

Agenda Order

Tab 1	SB 50 by Garcia ; Identical to H 00371 Nature-based Methods for Improving Coastal Resilience 372636 A S RCS AEG, Garcia btw L.128 - 129: 03/05 01:18 PM
Tab 2	CS/SB 56 by EN, Garcia (CO-INTRODUCERS) Leek ; Similar to H 00477 Geoengineering and Weather Modification Activities
Tab 3	SB 158 by Berman ; Similar to H 00141 Coverage for Diagnostic and Supplemental Breast Examinations
Tab 4	CS/SB 160 by RI, Gruters (CO-INTRODUCERS) Boyd, Rodriguez ; Similar to H 00133 Public Accountancy
Tab 5	SB 7002 by EN ; Similar to H 01169 Water Management Districts

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**APPROPRIATIONS COMMITTEE ON AGRICULTURE,
 ENVIRONMENT, AND GENERAL GOVERNMENT**

Senator Brodeur, Chair
Senator Berman, Vice Chair

MEETING DATE: Wednesday, March 5, 2025
TIME: 11:00 a.m.—1:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Brodeur, Chair; Senator Berman, Vice Chair; Senators Arrington, Burton, Collins, DiCeglie, Fine, Grall, McClain, Pizzo, Rodriguez, Sharief, and Truenow

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 50 Garcia (Identical H 371)	Nature-based Methods for Improving Coastal Resilience; Requiring the Florida Flood Hub for Applied Research and Innovation at the University of South Florida College of Marine Science to develop design guidelines and standards for green and gray infrastructure and models for conceptual designs of green infrastructure and green-gray infrastructure; requiring the Department of Environmental Protection to adopt rules for nature-based methods for coastal resilience; requiring the department, in consultation with the Division of Insurance Agent and Agency Services of the Department of Financial Services, to conduct a statewide feasibility study regarding the value of nature-based methods being used for a specified purpose, etc.	Fav/CS Yeas 11 Nays 0
		EN 02/11/2025 Favorable AEG 03/05/2025 Fav/CS RC	
2	CS/SB 56 Environment and Natural Resources / Garcia (Similar H 477)	Geoengineering and Weather Modification Activities; Repealing provisions relating to the definitions, purpose, licensing requirements, applications, proof of financial responsibility requirements, license issuance and discipline provisions, publication of notice of intention to operate requirements, required contents of the notice of intention, publication of the notice of intention requirements, proof of publication requirements, record and reports of operations requirements, provision of emergency licenses, and suspension or revocation of licenses, respectively, of the weather modification law; prohibiting certain acts intended to affect the temperature, the weather, or the intensity of sunlight within the atmosphere of this state, etc.	Temporarily Postponed
		EN 02/11/2025 Fav/CS AEG 03/05/2025 Temporarily Postponed RC	

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Committee on Agriculture, Environment, and General Government
 Wednesday, March 5, 2025, 11:00 a.m.—1:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SB 158 Berman (Similar H 141)	Coverage for Diagnostic and Supplemental Breast Examinations; Prohibiting the state group insurance program from imposing any cost-sharing requirement upon an enrollee with respect to coverage for diagnostic breast examinations or supplemental breast examinations, etc. AEG 03/05/2025 Favorable AP	Favorable Yeas 11 Nays 0
4	CS/SB 160 Regulated Industries / Gruters (Similar H 133)	Public Accountancy; Authorizing the Board of Accountancy to contract with certain corporations not for profit for the performance of certain duties assigned to the Division of Certified Public Accounting of the Department of Business and Professional Regulation; revising the education and work experience requirements for a certified public accountant license; revising requirements for the approval of providers who administer continuing education on ethics for certified public accountants, etc. RI 02/18/2025 Fav/CS AEG 03/05/2025 Favorable RC	Favorable Yeas 11 Nays 0
5	SB 7002 Environment and Natural Resources (Similar H 1169)	Water Management Districts; Requiring the Commission on Ethics to investigate a lobbyist or principal who has made a prohibited expenditure and to provide the Governor with a report of its findings and recommendations regarding such investigation; requiring the South Florida Water Management District, in cooperation with the Department of Environmental Protection, to provide a detailed report that includes the total estimated remaining cost of implementation of the Everglades restoration comprehensive plan and the status of all performance indicators; authorizing the districts to levy ad valorem taxes on property by resolution adopted by a majority vote of the governing board, etc. AEG 03/05/2025 Favorable AP	Favorable Yeas 11 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: CS/SB 50

INTRODUCER: Appropriations Committee on Agriculture, Environment and General Government and Senator Garcia

SUBJECT: Nature-based Methods for Improving Coastal Resilience

DATE: March 7, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barriero</u>	<u>Rogers</u>	<u>EN</u>	Favorable
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	Fav/CS
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

SB 50 directs the Florida Flood Hub to:

- Develop guidelines and standards for optimal combinations of green and gray infrastructure to address sea level rise and the impact of storm surges; and
- Model the effects of green infrastructure on the state’s coastal resilience.

The bill also directs the Department of Environmental Protection (DEP) to adopt rules governing nature-based methods for improving coastal resilience. Among other things, the rules must:

- Encourage participation in mangrove replanting, hydrological restoration programs, and the restoration of oyster reefs, salt marshes, and coral reefs.
- Identify and monitor threats to mangroves and identify ways that new developments can avoid or mitigate their impacts on mangrove stands.
- Assist efforts to improve coastal resilience using green infrastructure, beach renourishment, dune restoration, living seawalls, shoreline and vegetation planting, stormwater planters, permeable pavements, and ecologically sound building materials.
- Identify vulnerable properties along the coastline and encourage partnerships with local governmental entities to create local protection and restoration zone programs.
- Assist in the development of workforce training, including flood and sea level rise research, prediction, and adaptation and mitigation strategies.
- Encourage green infrastructure projects through the Resilient Florida Grant Program.

- Create permitting incentives for certain green infrastructure projects.

The bill requires a statewide feasibility study and report to determine the value of nature-based methods for coastal flood risk reduction within coastal communities to reduce insurance premiums and improve local governments' community ratings in the National Flood Insurance Program Community Rating System.

The bill has an indeterminate negative fiscal impact on the DEP related to the costs associated with the rulemaking requirements. For Fiscal Year 2025-2026, the sum of \$250,000 in nonrecurring funds is appropriated from the Resilient Florida Trust Fund the DEP to conduct the feasibility study.

The bill has an effective date of July 1, 2025.

II. Present Situation:

Coastal Resilience, Green Infrastructure, and Nature-Based Solutions

Resilience is the ability of a community to prepare for anticipated natural hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions.¹ Resilience planning includes preparing for hazard events, risk mitigation, and post-event recovery and should be proactive, continuous, and integrated into other community goals and plans.²

Green infrastructure and nature-based solutions are increasingly being integrated into resilience planning. Green infrastructure uses vegetation, soils, and natural processes to manage and treat stormwater runoff water, often in urban environments.³ The scale of green infrastructure ranges from urban installations, such as rain gardens and green roofs, to large tracts of undeveloped natural lands.⁴ The interconnected network of green infrastructure can enhance the resiliency of infrastructure and communities by increasing water supplies, reducing flooding, providing climate adaptability, and improving water quality.⁵

Similarly, nature-based solutions integrate natural features and processes into the built environment to promote adaptation and resilience and protect communities from natural hazards.⁶ Coastal nature-based solutions can stabilize shorelines, reduce erosion, and buffer

¹ Federal Emergency Management Agency (FEMA), *National Risk Index: Community Resilience*, <https://hazards.fema.gov/nri/community-resilience> (last visited Feb. 7, 2025).

² National Institute of Standards and Technology, U.S. Dep't of Commerce, *Community Resilience Planning Guide for Buildings and Infrastructure Systems*, 1 (2016), available at <https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.1190v1.pdf>.

³ U.S. Environmental Protection Agency (EPA), *Improving Community Resiliency with Green Infrastructure*, 1 (2014), available at https://www.epa.gov/sites/default/files/2014-06/documents/gi_resiliency.pdf.

⁴ *Id.*

⁵ *Id.*

⁶ FEMA, *FEMA Resources for Climate Resilience*, 5 (2021), available at https://www.fema.gov/sites/default/files/documents/fema_resources-climate-resilience.pdf; FEMA, *Nature-Based Solutions: Before, During, and After Disasters*, <https://www.fema.gov/emergency-managers/risk-management/future-conditions/nature-based-solutions> (last visited Feb. 7, 2025).

coastal areas from the impacts of storms, sea level rise, and flooding.⁷ Examples of green infrastructure and nature-based solutions include:

- Conserving existing natural systems like dunes, wetlands, floodplains, and forests;
- Tree canopy preservation and land conservation;
- Floodplain and marsh restoration;
- Bioretention (e.g., planter boxes, bioswales, rain gardens, green roofs);
- Green streets and permeable pavement; and
- Living shorelines.⁸



Stormwater Planter, Permeable Pavement, Living Shoreline, and Bioretention⁹

Living Shorelines and Seawalls

A living shoreline is a nature-based solution that consists of strategically placing natural materials such as plants and stones along a coastal edge.¹⁰ Living shorelines promote and rely on the growth of natural vegetation over time to help reduce erosion, increase resiliency, and filter runoff.¹¹ This natural infrastructure helps maintain the shoreline ecosystem while being an

⁷ FEMA, *Nature-Based Solutions: Before, During, and After Disasters*, <https://www.fema.gov/emergency-managers/risk-management/future-conditions/nature-based-solutions>. See generally EPA, *Climate Resiliency and Green Infrastructure*, <https://www.epa.gov/green-infrastructure/climate-resiliency-and-green-infrastructure> (last visited Feb. 7, 2025); EPA, *Green Infrastructure Opportunities that Arise During Municipal Operations*, 1 (2015), available at https://www.epa.gov/sites/default/files/2015-09/documents/green_infrastructure_roadshow.pdf.

