goods or inventory; or

100 (IV) Other physical resources identified by the Department
 101 of Economic Opportunity.

102

103 For purposes of this subparagraph, the term "real property
 104 holding company" means a Florida entity, such as a Florida

105 limited liability company, that is wholly owned by the person;
 106 is the sole owner of real property, as defined in s.
 107 192.001(12), located in the state; is disregarded as an entity
 108 for federal income tax purposes pursuant to 26 C.F.R. s.
 109 301.7701-3(b)(1)(ii); and at the time of contribution to an
 110 eligible sponsor, has no material assets other than the real
 111 property and any other property that qualifies as a community
 112 contribution.

113 b. All community contributions must be reserved
 114 exclusively for use in a project. As used in this sub-
 115 subparagraph, the term "project" means activity undertaken by an
 116 eligible sponsor which is designed to construct, improve, or
 117 substantially rehabilitate housing that is affordable to low-
 118 income households or very-low-income households; designed to
 119 provide housing opportunities for persons with special needs;
 120 designed to provide commercial, industrial, or public resources
 121 and facilities; or designed to improve entrepreneurial and job-
 122 development opportunities for low-income persons. A project may
 123 be the investment necessary to increase access to high-speed
 124 broadband capability in a rural community that had an enterprise
 125 zone designated pursuant to chapter 290 as of May 1, 2015,
 126 including projects that result in improvements to communications
 127 assets that are owned by a business. A project may include the
 128 provision of museum educational programs and materials that are
 129 directly related to a project approved between January 1, 1996,
 130 and December 31, 1999, and located in an area which was in an

131 enterprise zone designated pursuant to s. 290.0065 as of May 1,
 132 2015. This paragraph does not preclude projects that propose to
 133 construct or rehabilitate housing for low-income households or
 134 very-low-income households on scattered sites or housing
 135 opportunities for persons with special needs. With respect to
 136 housing, contributions may be used to pay the following eligible
 137 special needs, low-income, and very-low-income housing-related
 138 activities:

139 (I) Project development impact and management fees for
 140 special needs, low-income, or very-low-income housing projects;

141 (II) Down payment and closing costs for persons with
 142 special needs, low-income persons, and very-low-income persons;

143 (III) Administrative costs, including housing counseling
 144 and marketing fees, not to exceed 10 percent of the community
 145 contribution, directly related to special needs, low-income, or
 146 very-low-income projects; and

147 (IV) Removal of liens recorded against residential
 148 property by municipal, county, or special district local
 149 governments if satisfaction of the lien is a necessary precedent
 150 to the transfer of the property to a low-income person or very-
 151 low-income person for the purpose of promoting home ownership.
 152 Contributions for lien removal must be received from a
 153 nonrelated third party.

154 c. The project must be undertaken by an "eligible
 155 sponsor," which includes:

156 (I) A community action program;

157 (II) A nonprofit community-based development organization
 158 whose mission is the provision of housing for persons with
 159 specials needs, low-income households, or very-low-income
 160 households or increasing entrepreneurial and job-development
 161 opportunities for low-income persons;

162 (III) A neighborhood housing services corporation;

163 (IV) A local housing authority created under chapter 421;

164 (V) A community redevelopment agency created under s.
 165 163.356;

166 (VI) A historic preservation district agency or
 167 organization;

168 (VII) A regional workforce board;

169 (VIII) A direct-support organization as provided in s.
 170 1009.983;

171 (IX) An enterprise zone development agency created under
 172 s. 290.0056;

173 (X) A community-based organization incorporated under
 174 chapter 617 which is recognized as educational, charitable, or
 175 scientific pursuant to s. 501(c)(3) of the Internal Revenue Code
 176 and whose bylaws and articles of incorporation include
 177 affordable housing, economic development, or community
 178 development as the primary mission of the corporation;

179 (XI) Units of local government;

180 (XII) Units of state government; or

181 (XIII) Any other agency that the Department of Economic
 182 Opportunity designates by rule.

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A contributing person may not have a financial interest in the eligible sponsor.

d. The project must be located in an area which was in an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, or a Front Porch Florida Community, unless the project increases access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income households or very-low-income households or housing opportunities for persons with special needs is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with

209 special needs or homeownership opportunities for low-income
 210 households or very-low-income households are received for more
 211 than the annual tax credits available for those projects, the
 212 Department of Economic Opportunity shall grant the tax credits
 213 for those applications as follows:

214 (A) If tax credit applications submitted for approved
 215 projects of an eligible sponsor do not exceed \$200,000 in total,
 216 the credits shall be granted in full if the tax credit
 217 applications are approved.

