

**PROPOSED**

## RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD  
2 COUNTY, FLORIDA, PERTAINING TO TELEVISION, FILM, AND ENTERTAINMENT  
3 INCENTIVE PROGRAMS; AMENDING SECTIONS 13.43 AND 13.45 OF THE  
4 BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND  
5 PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND  
6 AN EFFECTIVE DATE.

7  
8 WHEREAS, at its meeting of November 4, 2021 (Item No. 45), the Broward County  
9 Board of County Commissioners ("Board") created an Office of Film, and established film,  
10 television, and entertainment production project incentive programs ("Incentive  
11 Programs") to provide funding to film, television, and entertainment production companies  
12 that bring their activities to Broward County;

13 WHEREAS, Sections 13.43 and 13.45 of the Broward County Administrative Code  
14 ("Administrative Code") prescribe the manner in which film, television, and entertainment  
15 production project incentives are awarded; and

16 WHEREAS, based on input received from the Film Commissioner, the Board  
17 desires to amend the Administrative Code to modify the execution authority for  
18 agreements awarded pursuant to the Incentive Programs, NOW, THEREFORE,

19 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
20 BROWARD COUNTY, FLORIDA:

21 Section 1. Section 13.43 of the Broward County Administrative Code is hereby  
22 amended to read as follows:

23 **13.43. General Information for Television, Film, and Entertainment Incentive**  
24 **Program.**

25 (a) *Incentives Generally.* To incentivize television, film, and entertainment  
26 production projects in Broward County ("County") and South Florida more generally, and  
27 subject to the provisions of this section and other policies adopted by the County pursuant  
28 hereto, the County authorizes the creation of various programs to award monetary  
29 incentives to fund eligible Productions ("Incentives"). All incentive programs referenced  
30 below are collectively referred to as "Incentive Programs." The Incentive Programs  
31 offered may be modified from time to time as determined to be in the County's best  
32 interest by the Film Commissioner and approved by the County Administrator.

33 (b) *Maximum Incentive Amounts.* The aggregate maximum amount of  
34 Incentives and ~~the maximum individual amount for each Incentive that may be awarded~~  
35 ~~to a Production, as defined in this section,~~ shall be established by the Board for each  
36 fiscal year as part of the annual budget process. The maximum individual award amount  
37 for any Incentive Program shall not exceed Five Million Dollars (\$5,000,000).

38 . . .

39 Section 2. Section 13.45 of the Broward County Administrative Code is hereby  
40 amended to read as follows:

41 **13.45. Agreements; Reports to the Board.**

42 . . .

43 (b) *Execution of Incentive Agreements.* Unless otherwise authorized by the  
44 Board, ~~the~~ authority for execution of Incentive Agreements is as follows: (i) the Film  
45 Commissioner may execute Incentive Agreements up to Twenty-five Thousand Dollars  
46 (\$25,000); (ii) the County Administrator may execute Incentive Agreements up to ~~One~~  
47 Five Hundred Thousand Dollars (~~\$100,000~~) (\$500,000); and (iii) all Incentive Agreements  
48 ~~over more than One~~ Five Hundred Thousand Dollars (~~\$100,000~~) (\$500,000) require  
49 Board approval for execution.

50 . . .

51 Section 3. Severability.

52 If any portion of this Administrative Code Resolution is determined by any court to  
53 be invalid, the invalid portion will be stricken, and such striking will not affect the validity  
54 of the remainder of this Administrative Code Resolution. If any court determines that this  
55 Administrative Code Resolution, in whole or in part, cannot be legally applied to any  
56 individual, group, entity, property, or circumstance, such determination will not affect the  
57 applicability of this Administrative Code Resolution to any other individual, group, entity,  
58 property, or circumstance.

59 Section 4. Inclusion in the Broward County Administrative Code.

60 It is the intention of the Board of County Commissioners that the provisions of this  
61 Administrative Code Resolution become part of the Broward County Administrative Code  
62 as of the effective date. The sections of this Administrative Code Resolution may be  
63 renumbered or relettered and the word "resolution" may be changed to "section," "article,"