⁸ National Climate Task Force, *Federal Flood Standard Support Tool: Nature-Based Solutions*, <https://floodstandard.climate.gov/pages/nature-based-solutions> (last visited Feb. 7, 2025); EPA, *Types of Green Infrastructure*, <https://www.epa.gov/green-infrastructure/types-green-infrastructure> (last visited Feb. 7, 2025).

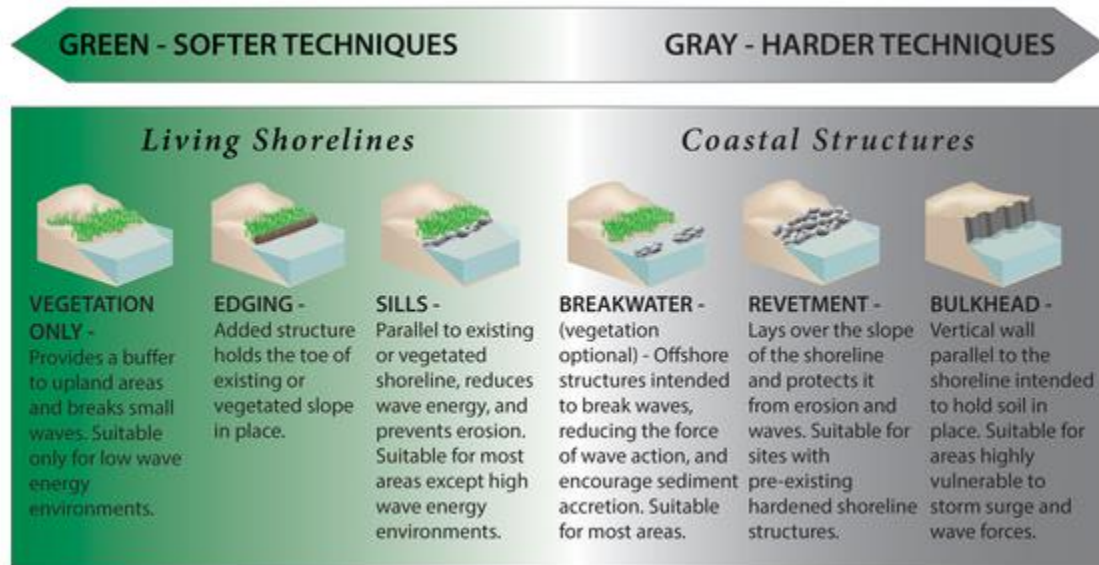
⁹ EPA, *Types of Green Infrastructure*, <https://www.epa.gov/green-infrastructure/types-green-infrastructure> (last visited Feb. 7, 2025).

¹⁰ *Id.*

¹¹ *Id.*

innovative coastal management technique.¹² Research indicates that living shorelines are more resilient than bulkheads in protecting against the effects of hurricanes.¹³

A living seawall is designed to encourage underwater habitats and usually consists of naturalistic concrete, rock, and/or shell structures designed to attract fish, oysters, and other living things, absorb wave energy without causing erosion, and improve aesthetics.¹⁴



Mangroves

Florida's estimated 600,000 acres of mangrove forests contribute to the overall health of the state's southern coastal zone and beyond.¹⁵ Mangroves stabilize coastlines, slow the movement of tides, store carbon, and help protect against erosion and damage from storm surges.¹⁶

According to one study by the Nature Conservancy, mangroves prevented \$1.5 billion in direct

¹² *Id.*

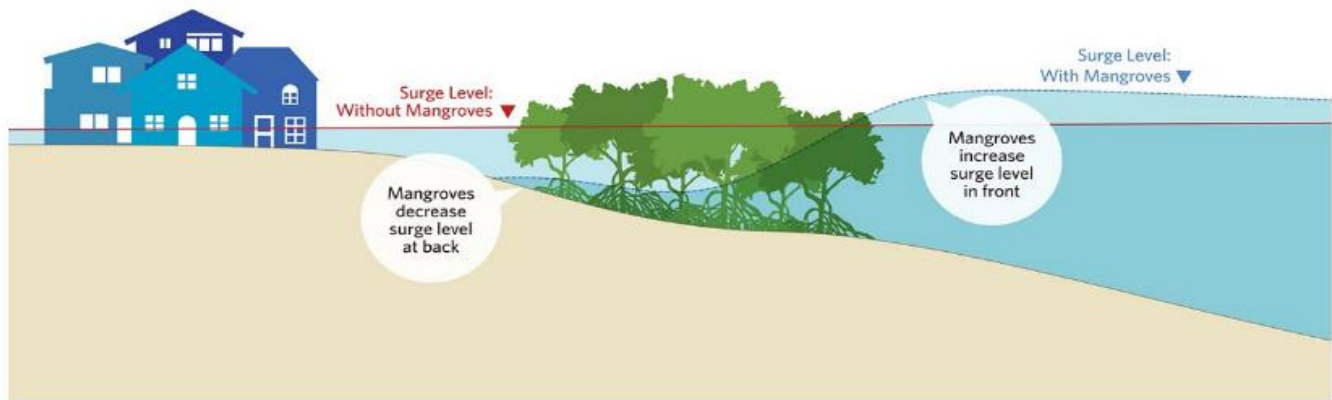
¹³ National Oceanic and Atmospheric Administration (NOAA), *What is a living shoreline?*, <https://oceanservice.noaa.gov/facts/living-shoreline.html> (last visited Feb. 7, 2025). See also NOAA, *Understanding Living Shorelines*, <https://www.fisheries.noaa.gov/insight/understanding-living-shorelines#what-is-a-living-shoreline> (last visited Feb. 7, 2025).

¹⁴ Mote Marine Laboratory and Aquarium, *Mote scientists to study Sarasota's new 'living seawall,'* <https://mote.org/news/mote-scientists-to-study-sarasotas-new-living-seawall/> (last visited Feb. 7, 2025). See also Port of San Francisco, *Living Seawall Pilot*, <https://www.sfport.com/wrp/living-seawall> (last visited Feb. 7, 2025).

¹⁵ DEP, *Florida's Mangroves*, <https://floridadep.gov/rcp/rcp/content/floridas-mangroves> (last visited Feb. 7, 2025). Mangroves are gaining ground along their northern Florida habitat limits, and as winter cold snaps decrease, mangroves are expected to expand further north into new territory. Kristen Minogue & Heather Dewar, Smithsonian Environmental Research Center, *With Fewer Hard Frosts, Tropical Mangroves Push North*, 1 (2013), available at <https://sercblog.si.edu/with-fewer-hard-frosts-tropical-mangroves-push-north/>.

¹⁶ NASA, *Mangroves Are Losing Their Resilience*, <https://landsat.gsfc.nasa.gov/article/mangroves-are-losing-their-resilience/> (last visited Feb. 7, 2025). See also, DEP, *Florida's Mangroves*, <https://floridadep.gov/rcp/rcp/content/floridas-mangroves>; NASA, *NASA Study Maps the Roots of Global Mangrove Loss*, available at <https://www.nasa.gov/feature/goddard/2020/nasa-study-maps-the-roots-of-global-mangrove-loss>. Mangroves reduce wave heights by 31 percent on average. Siddharth Narayan et al., *The Effectiveness, Costs and Coastal Protection Benefits of Natural and Nature-Based Defenses*, Plos One, 4 (2016), available at <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0154735>.

flood damages and protected over half a million people in Florida during Hurricane Irma in 2017, reducing damages by nearly 25 percent in counties with mangroves.¹⁷ In Collier County, some regions immediately behind the county's mangroves receive annual risk reduction benefits of over \$1 million.¹⁸ Another study found that without the mangroves on Florida's coast, the storm surge of Hurricane Wilma would have extended up to 70 percent further inland.¹⁹



MANGROVE BENEFITS Surge is reduced behind mangroves, helping ease flooding to land and properties. © The Nature Conservancy

The amount of protection afforded by mangroves depends on the width of the forest. A narrow fringe of mangroves offers limited protection, while a wide fringe can considerably reduce wave and flood damage to landward areas by enabling overflowing water to be absorbed into the expanse of forest.²⁰ Notably, the Legislature has found that many areas of mangroves in Florida occur as narrow riparian fringes that do not provide all the functions of mangrove forests or provide such functions to a lesser degree.²¹

Mangroves also play an important ecological role as a habitat for various species of marine and estuarine vertebrates, invertebrates, and other wildlife,²² including endangered and threatened species such as the manatee, hawksbill sea turtle, American crocodile, Key deer, and Florida panther.²³ Mangrove branches act as bird rookeries and nesting areas for coastal wading birds, and their intricate root systems provide critical nursery habitats for fish, crustaceans, shellfish, and other marine life.²⁴ The roots also make ideal underwater perches for barnacles, oysters,

¹⁷ Siddharth Narayan et al., The Nature Conservancy, *Valuing the Flood Risk Reduction Benefits of Florida's Mangroves*, 2, available at https://www.nature.org/content/dam/tnc/nature/en/documents/Mangrove_Report_digital_FINAL.pdf.

¹⁸ *Id.* at 10. Worldwide, mangroves reduce risk to more than 15 million people and prevent more than \$65 billion in property damages each year. Tiffany Duong, World Economic Forum, *Why planting mangroves can help save the planet* (2021), available at <https://www.weforum.org/agenda/2021/08/planting-mangroves-helps-the-planet/>.

¹⁹ Keqi Zhang et al., *The role of mangroves in attenuating storm surges*, *Estuarine, Coastal and Shelf Science*, vols. 102-103, 11, 23 (2012), available at <https://www.sciencedirect.com/science/article/abs/pii/S0272771412000674>.

²⁰ *Id.*

²¹ Section 403.9322(3), F.S.