218 (B) If tax credit applications submitted for approved
 219 projects of an eligible sponsor exceed \$200,000 in total, the
 220 amount of tax credits granted pursuant to sub-sub-sub-
 221 subparagraph (A) shall be subtracted from the amount of
 222 available tax credits, and the remaining credits shall be
 223 granted to each approved tax credit application on a pro rata
 224 basis.

225 (II) If, during the first 10 business days of the state
 226 fiscal year, eligible tax credit applications for projects other
 227 than those that provide housing opportunities for persons with
 228 special needs or homeownership opportunities for low-income
 229 households or very-low-income households are received for less
 230 than the annual tax credits available for those projects, the
 231 Department of Economic Opportunity shall grant tax credits for
 232 those applications and shall grant remaining tax credits on a
 233 first-come, first-served basis for subsequent eligible
 234 applications received before the end of the state fiscal year.

235 If, during the first 10 business days of the state fiscal year,
 236 eligible tax credit applications for projects other than those
 237 that provide housing opportunities for persons with special
 238 needs or homeownership opportunities for low-income households
 239 or very-low-income households are received for more than the
 240 annual tax credits available for those projects, the Department
 241 of Economic Opportunity shall grant the tax credits for those
 242 applications on a pro rata basis.

243 3. Application requirements.-

244 a. An eligible sponsor seeking to participate in this
 245 program must submit a proposal to the Department of Economic
 246 Opportunity which sets forth the name of the sponsor, a
 247 description of the project, and the area in which the project is
 248 located, together with such supporting information as is
 249 prescribed by rule. The proposal must also contain a resolution
 250 from the local governmental unit in which the project is located
 251 certifying that the project is consistent with local plans and
 252 regulations.

253 b. A person seeking to participate in this program must
 254 submit an application for tax credit to the Department of
 255 Economic Opportunity which sets forth the name of the sponsor, a
 256 description of the project, and the type, value, and purpose of
 257 the contribution. The sponsor shall verify, in writing, the
 258 terms of the application and indicate its receipt of the
 259 contribution, and such verification must accompany the
 260 application for tax credit. The person must submit a separate

261 tax credit application to the Department of Economic Opportunity
 262 for each individual contribution that it makes to each
 263 individual project.

264 c. A person who has received notification from the
 265 Department of Economic Opportunity that a tax credit has been
 266 approved must apply to the department to receive the refund.
 267 Application must be made on the form prescribed for claiming
 268 refunds of sales and use taxes and be accompanied by a copy of
 269 the notification. A person may submit only one application for
 270 refund to the department within a 12-month period.

271 4. Administration.—

272 a. The Department of Economic Opportunity may adopt rules
 273 necessary to administer this paragraph, including rules for the
 274 approval or disapproval of proposals by a person.

275 b. The decision of the Department of Economic Opportunity
 276 must be in writing, and, if approved, the notification shall
 277 state the maximum credit allowable to the person. Upon approval,
 278 the Department of Economic Opportunity shall transmit a copy of
 279 the decision to the department.

280 c. The Department of Economic Opportunity shall
 281 periodically monitor all projects in a manner consistent with
 282 available resources to ensure that resources are used in
 283 accordance with this paragraph; however, each project must be
 284 reviewed at least once every 2 years.

285 d. The Department of Economic Opportunity shall, in
 286 consultation with the statewide and regional housing and

287 financial intermediaries, market the availability of the
 288 community contribution tax credit program to community-based
 289 organizations.

290 5. Expiration.—This paragraph expires June 30, 2018;
 291 however, any accrued credit carryover that is unused on that
 292 date may be used until the expiration of the 3-year carryover
 293 period for such credit.

294 Section 3. Paragraph (a) of subsection (5) of section
 295 624.5105, Florida Statutes, is amended to read:

296 624.5105 Community contribution tax credit; authorization;
 297 limitations; eligibility and application requirements;
 298 administration; definitions; expiration.—

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

300 (a) "Community contribution" means the grant by an insurer
 301 of any of the following items:

- 302 1. Cash or other liquid assets.
- 303 2. Real property, including ownership interests in a real
 304 property holding company.
- 305 3. Goods or inventory.
- 306 4. Other physical resources which are identified by the
 307 department.

308
 309 For purposes of this paragraph, the term "real property holding
 310 company" means a Florida entity, such as a Florida limited
 311 liability company, that is wholly owned by the insurer; is the
 312 sole owner of real property, as defined in s. 192.001(12),

313 | located in the state; is disregarded as an entity for federal
 314 | income tax purposes pursuant to 26 C.F.R. s. 301.7701-
 315 | 3(b)(1)(ii); and at the time of contribution to an eligible
 316 | sponsor, has no material assets other than the real property and
 317 | any other property that qualifies as a community contribution.

