

Item # 45

ADDITIONAL MATERIAL

Public Hearing

NOVEMBER 4, 2021

SUBMITTED AT THE REQUEST OF

OFFICE of the COUNTY ATTORNEY

1 Section 2. Sections 13.42 through 13.45 of the Broward County Administrative
2 Code are hereby created to read as follows:

3 [Underlining omitted]

4 **13.42. Film Commissioner as Head of Office of Film; Film Commissioner**
5 **Qualifications; Functions of Office of Film; Responsibilities.**

6 (a) The Film Commissioner shall be head of the Office of Film and shall report
7 to the Director of the Office of Economic and Small Business Development or designee.
8 The Film Commissioner shall have, at a minimum, the following qualifications: (i) a
9 bachelor's degree from an accredited college or university with major coursework in film,
10 marketing, business, public relations, public administration, or a closely related field; and
11 (ii) six (6) years of experience managing film, television, or media operations, or closely
12 related experience. Two (2) additional years of relevant experience above the minimum
13 specified in (ii) may be substituted for ~~the~~ each required year of education and the
14 bachelor's degree (for example, a total of ten (10) years of relevant experience requires
15 two (2) years of college courses in the specified fields).

16 (b) The Office of Film shall:

17 (1) Be responsible for activities associated with enhancing Broward County's
18 status as a destination and location for film and television production,
19 facilitating Broward County's and participating municipalities' film permitting
20 processes, and administering a Broward County or regional film incentive
21 program.

22 (2) Assure that Broward County has ongoing cost-effective and efficient
23 services associated with promoting film, television, and entertainment
24 affairs within Broward County and South Florida.

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscored type are additions.

1 subject to the provisions of this section and other policies adopted by the County pursuant
2 hereto, the County authorizes the award of monetary incentives to fund eligible
3 Productions ("Incentives").

4 (b) *Maximum Incentive Amounts.* The aggregate maximum amount of
5 Incentives and the maximum individual amount for each Incentive that may be awarded
6 to a Production, as defined in this section, shall be established by the Board for each
7 fiscal year as part of the annual budget process.

8 (c) *Definitions.* As used herein, the following terms shall have the following
9 meanings:

10 *Board* means the Broward County Board of County Commissioners.

11 *Broward County Registered Business* means a business with a valid
12 business tax receipt issued by Broward County, with a physical address
13 within the geographic boundaries of Broward County that is leased or
14 owned by the respective business.

15 *Cast* means actors who appear in front of the camera or provide voices for
16 characters in the film. Background extras are not considered cast.

17 *Crew* means a group of people hired by a production company for the
18 purpose of producing a film, motion picture, television, video, or digital
19 media project. The crew includes "above-the-line" personnel such as
20 directors, screenwriters, and producers, and "below-the-line" individuals
21 involved with the production stage, such as production assistants, grips,
22 soundstage personnel, and camera operators.

23 *Film Commissioner* means the head of the Office of ~~the~~ Film for Broward
24 County.

1 *Incentive Guidelines* means, ~~for each Incentive Program,~~ the published
2 guidelines for each Incentive program, created by the Office, and approved
3 by the County Administrator, which guidelines include the terms and
4 conditions for that Incentive Program, the specific approved uses for the
5 applicable Incentives, and any application deadline(s) for seeking each
6 Incentive.

7 *Miami-Dade County Registered Business* means a business with a valid
8 business tax receipt issued by Miami-Dade County, with a physical address
9 within the geographic boundaries of Miami-Dade County that is leased or
10 owned by the respective business.

11 *Palm Beach County Registered Business* means a business with a valid
12 business tax receipt issued by Palm Beach County, with a physical address
13 within the geographic boundaries of Palm Beach County that is leased or
14 owned by the respective business.

15 *Producer* means the individual or company creating and producing the
16 Production.

17 *Production* means an Incentive-eligible: theatrical or direct-to-video motion
18 picture; a made-for-television motion picture; visual effects or digital
19 animation sequences produced in conjunction with a motion picture; a
20 commercial; an industrial or educational film; a documentary film; a
21 television pilot program; a presentation for a television pilot program; a
22 television series; or a digital media project by the entertainment industry.
23 This definition does not include any production that is deemed obscene
24 under Chapter 847, Florida Statutes.

1 (f) *Reports*. The Office of Film shall prepare and file semiannual reports to the
2 Board. Each ~~semi-annual~~ semiannual report shall include the following: the number of
3 Incentives approved during the reporting period and the approved amount for each
4 Incentive awarded; the execution date of each Incentive Agreement executed during the
5 reporting period; for each Incentive, the amount paid to date; and for the Office of Film,
6 the total amount paid during the reporting period.

7
8 Section 3. Severability.

9 If any portion of this Administrative Code Resolution is determined by any court to
10 be invalid, the invalid portion will be stricken, and such striking will not affect the validity
11 of the remainder of this Administrative Code Resolution. If any court determines that this
12 Administrative Code Resolution, in whole or in part, cannot be legally applied to any
13 individual, group, entity, property, or circumstance, such determination will not affect the
14 applicability of this Administrative Code Resolution to any other individual, group, entity,
15 property, or circumstance.

16
17 Section 4. Inclusion in the Broward County Administrative Code.

18 It is the intention of the Board of County Commissioners that the provisions of this
19 Administrative Code Resolution become part of the Broward County Administrative Code
20 as of the effective date. The sections of this Administrative Code Resolution may be
21 renumbered or relettered and the word "resolution" may be changed to "section," "article,"
22 or such other appropriate word or phrase to the extent necessary in order to accomplish
23 such intention.

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