²² Section 403.9322(2), F.S.

²³ Florida Museum, University of Florida, *South Florida Aquatic Environments: Mangrove Life*, <https://www.floridamuseum.ufl.edu/southflorida/habitats/mangroves/mangrove-life/> (last visited Feb. 7, 2025).

²⁴ *Id.*; DEP, *Florida's Mangroves*; Tiffany Duong, World Economic Forum, *Why planting mangroves can help save the planet* (2021), available at <https://www.weforum.org/agenda/2021/08/planting-mangroves-helps-the-planet/>.

crabs, and other marine organisms.²⁵ These organisms provide food for juvenile fish, birds, reptiles, and other wildlife.²⁶ Florida's important recreational and commercial fisheries would drastically decline without healthy mangrove forests.²⁷

Human activities such as coastal development are responsible for destroying more mangrove forests worldwide than any other type of coastal habitat.²⁸ Climate change, which results in higher sea levels and more intense droughts and storms, could increase the rate of mangrove loss.²⁹

Florida Flood Hub for Applied Research and Innovation

The Florida Flood Hub for Applied Research and Innovation was established within the University of South Florida College of Marine Science to coordinate efforts between the academic and research institutions of the state.³⁰ The Florida Flood Hub is tasked with, among other things, organizing existing data needs for a comprehensive statewide flood vulnerability and sea level rise analysis and performing gap analyses to determine data needs; developing statewide open source hydrologic models for physically based flood frequency estimation and real-time forecasting of floods; establishing community-based programs to improve flood monitoring and prediction along major waterways; and providing tidal and storm surge flooding data to counties and municipalities for vulnerability assessments.³¹

Areas of Critical State Concern

The Areas of Critical State Concern Program was created by the Florida Environmental Land and Water Management Act of 1972.³² The program is intended to protect resources and public facilities of major statewide significance within designated geographic areas from uncontrolled development that would cause substantial deterioration of such resources.³³

Designated areas of critical state concern include:

- Big Cypress Area (portions of Collier, Miami-Dade, and Monroe Counties);³⁴
- Green Swamp Area (portions of Polk and Lake Counties);³⁵

²⁵ Hannah Waters, Smithsonian Institution, *Mangrove Restoration: Letting Mother Nature Do the Work* (2016), available at <https://ocean.si.edu/ocean-life/plants-algae/mangrove-restoration-letting-mother-nature-do-work>.

²⁶ *Id.*

²⁷ DEP, *Florida's Mangroves*, <https://floridadep.gov/rcp/rcp/content/floridas-mangroves>.

²⁸ FWC, *Mangrove Forests*, <https://myfwc.com/research/habitat/coastal-wetlands/mangroves/> (last visited Feb. 7, 2025).

²⁹ Miriam C. Jones et al., *Rapid inundation of southern Florida coastline despite low relative sea-level rise rates during the late-Holocene*, *Nature Communications*, 1, 10 (2019), available at <https://www.nature.com/articles/s41467-019-11138-4>; Xiucheng Yang et al., *Tracking mangrove condition changes using dense Landsat time series*, *Remote Sensing of Environment*, vol. 15, 1 (2024), available at <https://www.sciencedirect.com/science/article/pii/S0034425724004875?via%3Dihub>.

³⁰ Section 380.0933(1), F.S.

³¹ Section 380.0933(2) and (3), F.S.

³² Florida Department of Commerce, *Area of Critical State Concern Program*, <https://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/areas-of-critical-state-concern> (last visited Feb. 7, 2025). See Ch. 72-317, s. 5, Laws of Fla.; section 380.05, F.S.

³³ Florida Department of Commerce, *Area of Critical State Concern Program*.

³⁴ Section 380.055, F.S.

³⁵ Section 380.0551, F.S.

- City of Key West and the Florida Keys (Monroe County);³⁶ and
- Apalachicola Bay Area (Franklin County).³⁷

National Flood Insurance Program Community Rating System

The National Flood Insurance Program (NFIP) was created by the passage of the National Flood Insurance Act of 1968.³⁸ The NFIP is administered by the Federal Emergency Management Agency (FEMA) and enables homeowners, business owners, and renters in flood-prone areas to purchase flood insurance protection from the federal government.³⁹ Participation in the NFIP is voluntary.⁴⁰ To join, a community must:

- Complete an application;
- Adopt a resolution of intent to participate and cooperate with the FEMA; and
- Adopt and submit a floodplain management ordinance that meets or exceeds the minimum NFIP criteria.⁴¹

The Community Rating System (CRS) within the NFIP is a voluntary incentive program that rewards communities for implementing floodplain management practices that exceed the minimum requirements of the NFIP.⁴² Property owners within communities that participate in the CRS program receive discounts on flood insurance premiums.⁴³ Premium discounts range from five to 45 percent based on a community's CRS credit points.⁴⁴ Communities earn credit points by implementing FEMA-approved activities or programs, such as:

- Flood damage reduction programs that reduce the flood risk to existing development;
- Public outreach programs advising people about flood hazards, flood insurance, and ways to reduce flood damage;
- Mapping and regulations limiting floodplain development or providing increased protection to new and existing development; or
- Warning and response programs that provide early flood warnings to the public and incorporate substantial damage assessments into flood response operations.⁴⁵

³⁶ Section 380.0552, F.S.

³⁷ Section 380.0555, F.S.

³⁸ The National Flood Insurance Act, Pub. L. 90-448, 82 Stat. 572 (codified as amended at 42 U.S.C. 4001 et seq.). *See also* FEMA, *Flood Insurance Rules and Regulations*, <https://www.fema.gov/flood-insurance/rules-legislation> (last visited Feb. 7, 2025).

³⁹ *See* FEMA, *Flood Insurance*, <https://www.fema.gov/flood-insurance> (last visited Feb. 7, 2025).

⁴⁰ FEMA, *Participation in the NFIP*, <https://www.fema.gov/glossary/participation-nfip#:~:text=Participation%20in%20the%20National%20Flood%20Insurance%20Program%20%28NFIP%29,of%20intent%20to%20participate%20and%20cooperate%20with%20FEMA%3B> (last visited Feb. 7, 2025).

⁴¹ *Id.*

⁴² FEMA, *Community Rating System*, <https://www.fema.gov/floodplain-management/community-rating-system#:~:text=The%20Community%20Rating%20System%20%28CRS%29%20is%20a%20voluntary,Insurance%20Program%20%28NFIP%29.%20Over%201%2C500%20communities%20participate%20nationwide> (last visited Feb. 7, 2025).

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ FEMA, *Community Rating System: A Local Official's Guide to Saving Lives, Preventing Property Damage, and Reducing the Cost of Flood Insurance*, 3-6 (2023), available at https://www.fema.gov/sites/default/files/documents/fema_crs-brochure_032023.pdf.

Resilient Florida Grant Program

The Resilient Florida Grant Program provides grants to counties and municipalities to fund community resilience planning, including vulnerability assessments that identify or address risks of flooding and sea level rise, comprehensive plan amendments, and feasibility studies and the cost of permitting for nature-based solutions that reduce the impact of flooding and sea level rise.⁴⁶ Water management districts (WMDs) are also eligible to receive grants under the Resilient Florida Grant Program to assist local government adaptation planning.⁴⁷ Such funding must support the Florida Flood Hub and the Department of Environmental Protection's (DEP) efforts related to data creation, collection, modeling, and statewide standards implementation.⁴⁸

Workforce Development Capitalization Incentive Grant Program

The Workforce Development Capitalization Incentive Grant Program was created to provide grants to school districts and Florida College System institutions to fund costs associated with the creation or expansion of career and technical education programs that lead to industry certifications included on the CAPE Industry Certification Funding List.⁴⁹ The programs may serve secondary students or postsecondary students if the postsecondary career and technical education program also serves secondary students.⁵⁰

Grant funds may be used for instructional and laboratory equipment, supplies, personnel, student services, or other expenses associated with the creation or expansion of a career and technical education program that serves secondary students.⁵¹ In ranking applications, the State Board of Education must consider the statewide geographic dispersion of grant funds and give priority to applications from education agencies that are making maximum use of their workforce development funding by offering high-performing, high-demand programs.⁵²

Environmental Resource Permitting (ERP)

Part IV of chapter 373, F.S., and chapter 62-330 of the Florida Administrative Code regulate the statewide ERP program, which is the primary tool used by the Department of Environmental Protection (DEP) and the Water management districts (WMD) for preserving natural resources and fish and wildlife, minimizing degradation of water resources caused by stormwater discharges, and providing for the management of water and related land resources. The program governs the construction, alteration, operation, maintenance, repair, abandonment, and removal of stormwater management systems, dams, impoundments, reservoirs, appurtenant works, and other works such as docks, piers, structures, dredging, and filling located in, on, or over wetlands or other surface waters.⁵³

⁴⁶ Section 380.093(3)(b)1., F.S.

⁴⁷ Section 380.093(3)(b)2., F.S.

⁴⁸ Section 380.093(3)(b)2., F.S.

⁴⁹ Section 1011.801, F.S.

⁵⁰ *Id.*

⁵¹ Section 1011.801(1), F.S.

⁵² Section 1011.801(2), F.S.

⁵³ Fla. Admin. Code R. 62-330.010(2).