318 | Section 4. This act shall take effect July 1, 2016.



Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Economic Development &
2 Tourism Subcommittee
3 Representative Moraitis offered the following:

Amendment

6 Remove line 27 and insert:
7 includes 100 percent ownership of a real property holding
8 company.

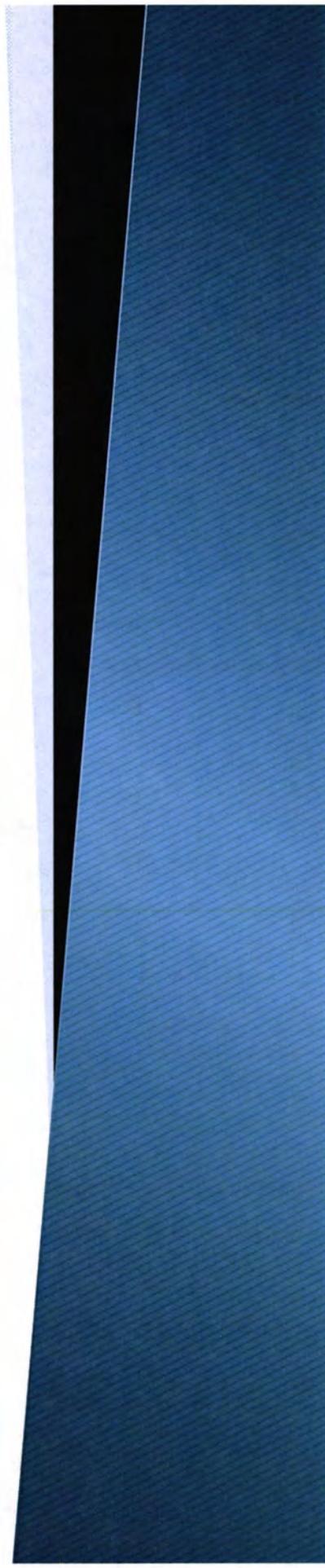
9 Remove lines 97-98 and insert:
10 (II) Real property, including 100 percent ownership of a
11 real property holding company;

12 Remove lines 303-304 and insert:
13 2. Real property, including 100 percent ownership of a real
14 property holding company.

**Tourist Development
Tax**

Tourist Development Tax

Draft Concepts



WRITTEN PROPOSAL

- ▶ ...the Tourist Development Council or a member of the public must submit a written proposal to the governing board of the county. The governing board of each county may determine what must be included in the written proposal, but at a minimum each proposal must include a description of the proposed use and an estimate of the cost. (Lines 280–286)



ROI FOR EXPENDITURES

- ▶ Prior to expending any revenues from a tourist development tax on a use authorized in subparagraph (a)3. or paragraph (b) in excess of \$100,000, the governing board of a county or a person authorized by the governing board must commission or perform a return-on-investment analysis for the proposed use. The return-on-investment analysis must be performed by an individual who has received a Ph.D. in economics from a regionally accredited university.(Lines 287-294)



DEFINITIONS

- ▶ “Advertise” means to advise, announce, give notice of, publish, or call attention to by use or oral, written, or graphic statement, disseminated in any manner or by any means, for the purpose of increasing tourist-related business activities in this state. (Lines 33–37)
- ▶ “Promote” means the expenditure of tax revenues for special tourism events of seven days or less in duration, one of the main purposes of which must be to increase tourist-related business activities in this state as evidenced by the promotion of the event. (Lines 38–42)



INJUNCTIVE RELIEF

- ▶ As an additional means of enforcing the prohibition of paragraph (f), **any interested organization** may file an action for **injunctive relief** to compel the county to limit the use of future funds collected pursuant to this section to those uses authorized by this section, and to require repayment of past funds appropriated for unauthorized uses. A prevailing interested organization shall be awarded the reasonable costs of the action **plus attorney's fees**. For purposes of this paragraph only, the term "interested organization" shall mean any county tourism promotion agency, any organization whose main purpose is the promotion of tourism, any trade organization of providers of tourism goods or services, or any local chamber of commerce or similar organization, provided that any such organization operates in or has a reasonable relationship to that county and its tourism activities. A city within the county may be an "interested organization" but its recovery shall be limited to injunctive relief only. (Lines 300-316)



LAW ENFORCEMENT

- ▶ Up to 10 percent of the revenues may be used to provide emergency medical services, as defined in s. 401.107(2), or law enforcement services that are needed for enhanced emergency medical or public safety services related to increased tourism and visitors to an area. (Lines 186–190)