Projects that are in, on, or over surface waters and wetlands are subject to additional permitting requirements. For example, if a proposed activity significantly degrades or is within an Outstanding Florida Water,⁵⁴ the ERP applicant must provide reasonable assurance that the proposed activity will be clearly in the public interest.⁵⁵ In determining whether an activity is clearly in the public interest, the WMDs or the DEP must consider and balance the following criteria:

- Whether the activity will adversely affect the public health, safety, or welfare or the property of others;
- Whether the activity will adversely affect the conservation of fish and wildlife, including endangered or threatened species, or their habitats;
- Whether the activity will adversely affect navigation or the flow of water or cause harmful erosion or shoaling;
- Whether the activity will adversely affect the fishing or recreational values or marine productivity in the vicinity of the activity;
- Whether the activity will be of a temporary or permanent nature;
- Whether the activity will adversely affect or will enhance significant historical and archaeological resources; and
- The current condition and relative value of functions being performed by areas affected by the proposed activity.⁵⁶

III. Effect of Proposed Changes:

The bill contains four whereas clauses that acknowledge the following:

- The coastline is a critical state resource that benefits the public interest by providing economic benefits, such as flood control, fishing, recreation, and navigation, and natural habitat and biodiversity functions, such as improved water quality and habitat for endangered and threatened species and other flora and fauna;
- Rising sea levels and an increasing frequency of adverse weather events pose a significant risk to people and property along the coastline and threaten the public benefits and functions offered by the coastline;
- As identified in the Miami-Dade Back Bay Coastal Storm Risk Management Feasibility Study, natural infrastructure, including mangrove stands, living seawalls, and other nature-based designs, can play an essential role in improving coastal resilience and mitigating harm to this state's coastlines; and
- The Legislature intends to promote state and local efforts to restore mangrove forests along the coastline and further study the impact of other nature-based methods on this state's coastal resilience and economic development.

Section 1 amends s. 380.0933, F.S., regarding the Florida Flood Hub for Applied Research and Innovation. The bill directs the Flood Hub to:

⁵⁴ An Outstanding Florida Water is a water designated worthy of special protection because of its natural attributes. DEP, *Outstanding Florida Waters*, <https://floridadep.gov/dear/water-quality-standards/content/outstanding-florida-waters> (last visited Feb. 7, 2025); see Fla. Admin. Code R. 62-302.700(2) and (9).

⁵⁵ Section 373.414(1), F.S.

⁵⁶ Section 373.414(1)(a), F.S.

- Develop design guidelines and standards for optimal combinations of green and gray infrastructure to address sea level rise and the impact of storm surges; and
- Model the effects, including flood risk reduction and socio-economic benefits, of conceptual designs of green infrastructure and hybrid green-gray infrastructure, and integration of green natural systems into gray infrastructure systems, on the state's coastal resilience.

Section 2 creates s. 380.0938, F.S., regarding nature-based methods for improving coastal resilience. The bill directs the Department of Environmental Protection (DEP) to adopt rules governing nature-based methods for improving coastal resilience. The rules must:

- Address significant erosion in areas of critical state concern.
- Identify ways that new developments can avoid or mitigate their impacts on mangrove stands.
- Encourage local governmental entities to develop or participate in mangrove replanting and hydrological restoration programs and the restoration of oyster reefs, salt marshes, and coral reefs.
- Identify and monitor threats to mangroves.
- Protect barrier and spoil islands.
- Assist efforts to improve coastal resilience through the use of green infrastructure, beach renourishment, dune restoration, living seawalls, shoreline and vegetation planting, stormwater planters, permeable pavements, and ecologically sound building materials.
- Promote public awareness of the value of green infrastructure and statewide education campaigns conducted by local governmental entities.
- Identify vulnerable public and private properties along the coastline and encourage partnerships with local governmental entities to create local protection and restoration zone programs for implementing the rules developed by the DEP.
- Protect and maintain access to and navigation of the marked channel and the right-of-way of the Florida Intracoastal Waterway.
- Create permitting incentives and approvals of, and encourage the use of, new strategies and technologies, such as three-dimensional printing, for living shorelines and nature-based features for coastal protection.
- Assist in the development of workforce training in this state which includes flood and sea level rise research, prediction, and adaptation and mitigation strategies. The DEP must provide incentives to local communities that apply for funding through the Workforce Development Capitalization Incentive Grant Program to implement such workforce training.
- Encourage partnerships with local governmental entities to create projects using green infrastructure for coastal protection through the Resilient Florida Grant Program.
- Develop guidelines for determining when a green infrastructure project is “clearly in the public interest” under s. 373.414(1)(a), F.S.⁵⁷
- Streamline the Environmental Resource Permitting process for green infrastructure projects.

⁵⁷ Section 373.414(1), F.S., provides that, if a proposed activity requiring an environmental resource permit significantly degrades or is within an Outstanding Florida Water, the applicant must provide reasonable assurance that the proposed activity will be “clearly in the public interest.” Section 373.414(1)(a), F.S., delineates criteria that must be considered when determining whether an activity is “clearly in the public interest.”

- Streamline permitting after designated storm events or disasters to replace failed coastal infrastructure with green or hybrid green-gray infrastructure that follows established green and green-gray design guidelines.

The bill also directs the DEP, in consultation with the Division of Insurance Agent and Agency Services, to conduct a statewide feasibility study to determine the value of nature-based methods for coastal flood risk reduction within coastal communities to reduce insurance premiums and improve local governments' community ratings in the National Flood Insurance Program Community Rating System. The bill requires the DEP to submit a report on the findings of the study to the Governor and Legislature by July 1, 2026.

Section 3 provides for Fiscal Year 2025-2026, the sum of \$250,000 in nonrecurring funds from the Resilient Florida Trust Fund to the DEP to conduct the feasibility study.

Section 4 provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has an indeterminate negative fiscal impact on the Department of Environmental Protection (DEP) related to the costs associated with the rulemaking and the cost to conduct a feasibility study. For Fiscal Year 2025-2026, the sum of \$250,000 in nonrecurring funds from the Resilient Florida Trust Fund is appropriated to the DEP to conduct the feasibility study.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 380.0933 of the Florida Statutes.

This bill creates section 380.0938 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Appropriations Committee on Agriculture, Environment and General Government on March 5, 2025:

The committee substitute appropriates for Fiscal Year 2025-2026, the sum of \$250,000 in nonrecurring funds from the Resilient Florida Trust Fund to the Department of Environmental Protection to conduct the feasibility study.

- B. **Amendments:**

None.



372636

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/05/2025	.	
	.	
	.	
	.	

The Appropriations Committee on Agriculture, Environment, and General Government (Garcia) recommended the following:

Senate Amendment (with title amendment)

Between lines 128 and 129

insert:

Section 3. For the 2025-2026 fiscal year, the sum of \$250,000 in nonrecurring funds from the Resilient Florida Trust Fund is appropriated to the Department of Environmental Protection to conduct the feasibility study for coastal flood risk reduction required by this act.

===== T I T L E A M E N D M E N T =====



372636

11 And the title is amended as follows:
12 Delete line 20
13 and insert:
14 date; providing an appropriation; providing an
15 effective date.
16

By Senator Garcia

36-00202-25

202550__

A bill to be entitled

An act relating to nature-based methods for improving coastal resilience; amending s. 380.0933, F.S.; requiring the Florida Flood Hub for Applied Research and Innovation at the University of South Florida College of Marine Science to develop design guidelines and standards for green and gray infrastructure and models for conceptual designs of green infrastructure and green-gray infrastructure; creating s. 380.0938, F.S.; requiring the Department of Environmental Protection to adopt rules for nature-based methods for coastal resilience; providing requirements for such rules; requiring the department, in consultation with the Division of Insurance Agent and Agency Services of the Department of Financial Services, to conduct a statewide feasibility study regarding the value of nature-based methods being used for a specified purpose; requiring the department to submit a report to the Governor and the Legislature by a specified date; providing an effective date.

WHEREAS, the coastline is a critical state resource that benefits the public interest by providing economic benefits, such as flood control, fishing, recreation, and navigation, and natural habitat and biodiversity functions, such as improved water quality and habitat for endangered and threatened species and other flora and fauna, and

WHEREAS, rising sea levels and an increasing frequency of adverse weather events pose a significant risk to people and

Page 1 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

36-00202-25

202550__

property along the coastline and threaten the public benefits and functions offered by the coastline, and

WHEREAS, as identified in the Miami-Dade Back Bay Coastal Storm Risk Management Feasibility Study, natural infrastructure, including mangrove stands, living seawalls, and other nature-based designs, can play an essential role in improving coastal resilience and mitigating harm to this state's coastlines, and

WHEREAS, the Legislature intends to promote state and local efforts to restore mangrove forests along the coastline and further study the impact of other nature-based methods on this state's coastal resilience and economic development, NOW, THEREFORE,

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

Section 1. Present paragraphs (c) through (i) of subsection (2) of section 380.0933, Florida Statutes, are redesignated as paragraphs (e) through (k), respectively, and new paragraphs (c) and (d) are added to that subsection, to read:

380.0933 Florida Flood Hub for Applied Research and Innovation.—

(2) The hub shall, at a minimum:

(c) Develop design guidelines and standards for optimal combinations of green and gray infrastructure to address sea level rise and the impact of storm surges.