40% MINIMUM FOR MARKETING

- ▶ No less than 40 percent of the revenues must be used for promotion as permitted under this section. For purposes of this subparagraph the term “promotion” does not include any expenditures made pursuant to subsection (9). (Lines 182–185)



IMPAIRMENT OF BONDS

- ▶ Revenues from tourist development taxes that are pledged to secure and liquidate revenue bonds issued pursuant to subparagraph 1. that are outstanding as of January 12, 2016, shall be first made available to make payments when due on the outstanding bonds before any other uses of the tax revenues. (Lines 273–277)



REFUND OR CREDIT OF TAX

- ▶ In the event a purchaser subsequently resells an admission to an entity which has obtained a valid sales tax exemption certificate from the department, the purchaser may seek a refund or credit from its vendor. Upon an adequate showing of the ultimate exempt nature of the transaction, the vendor may allow a refund or credit of the tax paid by the purchaser, and the vendor may then seek a refund or credit of the tax from the department based on the ultimate exempt nature of the transaction. (Lines 333–341)



1 A bill to be entitled
 2 An act relating to tourist development taxes; amending
 3 s. 125.0104, F.S.; correcting cross references;
 4 requiring that at least 40 percent of tourist
 5 development tax revenues be spent on promotion;
 6 providing a limitation on the definition of promotion;
 7 permitting counties to spend up to 10 percent of
 8 tourist development tax revenues on law enforcement;
 9 providing that tourist development tax revenues shall
 10 first be made available for payment of certain debt
 11 service; requiring a written proposal be submitted to
 12 the governing board of a county to propose a use of
 13 tourist development tax revenues under certain
 14 circumstances; providing requirements for the written
 15 application; requiring a return on investment analysis
 16 be performed prior to certain uses of tourist
 17 development tax revenues; providing that certain
 18 parties may seek injunctive relief for misuse of
 19 tourist development tax revenues; amending s. 212.04,
 20 F.S.; permitting a refund of sales tax paid on
 21 admission if the admission is subsequently resold in
 22 certain circumstances; providing an effective date.

23
 24 Be It Enacted by the Legislature of the State of Florida:

25
 26 Section 1. Paragraph (b) of subsection (2), paragraphs

27 (1)-(n) of subsection (3), and subsection (5) of section
 28 125.0104, Florida Statutes, are amended to read:

29 125.0104 Tourist development tax; procedure for levying;
 30 authorized uses; referendum; enforcement.—

31 (2) APPLICATION; DEFINITIONS.—

32 (b) Definitions.—For purposes of this section:

33 1. "Advertise" means to advise, announce, give notice of,
 34 publish, or call attention to by use or oral, written, or
 35 graphic statement, disseminated in any manner or by any means,
 36 for the purpose of increasing tourist-related business
 37 activities in this state.

38 2. "Promote" mans the expenditure of tax revenues for
 39 special tourism events of seven days or less in duration, one of
 40 the main purposes of which must be to increase tourist-related
 41 business activities in this state as evidenced by the promotion
 42 of the event.

43 3. ~~1.~~ "Promotion" means marketing or advertising designed
 44 to increase tourist-related business activities.

45 2. "Tourist" means a person who participates in trade or
 46 recreation activities outside the county of his or her permanent
 47 residence or who rents or leases transient accommodations as
 48 described in paragraph (3) (a).

49 3. "Retained spring training franchise" means a spring
 50 training franchise that had a location in this state on or
 51 before December 31, 1998, and that has continuously remained at
 52 that location for at least the 10 years preceding that date.

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

54 (1) In addition to any other tax which is imposed pursuant
 55 to this section, a county may impose up to an additional 1-
 56 percent tax on the exercise of the privilege described in
 57 paragraph (a) by majority vote of the governing board of the
 58 county in order to:

59 1. Pay the debt service on bonds issued to finance the
 60 construction, reconstruction, or renovation of a professional
 61 sports franchise facility, or the acquisition, construction,
 62 reconstruction, or renovation of a retained spring training
 63 franchise facility, either publicly owned and operated, or
 64 publicly owned and operated by the owner of a professional
 65 sports franchise or other lessee with sufficient expertise or
 66 financial capability to operate such facility, and to pay the
 67 planning and design costs incurred prior to the issuance of such
 68 bonds.

69 2. Pay the debt service on bonds issued to finance the
 70 construction, reconstruction, or renovation of a convention
 71 center, and to pay the planning and design costs incurred prior
 72 to the issuance of such bonds.

73 3. Pay the operation and maintenance costs of a convention
 74 center for a period of up to 10 years. Only counties that have
 75 elected to levy the tax for the purposes authorized in
 76 subparagraph 2. may use the tax for the purposes enumerated in
 77 this subparagraph. Any county that elects to levy the tax for
 78 the purposes authorized in subparagraph 2. after July 1, 2000,

79 may use the proceeds of the tax to pay the operation and
 80 maintenance costs of a convention center for the life of the
 81 bonds.

82 4. Promote and advertise tourism in the State of Florida
 83 and nationally and internationally; ~~however, if tax revenues are~~
 84 ~~expended for an activity, service, venue, or event, the~~
 85 ~~activity, service, venue, or event shall have as one of its main~~
 86 ~~purposes the attraction of tourists as evidenced by the~~
 87 ~~promotion of the activity, service, venue, or event to tourists.~~

88
 89 The provision of paragraph (b) which prohibits any county
 90 authorized to levy a convention development tax pursuant to s.
 91 212.0305 from levying more than the 2-percent tax authorized by
 92 this section, and the provisions of paragraphs (4)(a)-(d), shall
 93 not apply to the additional tax authorized in this paragraph.
 94 The effective date of the levy and imposition of the tax
 95 authorized under this paragraph shall be the first day of the
 96 second month following approval of the ordinance by the
 97 governing board or the first day of any subsequent month as may
 98 be specified in the ordinance. A certified copy of such
 99 ordinance shall be furnished by the county to the Department of
 100 Revenue within 10 days after approval of such ordinance.

101 (m)1. In addition to any other tax which is imposed
 102 pursuant to this section, a high tourism impact county may
 103 impose an additional 1-percent tax on the exercise of the
 104 privilege described in paragraph (a) by extraordinary vote of

105 the governing board of the county. The tax revenues received
 106 pursuant to this paragraph shall be used for one or more of the
 107 authorized uses pursuant to subparagraph (5) (a)3. or paragraph
 108 (5) (b) or (5) (c) subsection (5).

109 2. A county is considered to be a high tourism impact
 110 county after the Department of Revenue has certified to such
 111 county that the sales subject to the tax levied pursuant to this
 112 section exceeded \$600 million during the previous calendar year,
 113 or were at least 18 percent of the county's total taxable sales
 114 under chapter 212 where the sales subject to the tax levied
 115 pursuant to this section were a minimum of \$200 million, except
 116 that no county authorized to levy a convention development tax
 117 pursuant to s. 212.0305 shall be considered a high tourism
 118 impact county. Once a county qualifies as a high tourism impact
 119 county, it shall retain this designation for the period the tax
 120 is levied pursuant to this paragraph.

121 3. The provisions of paragraphs (4) (a) - (d) shall not apply
 122 to the adoption of the additional tax authorized in this
 123 paragraph. The effective date of the levy and imposition of the
 124 tax authorized under this paragraph shall be the first day of
 125 the second month following approval of the ordinance by the
 126 governing board or the first day of any subsequent month as may
 127 be specified in the ordinance. A certified copy of such
 128 ordinance shall be furnished by the county to the Department of
 129 Revenue within 10 days after approval of such ordinance.

130 (n) In addition to any other tax that is imposed under

131 this section, a county that has imposed the tax under paragraph
 132 (1) may impose an additional tax that is no greater than 1
 133 percent on the exercise of the privilege described in paragraph
 134 (a) by a majority plus one vote of the membership of the board
 135 of county commissioners in order to:

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

137 a. The construction, reconstruction, or renovation of a
 138 facility either publicly owned and operated, or publicly owned
 139 and operated by the owner of a professional sports franchise or
 140 other lessee with sufficient expertise or financial capability
 141 to operate such facility, and to pay the planning and design
 142 costs incurred prior to the issuance of such bonds for a new
 143 professional sports franchise as defined in s. 288.1162.

144 b. The acquisition, construction, reconstruction, or
 145 renovation of a facility either publicly owned and operated, or
 146 publicly owned and operated by the owner of a professional
 147 sports franchise or other lessee with sufficient expertise or
 148 financial capability to operate such facility, and to pay the
 149 planning and design costs incurred prior to the issuance of such
 150 bonds for a retained spring training franchise.

151 2. Promote and advertise tourism in the State of Florida
 152 and nationally and internationally; ~~however, if tax revenues are~~
 153 ~~expended for an activity, service, venue, or event, the~~
 154 ~~activity, service, venue, or event shall have as one of its main~~
 155 ~~purposes the attraction of tourists as evidenced by the~~
 156 ~~promotion of the activity, service, venue, or event to tourists.~~

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A county that imposes the tax authorized in this paragraph may not expend any ad valorem tax revenues for the acquisition, construction, reconstruction, or renovation of a facility for which tax revenues are used pursuant to subparagraph 1. The provision of paragraph (b) which prohibits any county authorized to levy a convention development tax pursuant to s. 212.0305 from levying more than the 2-percent tax authorized by this section shall not apply to the additional tax authorized by this paragraph in counties which levy convention development taxes pursuant to s. 212.0305(4) (a). Subsection (4) does not apply to the adoption of the additional tax authorized in this paragraph. The effective date of the levy and imposition of the tax authorized under this paragraph is the first day of the second month following approval of the ordinance by the board of county commissioners or the first day of any subsequent month specified in the ordinance. A certified copy of such ordinance shall be furnished by the county to the Department of Revenue within 10 days after approval of the ordinance.