(d) Model the effects, including flood risk reduction and socio-economic benefits, of conceptual designs of green infrastructure and hybrid green-gray infrastructure, and integration of green natural systems into gray infrastructure

Page 2 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

36-00202-25 202550__

59 systems, on this state's coastal resilience.
 60 Section 2. Section 380.0938, Florida Statutes, is created
 61 to read:
 62 380.0938 Nature-based methods for improving coastal
 63 resilience.—
 64 (1) The Department of Environmental Protection shall adopt
 65 rules governing nature-based methods for improving coastal
 66 resilience. The rules must do all of the following:
 67 (a) Address significant erosion in areas of critical state
 68 concern.
 69 (b) Identify ways that new developments can avoid or
 70 mitigate their impacts on mangrove stands.
 71 (c) Encourage local governmental entities to develop or
 72 participate in:
 73 1. Mangrove replanting and hydrological restoration
 74 programs; and
 75 2. Restoration of oyster reefs, salt marshes, and coral
 76 reefs.
 77 (d) Identify and monitor threats to mangroves.
 78 (e) Protect barrier and spoil islands.
 79 (f) Assist efforts to improve coastal resilience through
 80 the use of green infrastructure, beach renourishment, dune
 81 restoration, living seawalls, shoreline and vegetation planting,
 82 stormwater planters, permeable pavements, and ecologically sound
 83 building materials.
 84 (g) Promote public awareness of the value of green
 85 infrastructure and statewide education campaigns conducted by
 86 local governmental entities.
 87 (h) Identify vulnerable public and private properties along

36-00202-25 202550__

88 the coastline and encourage partnerships with local governmental
 89 entities to create local protection and restoration zone
 90 programs for implementing the rules developed by the department
 91 pursuant to this section.
 92 (i) Protect and maintain access to and navigation of the
 93 marked channel and the right-of-way of the Florida Intracoastal
 94 Waterway as defined in s. 327.02.
 95 (j) Create permitting incentives and approvals of, and
 96 encourage the use of, new strategies and technologies, such as
 97 3D printing, for living shorelines and nature-based features for
 98 coastal protection.
 99 (k) Assist in the development of workforce training in this
 100 state which includes flood and sea level rise research,
 101 prediction, and adaptation and mitigation strategies. The
 102 department shall provide incentives to local communities that
 103 apply for funding through the Workforce Development
 104 Capitalization Incentive Grant Program pursuant to s. 1011.801
 105 to implement such workforce training.
 106 (l) Encourage partnerships with local governmental entities
 107 to create projects using green infrastructure for coastal
 108 protection through the Resilient Florida Grant Program pursuant
 109 to s. 380.093(3)(b)1.d.
 110 (m) Develop guidelines for determining when a green
 111 infrastructure project is clearly in the public interest under
 112 s. 373.414(1)(a).
 113 (n) Streamline the permitting process under s. 373.4131 for
 114 green infrastructure projects.
 115 (o) Streamline permitting after designated storm events or
 116 disasters to replace failed coastal infrastructure with green or

36-00202-25

202550__

117 hybrid green-gray infrastructure that follows established green
118 and green-gray design guidelines.

119 (2) The department, in consultation with the Division of
120 Insurance Agent and Agency Services, shall conduct a statewide
121 feasibility study to determine the value of nature-based methods
122 for coastal flood risk reduction within coastal communities to
123 reduce insurance premiums and improve local governments'
124 community ratings in the National Flood Insurance Program
125 Community Rating System. The department shall submit a report on
126 the findings of the study to the Governor, the President of the
127 Senate, and the Speaker of the House of Representatives by July
128 1, 2026.

129 Section 3. This act shall take effect July 1, 2025.

The Florida Senate

APPEARANCE RECORD

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05 MAR 2025

Meeting Date

50

Bill Number or Topic

AEG

Committee

Amendment Barcode (if applicable)

Name Kahreem Golden

Phone 850-345-7108

Address 1035 S. Semoran Blvd

Email kahreem.golden@tnc.org

Street

Winter Park FL

32792

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

The Nature Conservancy

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) ([flsenate.gov](#))

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/5/25

Meeting Date

SB 50

Bill Number or Topic

AEG Approps

Committee

Amendment Barcode (if applicable)

Name Pepper Uchino

Phone (850) 727-9040

Address PO Box 13146

Email pepper@fsbpa.com

Tallahassee

City

FL

State

32317

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

FL Shore & Beach Preservation Assoc.

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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3/5/25

The Florida Senate
APPEARANCE RECORD

SB 50

Meeting Date

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Bill Number or Topic

Appropriations General
Committee

Amendment Barcode (if applicable)

Name

Yvette Drucker

Phone

361-319-7990

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Email

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33496

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/5/25

Meeting Date

SB 0050

Bill Number of Issue

~~SB 0150~~

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Approp. for Ag, Env. & Gen'l

Committee

Amendment Barcode (if applicable)

Name Carolyn Cassidy

Phone 561-374-1526

Address 6450 N Ocean Blvd

Email ccassidy@occam'dge.gov

Street

Ocean Ridge FL 33435

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State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

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Meeting Date

SB. 50

Bill Number or Topic

Approp. Ags. Dev. Cmt

Committee

Amendment Barcode (if applicable)

Name Marz Wiyler

Phone 561 259 8401

Address 201 Pultritto Pk
Street

Email MWiyler@myboca.us

Boca Raton FL 33481
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov).

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 50

3/5/25

Meeting Date

Bill Number or Topic

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Appropriations / Env. / Gen

Committee

Amendment Barcode (if applicable)

Name

Fran Nachlas

Phone

561 350-6110

Address

207 NW 49th

Email

Street

Boca Raton FL 33431

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

03/05/2025

Meeting Date

The Florida Senate APPEARANCE RECORD

50

Bill Number or Topic

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Committee

Amendment Barcode (if applicable)

Name **Steven Schale**

Phone **8502228900**

Address **204 South Monroe Street**

Email **steve@tapfla.com**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

The Environmental Defense Fund

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf flsenate.gov](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/5/2025

Meeting Date

SB 50

Bill Number or Topic

Approps Ag, En, 66

Committee

Amendment Barcode (if applicable)

Name David Rathke

Phone 352-584-6804

Address 4052 Old Plantation Loop

Street

Email d.rathke@ResiliencyFL.org

Tallahassee, FL 32311

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Resiliency Florida

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: CS/SB 56

INTRODUCER: Environment and Natural Resources Committee and Senator Garcia and others

SUBJECT: Geoengineering and Weather Modification Activities

DATE: March 4, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barriero</u>	<u>Rogers</u>	<u>EN</u>	<u>Fav/CS</u>
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 56 prohibits geoengineering and weather modification activities. Specifically, the bill prohibits the injection, release, or dispersion, by any means, of a chemical, a chemical compound, a substance, or an apparatus into the atmosphere within the borders of this state for the express purpose of affecting the temperature, weather, climate, or intensity of sunlight. The bill increases the fine for any person who conducts a weather modification operation from \$500 to \$100,000. The bill provides that all moneys collected must be deposited in the Air Pollution Control Trust Fund. The bill also directs the Department of Environmental Protection (DEP) to establish a dedicated e-mail address and online form to allow people to report suspected geoengineering and weather modification activities. The bill authorizes the DEP to refer reports of observed violations to the Department of Health or the Division of Emergency Management when appropriate. The bill repeals all other existing weather modification statutes.

The bill also removes the DEP's authority to conduct programs of study, research, and experimentation and evaluation in the field of weather modification.

The bill has an indeterminate negative fiscal impact on the DEP relating to creating an online form to report suspected geoengineering and weather modification activities. See Section V. Fiscal Impact Statement.

The bill has an effective date of July 1, 2025.

II. Present Situation:

Geoengineering and Weather Modification

Geoengineering and weather modification are a range of techniques aimed at manipulating Earth's climate systems to modify precipitation or mitigate the impacts of rising global temperatures. Weather modification, such as cloud seeding, involves altering local or regional atmospheric conditions to increase precipitation or reduce hailstorms. Geoengineering, such as solar radiation modification, focuses on larger-scale actions to reduce the amount of sunlight reaching Earth.

Solar Radiation Modification (SRM)

SRM refers to deliberate, large-scale actions intended to decrease global average surface temperatures by increasing the reflection of sunlight away from the Earth.¹ Extensive research efforts are underway to gain a comprehensive understanding of SRM technologies. This research focuses on developing and studying a range of potential future scenarios that combine SRM methods with emissions reductions and carbon dioxide removal technologies, to varying degrees and over varying timescales.²

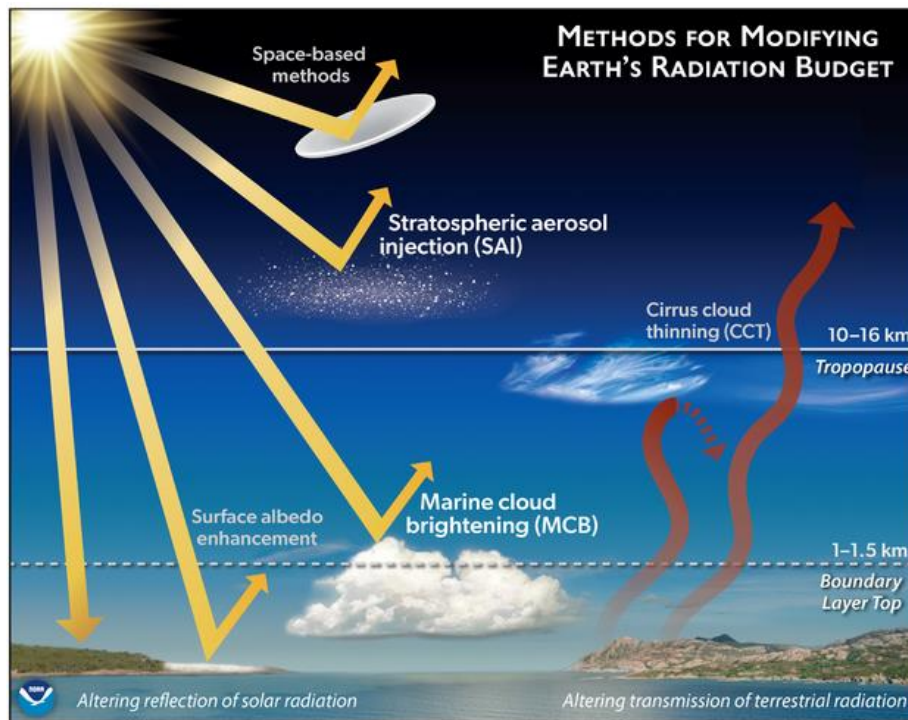
Several SRM methods and technologies are being researched:

- Stratospheric aerosol injection (SAI): a strategy that involves injecting small reflective aerosols such as sulfate into the stratosphere to increase the reflection of incoming sunlight.
- Marine cloud brightening (MCB): a strategy for adding aerosol to the lower atmosphere over ocean regions to increase the reflectivity of low-lying marine clouds.
- Cirrus cloud thinning: a strategy for modifying the properties of high-altitude ice clouds to increase the transmission of outgoing terrestrial radiation to space.
- Surface albedo enhancement: increasing the reflectivity of surfaces through, for example, white roofs or land-cover changes.
- Space-based methods: proposed methods have primarily considered large “mirrors” in space to reflect sunlight.³

¹ NOAA, *Solar radiation modification: NOAA State of the Science factsheet*, <https://www.climate.gov/news-features/understanding-climate/solar-radiation-modification-noaa-state-science-factsheet> (last visited Feb. 6, 2025).