(5) AUTHORIZED USES OF REVENUE.—

(a) Except as otherwise provided in this section, and after deducting payments required by subparagraph (c)2., all tax revenues received pursuant to this section by a county imposing the tourist development tax shall be used by that county as follows for the following purposes only:

1. No less than 40 percent of the revenues must be used

183 for promotion as permitted under this section. For purposes of
 184 this subparagraph the term "promotion" does not include any
 185 expenditures made pursuant to subsection (9).

186 2. Up to 10 percent of the revenues may be used to provide
 187 emergency medical services, as defined in s. 401.107(2), or law
 188 enforcement services that are needed for enhanced emergency
 189 medical or public safety services related to increased tourism
 190 and visitors to an area. If taxes collected pursuant to this
 191 section are used to fund emergency medical services or public
 192 safety for tourism or special events a Board of County
 193 Commissioners or a City Commission is prohibited from using such
 194 taxes to supplant the normal operating expenses for an emergency
 195 services department, a Sheriff's Office or a Police Department.

196 3. The remaining revenues shall be used for the following
 197 purposes only:

198 a.1- To acquire, construct, extend, enlarge, remodel,
 199 repair, improve, maintain, operate, or promote one or more:

200 (I)a- Publicly owned and operated convention centers,
 201 sports stadiums, sports arenas, coliseums, or auditoriums within
 202 the boundaries of the county or subcounty special taxing
 203 district in which the tax is levied; or

204 (II)b- Aquariums or museums that are publicly owned and
 205 operated or owned and operated by not-for-profit organizations
 206 and open to the public, within the boundaries of the county or
 207 subcounty special taxing district in which the tax is levied;

208 b.2- To promote zoological parks that are publicly owned

209 and operated or owned and operated by not-for-profit
 210 organizations and open to the public;

211 c.3. To promote and advertise tourism in this state and
 212 nationally and internationally; ~~however, if tax revenues are~~
 213 ~~expended for an activity, service, venue, or event, the~~
 214 ~~activity, service, venue, or event must have as one of its main~~
 215 ~~purposes the attraction of tourists as evidenced by the~~
 216 ~~promotion of the activity, service, venue, or event to tourists;~~

217 d.4. To fund convention bureaus, tourist bureaus, tourist
 218 information centers, and news bureaus as county agencies or by
 219 contract with the chambers of commerce or similar associations
 220 in the county, which may include any indirect administrative
 221 costs for services performed by the county on behalf of the
 222 promotion agency; or

223 e.5. To finance beach park facilities or beach
 224 improvement, maintenance, renourishment, restoration, and
 225 erosion control, including shoreline protection, enhancement,
 226 cleanup, or restoration of inland lakes and rivers to which
 227 there is public access as those uses relate to the physical
 228 preservation of the beach, shoreline, or inland lake or river.
 229 However, any funds identified by a county as the local matching
 230 source for beach renourishment, restoration, or erosion control
 231 projects included in the long-range budget plan of the state's
 232 Beach Management Plan, pursuant to s. 161.091, or funds
 233 contractually obligated by a county in the financial plan for a
 234 federally authorized shore protection project may not be used or

235 | loaned for any other purpose. In counties of fewer than 100,000
 236 | population, up to 10 percent of the revenues from the tourist
 237 | development tax may be used for beach park facilities.

238 |
 239 | Subparagraphs 1. and 2. may be implemented through service
 240 | contracts and leases with lessees that have sufficient expertise
 241 | or financial capability to operate such facilities.

242 | (b) Tax revenues received pursuant to this section by a
 243 | county of less than 750,000 population imposing a tourist
 244 | development tax may only be used by that county for the
 245 | following purposes in addition to those purposes allowed
 246 | pursuant to paragraph (a): to acquire, construct, extend,
 247 | enlarge, remodel, repair, improve, maintain, operate, or promote
 248 | one or more zoological parks, fishing piers or nature centers
 249 | which are publicly owned and operated or owned and operated by
 250 | not-for-profit organizations and open to the public. All
 251 | population figures relating to this subsection shall be based on
 252 | the most recent population estimates prepared pursuant to the
 253 | provisions of s. 186.901. These population estimates shall be
 254 | those in effect on July 1 of each year.