² *Id.*

³ *Id.* The SAI method is based on the observation that past volcanic eruptions that emitted large quantities of sulfates led to a reduction in the amount of incoming solar energy, resulting in a short-term cooling effect. U.S. Congressional Service, *Solar Geoengineering and Climate Change*, 5 (2023), available at <https://crsreports.congress.gov/product/pdf/R/R47551>.



SAI and MCB have been the subject of the most research due to their projected feasibility and estimated cost.⁴ Most of the current understanding of these technologies come from theoretical and modeling studies, not field experimentation. However, the risks and benefits of SAI and MCB are still poorly understood, including their technical feasibility, efficacy, and potential regional and global effects on the climate, agriculture, and ecosystems.⁵

In 2023, the federal government issued a report outlining a research plan and governance framework for investigating SRM as a potential climate intervention tool, focusing on SAI and MCB methods.⁶ The report emphasizes the need to better understand SRM's scientific, societal, and geopolitical implications. The plan aims to balance the exploration of SRM's benefits—such as temperature control and reduced climate risks—with its potential ecological, health, and ethical challenges. It also stresses the importance of transparency, international cooperation, and rigorous oversight in SRM research to build trust and inform decision-making. The report does

⁴ *Id.*

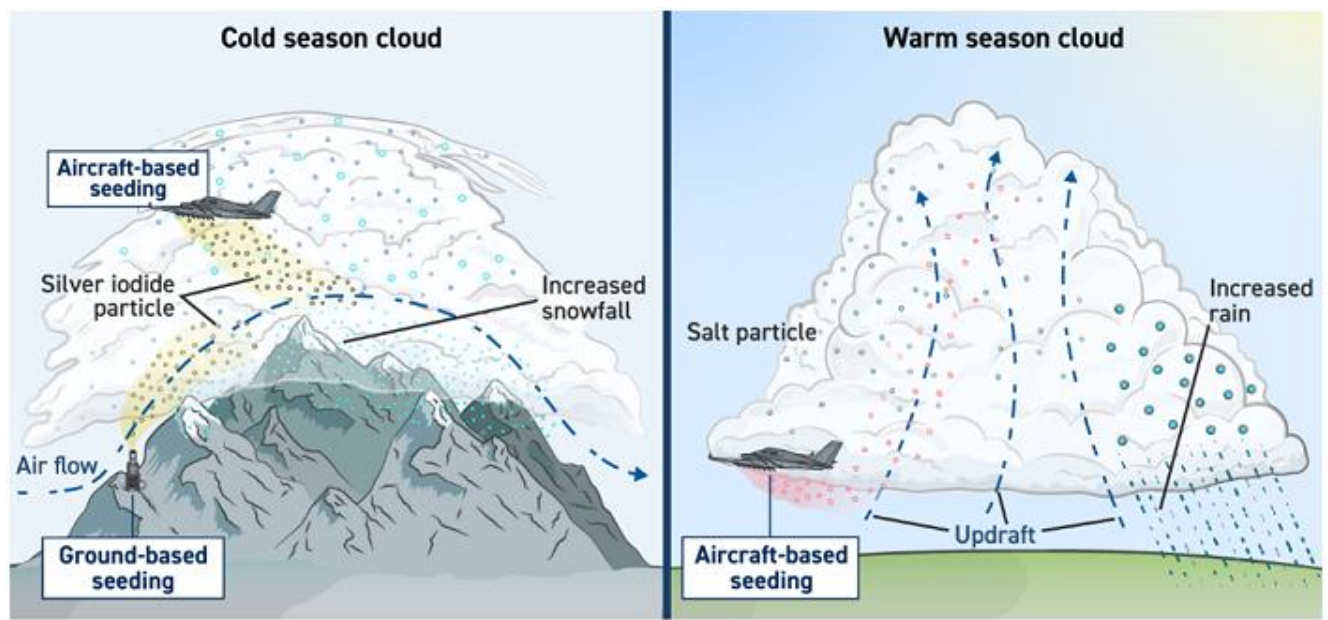
⁵ See U.S. Congressional Service, *Solar Geoengineering and Climate Change* at 10, available at <https://crsreports.congress.gov/product/pdf/R/R47551>; Samantha M. Tracy et al., *Stratospheric aerosol injection may impact global systems and human health outcomes*, *Elementa: Science of the Anthropocene*, vol. 1, 13-14 (2022), available at <https://online.ucpress.edu/elementa/article/10/1/00047/195026/Stratospheric-aerosol-injection-may-impact-global>. See generally Jessica S. Wan et al., *Diminished efficacy of regional marine cloud brightening in a warmer world*, *Nature Climate Change*, vol. 14 (2024), available at <https://www.nature.com/articles/s41558-024-02046-7>; Robert Monroe, *Scripps Institution of Oceanography at the University of California San Diego, Artificial Climate Controls Might Become Ineffective—Because of Climate Change* (2024), <https://scripps.ucsd.edu/news/artificial-climate-controls-might-become-ineffective-because-climate-change>; Katharine Ricke et al., *Hydrological Consequences of Solar Geoengineering*, *Annual Review of Earth and Planetary Sciences*, vol. 51 (2023), available at <https://www.annualreviews.org/content/journals/10.1146/annurev-earth-031920-083456>.

⁶ See White House Office of Science and Technology Policy, *Congressionally Mandated Research Plan and an Initial Research Governance Framework Related to Solar Radiation Modification*, 5 (2023), on file with the Committee on Environment and Natural Resources.

not endorse SRM deployment but highlights the urgency of preparation in case of independent implementation by other actors, ensuring readiness through robust governance and coordinated research efforts.⁷

Cloud Seeding

Cloud seeding is the most common method of weather modification and focuses on producing short-term changes in precipitation, primarily to enhance rain or snowfall, or to suppress hail.⁸ The most frequently used cloud seeding approaches rely on the introduction of tiny particles, usually silver iodide, into certain cloud types to trigger the formation of ice crystals or rain droplets from water already within the cloud.⁹ Clouds amenable to these methods include “cold season clouds” associated with mountainous terrain and “warm season clouds” associated with convective systems, including thunderstorms.¹⁰ While cold season cloud seeding is reasonably well understood, substantial uncertainties remain regarding warm season cloud seeding.¹¹



Cloud seeding operations can be conducted from the ground or the air. Ground-based operations involve strategically positioning cloud seeding generators at higher elevations, usually on the

⁷ See *id.*

⁸ U.S. Government Accountability Office (GAO), *Technology Assessment: Cloud Seeding Technology*, 3, 5 (2024), available at <https://www.gao.gov/assets/gao-25-107328.pdf>. The use of cloud seeding technology for marine cloud brightening is also being researched. See C. C. Chen et al., *Climate Impact of Marine Cloud Brightening Solar Climate Intervention Under a Susceptibility-Based Strategy Simulated by CESM2*, *Journal of Geophysical Research: Atmospheres*, vol. 130, 2 (2025), available at <https://agupubs.onlinelibrary.wiley.com/doi/10.1029/2024JD041245?af=R>.

⁹ GAO, *Technology Assessment: Cloud Seeding Technology* at 5. Silver iodide is a preferred seeding agent because its crystalline structure is nearly identical to natural ice crystals. Texas Dep’t of Licensing & Regulation, *Weather Modification: Frequently Asked Questions*, <https://www.tdlr.texas.gov/weather/weatherfaq.htm#3> (last visited Feb. 6, 2025).

¹⁰ GAO, *Technology Assessment: Cloud Seeding Technology* at 3, available at <https://www.gao.gov/assets/gao-25-107328.pdf>.

¹¹ *Id.* at 5. See also GAO, *Cloud Seeding Technology: Assessing Effectiveness and Other Challenges*, <https://www.gao.gov/products/gao-25-107328> (depicting graphic of cold and warm season cloud seeding).

windward side of mountains.¹² These generators, operated either manually or remotely, release silver iodide particles into the air; wind then transports the particles upward into the clouds where they facilitate the freezing of water molecules.¹³ This process is typically used to increase snowfall over targeted mountain areas.¹⁴ In airborne operations, aircraft disperse the seeding agent into or above the clouds using pyrotechnic flares.¹⁵



Wing-Mounted Burn-In-Place Flares¹⁶



Ejectable Flares¹⁷

Other cloud seeding approaches remain emergent or under development, including the use of balloons, drones, or plane-mounted electrostatic nozzles.¹⁸ In the latter technique, the nozzles charge water particles which are then carried up into the clouds and distributed by updrafts.¹⁹ The particles, which have the opposite electrical charge of the water in the clouds, act as cloud condensation nuclei and trigger the natural rainmaking process.²⁰

If successfully deployed, cloud seeding can potentially replenish reservoirs and aquifers, reduce air pollution and the risk of wildfires, prevent erosion, increase soil moisture, and improve

¹² See Idaho Dep't of Water Resources, *Science Behind Cloud Seeding*, <https://idwr.idaho.gov/iwrb/programs/cloud-seeding-program/science-behind-cloud-seeding/> (last visited Feb. 6, 2025); Santa Ana Watershed Project Authority, *Cloud Seeding Pilot Program in the Santa Ana Watershed*, <https://sawpa.gov/santa-ana-river-watershed-cloud-seeding/> (last visited Feb. 6, 2025).

¹³ See *id.*

¹⁴ See *id.*

¹⁵ See GAO, *Technology Assessment: Cloud Seeding Technology* at 8, available at <https://www.gao.gov/assets/gao-25-107328.pdf>; Texas Dep't of Licensing & Regulation, *Weather Modification: Frequently Asked Questions*, <https://www.tdlr.texas.gov/weather/weatherfaq.htm#3> (last visited Feb. 6, 2025).

¹⁶ Burn-In-Place wing mounted flares emit a fine silver iodide smoke directly into the cloud during flight. The flares are released directly in the cloud when the plane flies through the cloud, for as long as conditions remain suitable for the aircraft safety and for seeding to occur. Idaho Dep't of Water Resources, *Science Behind Cloud Seeding*, <https://idwr.idaho.gov/iwrb/programs/cloud-seeding-program/science-behind-cloud-seeding/> (last visited Feb. 6, 2025).

¹⁷ Ejectable, belly mounted flares are released into the cloud when the plane flies above the cloud; the aircraft drops seeding material into the cloud system by ejecting it from the belly of the plane. This technique is used when the conditions in the cloud are too hazardous for the aircraft and its crew. *Id.*

¹⁸ See GAO, *Technology Assessment: Cloud Seeding Technology* at 8, available at <https://www.gao.gov/assets/gao-25-107328.pdf>; R. Giles Harrison et al., *Providing charge emission for cloud seeding aircraft*, AIP Advances, vol. 14, 3-4 (2024), available at <https://pubs.aip.org/aip/adv/article/14/9/095307/3312161/Providing-charge-emission-for-cloud-seeding>.

¹⁹ Agricultural Research Service, U.S. Dep't of Agriculture (USDA), *Seeding the Skies, Harvesting Rain*, <https://www.ars.usda.gov/oc/dof/seeding-the-skies-harvesting-rain/> (last visited Feb. 6, 2025).

²⁰ *Id.*

agricultural productivity.²¹ However, several challenges hinder the development and effective implementation of cloud seeding, including limited scientific understanding, uncertain environmental impacts, and inadequate data collection.²² For example, while recent studies suggest that silver iodide does not pose an environmental or health concern at current levels, it is not known whether more widespread use would have an effect on public health or be a risk to the environment.²³ Further research is also needed to assess whether cloud seeding can affect precipitation outside the intended target area.²⁴ Moreover, estimates of how much additional rainfall cloud seeding can produce vary widely, from 0 to 20 percent for cold season cloud seeding.²⁵

According to the U.S. Government Accountability Office, cloud seeding activities in the U.S. are primarily funded at the state level or below.²⁶ As of July 2024, cloud seeding programs were active in at least nine states: California, Colorado, Idaho, Nevada, New Mexico, North Dakota, Texas, Utah, and Wyoming.²⁷ Several other states have laws that address weather modification in some way. In 2024, Tennessee became the first state to ban cloud seeding and other weather modification operations in the state.²⁸ Similar bills have been introduced in at least eight other state legislatures between January 2023 and December 2024, including Illinois, Kentucky, Minnesota, New Hampshire, Pennsylvania, Rhode Island, South Dakota, and Texas.²⁹

Florida Weather Modification Regulations

Since 1957, Florida law has required a license for weather modification activities.³⁰ Applications must be submitted to the Department of Environmental Protection (DEP) and include:

- The name and post office address of the applicant or the person on whose behalf the weather modification operation is to be conducted if other than the applicant.
- The education, experience, and qualifications of the applicant.
- The nature, object, and general description of the proposed weather modification operation.
- The method, equipment, and materials the applicant proposes to use.³¹

Each application must be accompanied by a \$1,000 filing fee.³² Applicants must also provide proof of financial responsibility, namely, a certificate of insurance or a bond to prove their ability to pay damages for accidents arising out of their weather modification operations in the amount of:

²¹ GAO, *Technology Assessment: Cloud Seeding Technology* at 11.

²² *Id.* at 16.

²³ *Id.* at 18.

²⁴ *Id.* at 18-19.

²⁵ *Id.* at 13. Estimates for warm season cloud seeding are not provided.

²⁶ GAO, *Technology Assessment: Cloud Seeding Technology* at 6, available at <https://www.gao.gov/assets/gao-25-107328.pdf>.

²⁷ *Id.*

²⁸ Tenn. Code. Ann. § 68-201-122 (2024).

²⁹ GAO, *Technology Assessment: Cloud Seeding Technology* at 9.

³⁰ Ch. 57-128, Laws of Fla.; section 403.301, F.S.

³¹ Section 403.311(1), F.S. DEP may also require the applicant to submit other pertinent information. *Id.*

³² Section 403.311(2), F.S.

- \$10,000 for bodily injury to or death of one person resulting from any one incident, and subject to said limit for one person,
- \$100,000 for bodily injury to or death of two or more persons resulting from any one incident, and
- \$100,000 for injury to or destruction of property of others resulting from any one incident.³³

Prior to beginning operations, the licensee must file with the DEP a notice of intention to operate that includes the licensee's information and the area and approximate time of operations.³⁴ The notice must be published in a newspaper within the county or counties of operation, and proof of publication must be filed with the DEP.³⁵

Licensees are required to maintain a record of all operations conducted pursuant to the license, including the method employed, the type and composition of materials used, the times and places of operation, and the name and post office address of each person participating or assisting in the operation other than licensee.³⁶ Such records must be made available to the public.³⁷

Any person in violation of these requirements is guilty of a second-degree misdemeanor and subject to penalties including imprisonment of up to 60 days and a \$500 fine.³⁸

Each license entitles the licensee to conduct the operation described in the application for the calendar year for which the license is issued unless the license is revoked or suspended.³⁹ The conducting of any weather modification operation or the use of any equipment or materials other than those described in the application shall be cause for revocation or suspension of the license. The license may be renewed annually by payment of a \$50 filing fee.⁴⁰ A weather modification license may be revoked or suspended if the DEP finds that the licensee has failed or refused to comply with any of the provisions of the weather modification act.⁴¹

The DEP may grant an emergency license and waive notice requirements if the operation appears to the DEP to be necessary or desirable in aid of the extinguishment of fire, dispersal of fog, or other emergency.⁴²

There have been no applications for weather modification licenses in the past 10 years.⁴³

³³ Sections 403.321(1) and (2), F.S.

³⁴ Section 403.351, F.S.

³⁵ Sections 403.361 and 403.371, F.S. The notice must be published at least once a week for two consecutive weeks in a newspaper having general circulation and published within any county or counties where the operation is to be conducted and in which the affected area is located. Section 403.361, F.S.

³⁶ Section 403.381(1), F.S.

³⁷ Section 403.381(2), F.S.

³⁸ Sections 403.411, 775.082(4)(b), and 775.083(1)(e), F.S.

³⁹ Section 403.331(2), F.S.

⁴⁰ Section 403.331(3), F.S.

⁴¹ Section 403.401, F.S.

⁴² Section 403.391, F.S.

⁴³ Email from DEP to Committee on Environment and Natural Resources (Jan. 28, 2025), on file with the Committee on Environment and Natural Resources.

In addition to regulating weather modification licenses, state law also authorizes the DEP to study, research, and experiment in the field of weather modification.⁴⁴ However, there is no indication that the DEP has been involved in such weather modification programs.

Federal Weather Modification Regulations

The Weather Modification Reporting Act of 1972 requires anyone who conducts weather modification activities within the United States to report such activities to the U.S. Secretary of Commerce at least 10 days prior to undertaking the activities.⁴⁵ The report must include, among other things, the project's purpose and location, as well as the modification agents used (e.g., carbon dioxide, sodium chloride, silver iodide).⁴⁶ Another report, which summarizes the project duration and total modification agents dispensed, is required within 45 days after completion of the project.⁴⁷ For ongoing projects, interim reports are required on January 1st of each year and must include the number of days weather modification activities took place, total hours of operation, and the amount of agent used.⁴⁸ Failure to adhere to these reporting requirements can result in fines of up to \$10,000.⁴⁹

Activities subject to these reporting requirements include:

- Seeding or dispersing of any substance into clouds or fog, to alter drop size distribution, produce ice crystals or coagulation of droplets, alter the development of hail or lightning, or influence in any way the natural development cycle of clouds or their environment;
- Using fires or heat sources to influence convective circulation or to evaporate fog;
- Modifying the solar radiation exchange of the earth or clouds, through the release of gases, dusts, liquids, or aerosols into the atmosphere;
- Modifying the characteristics of land or water surfaces by dusting or treating with powders, liquid sprays, dyes, or other materials;
- Releasing electrically charged or radioactive particles, or ions, into the atmosphere;
- Applying shock waves, sonic energy sources, or other explosive or acoustic sources to the atmosphere;
- Using aircraft propeller downwash, jet wash, or other sources of artificial wind generation; or
- Using lasers or other sources of electromagnetic radiation.⁵⁰

Reporting requirements do not apply to activities of a purely local nature that can reasonably be expected not to modify the weather outside of the area of operation.⁵¹ This exception is restricted to the use of lightning deflection or static discharge devices in aircraft, boats, or buildings, and to the use of small heat sources, fans, fogging devices, aircraft downwash, or sprays to prevent the occurrence of frost in tracts or fields planted with crops susceptible to frost

⁴⁴ Section 373.026(6), F.S.

⁴⁵ 15 U.S.C. § 330a; 15 CFR 908.4(a).

⁴⁶ 15 CFR 908.4(a).

⁴⁷ 15 CFR 908.6.

⁴⁸ 15 CFR 908.5.