255 | (c) 1. The revenues to be derived from the tourist
 256 | development tax may be pledged to secure and liquidate revenue
 257 | bonds issued by the county for the purposes set forth in sub-
 258 | subparagraphs (a)3.a., b., and e. ~~subparagraphs (a)1., 2., and~~
 259 | ~~5.~~ or for the purpose of refunding bonds previously issued for
 260 | such purposes, or both; however, no more than 50 percent of the

261 revenues from the tourist development tax may be pledged to
 262 secure and liquidate revenue bonds or revenue refunding bonds
 263 issued for the purposes set forth in sub-subparagraph (a)3.e.
 264 ~~subparagraph (a)5.~~ Such revenue bonds and revenue refunding
 265 bonds may be authorized and issued in such principal amounts,
 266 with such interest rates and maturity dates, and subject to such
 267 other terms, conditions, and covenants as the governing board of
 268 the county shall provide. The Legislature intends that this
 269 paragraph be full and complete authority for accomplishing such
 270 purposes, but such authority is supplemental and additional to,
 271 and not in derogation of, any powers now existing or later
 272 conferred under law.

273 2. Revenues from tourist development taxes that are pledged
 274 to secure and liquidate revenue bonds issued pursuant to
 275 subparagraph 1. that are outstanding as of January 12, 2016,
 276 shall be first made available to make payments when due on the
 277 outstanding bonds before any other uses of the tax revenues.

278 (d) In order to recommend a proposed use of tourist
 279 development tax revenues authorized in subparagraph (a)3. or
 280 paragraph (b) to the governing body of a county, the Tourist
 281 Development Council or a member of the public must submit a
 282 written proposal to the governing board of the county. The
 283 governing board of each county may determine what must be
 284 included in the written proposal, but at a minimum each proposal
 285 must include a description of the proposed use and an estimate
 286 of the cost.

287 (e) Prior to expending any revenues from a tourist
 288 development tax on a use authorized in subparagraph (a)3. or
 289 paragraph (b) in excess of \$100,000, the governing board of a
 290 county or a person authorized by the governing board must
 291 commission or perform a return-on-investment analysis for the
 292 proposed use. The return-on-investment analysis must be
 293 performed by an individual who has received a Ph.D. in economics
 294 from a regionally accredited university.

295 (f) ~~(d)~~ Any use of the local option tourist development tax
 296 revenues collected pursuant to this section for a purpose not
 297 expressly authorized by paragraph (3)(1) or paragraph (3)(n) or
 298 paragraph (a), paragraph (b), or paragraph (c) of this
 299 subsection is expressly prohibited.

300 (g) As an additional means of enforcing the prohibition of
 301 paragraph (f), any interested organization may file an action
 302 for injunctive relief to compel the county to limit the use of
 303 future funds collected pursuant to this section to those uses
 304 authorized by this section, and to require repayment of past
 305 funds appropriated for unauthorized uses. A prevailing
 306 interested organization shall be awarded the reasonable costs of
 307 the action plus attorney's fees. For purposes of this paragraph
 308 only, the term "interested organization" shall mean any county
 309 tourism promotion agency, any organization whose main purpose is
 310 the promotion of tourism, any trade organization of providers of
 311 tourism goods or services, or any local chamber of commerce or
 312 similar organization, provided that any such organization

313 operates in or has a reasonable relationship to that county and
 314 its tourism activities. A city within the county may be an
 315 "interested organization" but its recovery shall be limited to
 316 injunctive relief only.

317 Section 2. Effective July 1, 2016, paragraph (c) of
 318 subsection (1) of section 212.04, Florida Statutes, is amended
 319 to read:

320 212.04 Admissions tax; rate, procedure, enforcement.—

321 (1)

322 (c)

323 1. The provisions of this chapter that authorize a tax-
 324 exempt sale for resale do not apply to sales of admissions.
 325 However, if a purchaser of an admission subsequently resells the
 326 admission for more than the amount paid, the purchaser shall
 327 collect tax on the full sales price and may take credit for the
 328 amount of tax previously paid. If the purchaser of the admission
 329 subsequently resells it for an amount equal to or less than the
 330 amount paid, the purchaser shall not collect any additional tax,
 331 nor shall the purchaser be allowed to take credit for the amount
 332 of tax previously paid.

333 2. In the event a purchaser subsequently resells an
 334 admission to an entity which has obtained a valid sales tax
 335 exemption certificate from the department, the purchaser may
 336 seek a refund or credit from its vendor. Upon an adequate
 337 showing of the ultimate exempt nature of the transaction, the
 338 vendor may allow a refund or credit of the tax paid by the

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339 purchaser, and the vendor may then seek a refund or credit of
 340 the tax from the department based on the ultimate exempt nature
 341 of the transaction.

342 Section 3. Except as otherwise provided herein, this act
 343 shall take effect October 1, 2016.



PUBLIC ASSISTANCE RECOUPMENTS

Bryan W. Koon
January 13, 2016

FUNDING PUBLIC ASSISTANCE

- Florida Statute 252.37 - Financing
 - When the state accepts financial assistance from the Federal Government under the federal public assistance program and is conditioned upon a requirement for matching funds, the state shall provide the entire match for state agencies and one-half of the required match for local governments.
- Budget Authority Requests
 - Annual budget authority requests are determined by adding current Smartlink account balances, outstanding appeals for each event, the value of projects to be paid throughout the year, and funds owed by subgrantees.

FUNDING PUBLIC ASSISTANCE

- Federal / State Share Determination
 - Following a Presidentially declared disaster, public assistance cost share is determined based on the severity of the disaster.
 - Most declared disasters will be paid at a 75 / 25% federal/state share
 - Catastrophic disasters may be paid at a 90 / 10% federal/state share
 - Catastrophic disasters may be paid at 100 / 0% federal/state share

PUBLIC ASSISTANCE PROCESS

- Florida process for funding public assistance reimbursements under the Stafford Act to include:
 - The disaster occurs, the community (subgrantee) begins recovery process
 - The subgrantee signs a funding agreement with the state
 - The subgrantee completes repairs and works with the state and federal recovery staff to write project worksheets (PWs) for reimbursement
 - FEMA obligates the agreed upon funds and deposits into the state's Smartlink account
 - The state disburses the funds and begins the PW "closeout" process (PWs are paid when work is 100% complete)
 - FEMA closes out the PW, and the subgrantee retains records according to federal/state requirements

2004-2005 HURRICANE SEASON

- The 2004-2005 hurricane season saw unprecedented impacts to Florida communities
 - 7 hurricanes had major impacts to the state (Charley, Frances, Ivan, Jeanne, Dennis, Katrina, Wilma)
 - Roughly 35,000 PWs were written, with approximately **\$5 billion** obligated by FEMA
- Providing financial assistance to the communities' recovery was the priority
 - PWs were written based on estimates prior to completion of the project

DEOBLIGATION AMOUNTS

- \$177 million has been deobligated over the last ten years.
- As of January 2016, \$51,029,190 is owed to the State of Florida.

SMARTLINK BALANCES

<u>2004 Storms</u>	<u>Balance</u>	<u>Amount Owed</u>
▪ Charley (*90/10)	\$490,431	\$(3,769,633)
▪ Frances (*90/10)	\$3,035,707	\$(8,959,387)
▪ Ivan (*90/10)	\$1,020,043	\$(2,699,012)
▪ Jeanne (*90/10)	\$3,601,967	\$(1,875,857)
<u>2005 Storms</u>	<u>Balance</u>	<u>Amount Owed</u>
▪ Dennis (*100/0)	\$2,733,129	\$(61,174)
▪ Katrina (*100/0)	\$4,487,760	\$(599,475)
▪ Wilma (*100/0)	\$19,890,510	\$(26,490,259)
<u>2007 February</u>	<u>Balance</u>	<u>Amount Owed</u>
▪ Tornadoes (*75/25)	\$2,548,885	\$(644,340)

Balance, federal share amount owed, and federal share pending activity as of 1/1/16
(only 2004-2007 shown)

(*federal/state share)

THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT



CURRENT STRATEGY

- When a deobligation occurs, FDEM contacts subgrantee to discuss repayment options using letters, phone calls and in-person communication.
- Subgrantees with outstanding deobligations, who are eligible for reimbursement in a new disaster, FDEM will enforce repayment by offsetting amounts owed against newly obligated funds.
 - Subgrantees must be in an area with a new Presidentially declared disaster and must have eligible projects that will be owed reimbursement.
 - FDEM understands that offsetting through this process can cause financial strain on communities recovering from a new disaster.

NEW STRATEGIES

- FDEM continues to look for ways to improve the public assistance program to reduce future deobligations.
- FDEM is identifying ways to require subgrantees to maximize the time-saving provisions of the Sandy Recovery Improvement Act.
- Encourage subgrantees to use the Public Assistance Alternative Procedures (PAAP) methodology whenever appropriate.
- Encourage subgrantees to maximize local recovery costs by tying the state waiver to areas such as use of the Public Assistance Alternative Procedures, volunteer service credit, etc.