⁴⁹ 15 U.S.C. § 330d; 15 CFR 908.10.

⁵⁰ 15 CFR § 908.3(a). While all these activities are subject to initial reporting, NOAA may waive the subsequent reporting requirements. The decision to waive certain reporting requirements is based on the general acceptability, from a technical or scientific viewpoint, of the apparatus and techniques to be used. 15 CFR § 908.3(d).

⁵¹ 15 CFR § 908.3(c).

or freeze damage. Also exempt are religious activities or other ceremonies, rites and rituals intended to modify the weather.⁵²

According to the National Oceanic and Atmospheric Administration's (NOAA) website, the NOAA is not currently researching or conducting weather modification experiments and has no plans to do so in the future. However, the NOAA studies the stratosphere and marine boundary layer with instruments on balloons and aircraft to help fill important gaps in our knowledge and inform decisions about the potential risks and benefits of solar geoengineering.⁵³

III. Effect of Proposed Changes:

Section 1 repeals several sections of law related to weather modification, including ss. 403.281 (definitions), 403.291 (purpose), 403.301 (licensing requirements), 403.311 (application requirements), 403.321 (proof of financial responsibility requirements), 403.331 (license issuance and discipline provisions), 403.341 (filing and publication of notice of intention to operate requirements), 403.351 (required contents of notice of intention), 403.361 (publication of the notice of intention requirements), 403.371 (proof of publication requirements), 403.381 (records and reports of operations requirements), 403.391 (provision of emergency licenses), and 403.401 (suspension or revocation of licenses), F.S.

Section 2 amends s. 403.411, F.S., to expand the section's catchline from "penalty" to "Geoengineering and weather modification activities prohibited; penalty." The bill provides that the injection, release, or dispersion, by any means, of a chemical, a chemical compound, a substance, or an apparatus into the atmosphere within the borders of this state for the express purpose of affecting the temperature, the weather, climate, or the intensity of sunlight is prohibited.

Under current law, any person in violation of weather modification laws is guilty of a misdemeanor of the second degree, punishable by a definite term of imprisonment not exceeding 60 days and a fine of up to \$500. The bill increases the fine to up to \$100,000. The bill provides that all moneys collected must be deposited in the Air Pollution Control Trust Fund and used only for purposes of air pollution control.

The bill provides that any person who observes a geoengineering or weather modification activity may report the observed violation to the Department of Environmental Protection (DEP) online or by telephone, mail, or e-mail. The bill directs the DEP to establish an e-mail address and an online form for persons to report such observed violations. The DEP must make the e-mail address and online form publicly accessible on its website. The bill authorizes the DEP to refer reports of observed violations to the Department of Health or the Division of Emergency Management when appropriate.

The bill also authorizes the DEP to adopt rules necessary to implement the bill.

Section 3 makes conforming changes.

⁵² *Id.*

⁵³ NOAA, *Fact check: Debunking weather modification claims*, <https://www.noaa.gov/news/fact-check-debunking-weather-modification-claims> (last visited Feb. 6, 2025).

Section 4 amends s. 373.026, F.S., regarding the general powers and duties of the DEP. The bill removes the requirement that the DEP conduct programs of study, research, and experimentation and evaluation in the field of weather modification.

Sections 5 through 7 make conforming changes.

Section 8 provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has a negative, indeterminate fiscal impact on the Department of Environmental Protection (DEP) related to creating an online form to report suspected geoengineering and weather modification activities. However, the DEP can absorb such costs within existing resources.

The DEP may see an increase in revenues into the Air Pollution Trust Fund due to the fine increasing from \$500 to \$100,000.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 403.411, 253.002, 373.026, 373.1501, 373.4598, and 373.470.

This bill repeals the following sections of the Florida Statutes: 403.281, 403.291, 403.301, 403.311, 403.321, 403.331, 403.341, 403.351, 403.361, 403.371, 403.381, 403.391, and 403.401.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environment and Natural Resources on February 11, 2025:

- Clarifies that the weather modification ban includes geoengineering activities and activities to affect the climate;
- Clarifies that the ban applies to public and private corporations;
- Increases the fine for conducting geoengineering and weather modification activities from \$10,000 to \$100,000;
- Provides that all funds collected from such fines must be deposited in the Air Pollution Control Trust Fund and used only for purposes of air pollution control;
- Allows any person who observes a geoengineering or weather modification activity to report it to the Department of Environmental Protection (DEP) online or by telephone, mail, or e-mail;
- Requires DEP to establish an e-mail address and an online form for persons to report observed violations and make the e-mail address and online form publicly accessible on its website;
- Provides that DEP may refer reports of observed violations to the Department of Health or the Division of Emergency Management when appropriate;
- Permits DEP to adopt rules necessary to implement the reporting process; and
- Restores language providing that, at the Governor's direction, state agencies charged with responsibilities related to weather modification must make studies of emergency-mitigation-related matters.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Environment and Natural Resources; and
Senators Garcia and Leek

592-01940-25

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1 A bill to be entitled
2 An act relating to geoengineering and weather
3 modification activities; repealing ss. 403.281,
4 403.291, 403.301, 403.311, 403.321, 403.331, 403.341,
5 403.351, 403.361, 403.371, 403.381, 403.391, and
6 403.401, F.S., relating to the definitions, purpose,
7 licensing requirements, applications, proof of
8 financial responsibility requirements, license
9 issuance and discipline provisions, publication of
10 notice of intention to operate requirements, required
11 contents of the notice of intention, publication of
12 the notice of intention requirements, proof of
13 publication requirements, record and reports of
14 operations requirements, provision of emergency
15 licenses, and suspension or revocation of licenses,
16 respectively, of the weather modification law;
17 amending s. 403.411, F.S.; prohibiting certain acts
18 intended to affect the temperature, the weather, or
19 the intensity of sunlight within the atmosphere of
20 this state; increasing civil penalties for violations
21 of the geoengineering and weather modification law;
22 requiring that specified moneys be deposited in the
23 Air Pollution Control Trust Fund and used only for
24 specified purposes; authorizing a person who observes
25 a geoengineering or weather modification activity to
26 report such activity; providing construction;
27 authorizing the department to refer reports of such
28 observations to the Department of Health or the
29 Division of Emergency Management; authorizing the

Page 1 of 9

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592-01940-25

202556c1

30 department to adopt rules; amending ss. 253.002,
31 373.026, 373.1501, 373.4598, and 373.470, F.S.;
32 conforming cross-references and provisions to changes
33 made by the act; making technical changes; providing
34 an effective date.

35
36 Be It Enacted by the Legislature of the State of Florida:

37
38 Section 1. Sections 403.281, 403.291, 403.301, 403.311,
39 403.321, 403.331, 403.341, 403.351, 403.361, 403.371, 403.381,
40 403.391, and 403.401, Florida Statutes, are repealed.

41 Section 2. Section 403.411, Florida Statutes, is amended to
42 read:

43 403.411 Geoengineering and weather modification activities
44 prohibited; penalty.-

45 (1) The injection, release, or dispersion, by any means, of
46 a chemical, a chemical compound, a substance, or an apparatus
47 into the atmosphere within the borders of this state for the
48 express purpose of affecting the temperature, weather, climate,
49 or intensity of sunlight is prohibited.

50 (2) Any person, including any public or private
51 corporation, who conducts ~~conducting~~ a geoengineering or weather
52 modification ~~activity in violation of this section commits~~
53 operation without first having procured a license, or who shall
54 make a false statement in his or her application for license, or
55 who shall fail to file any report or reports as required by this
56 act, or who shall conduct any weather modification operation
57 after revocation or suspension of his or her license, or who
58 shall violate any other provision of this act, shall be guilty

Page 2 of 9

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592-01940-25

202556c1

59 ~~of a misdemeanor of the second degree, punishable as provided in~~
 60 ~~s. 775.082 and by a fine not exceeding \$100,000, or s. 775.083,~~
 61 ~~and, if a corporation, the corporation commits shall be guilty~~
 62 ~~of a misdemeanor of the second degree, punishable by a fine not~~
 63 ~~exceeding \$100,000 as provided in s. 775.083.~~ Each such
 64 violation ~~is shall be~~ a separate offense.

65 (3) All moneys collected pursuant to this section must be
 66 deposited in the Air Pollution Control Trust Fund and used only
 67 for purposes of air pollution control pursuant to this chapter.

68 (4)(a) Any person who observes a geoengineering or weather
 69 modification activity conducted in violation of this section may
 70 report the observed violation to the department online or by
 71 telephone, mail, or e-mail.

72 (b) The department shall establish an e-mail address and an
 73 online form for persons to report observed violations pursuant
 74 to this subsection. The department shall make the e-mail address
 75 and online form publicly accessible on its website.

76 (c) The department may refer reports of observed violations
 77 made pursuant to this subsection to the Department of Health or
 78 the Division of Emergency Management when appropriate.

79 (d) The department may adopt rules necessary to implement
 80 this subsection.

81 Section 3. Subsection (1) of section 253.002, Florida
 82 Statutes, is amended to read:

83 253.002 Department of Environmental Protection, water
 84 management districts, Fish and Wildlife Conservation Commission,
 85 and Department of Agriculture and Consumer Services; duties with
 86 respect to state lands.—

87 (1) The Department of Environmental Protection shall

592-01940-25

202556c1

88 perform all staff duties and functions related to the
 89 acquisition, administration, and disposition of state lands,
 90 title to which is or will be vested in the Board of Trustees of
 91 the Internal Improvement Trust Fund. However, upon the effective
 92 date of rules adopted pursuant to s. 373.427, a water management
 93 district created under s. 373.069 shall perform the staff duties
 94 and functions related to the review of any application for
 95 authorization to use board of trustees-owned submerged lands
 96 necessary for an activity regulated under part IV of chapter 373
 97 for which the water management district has permitting
 98 responsibility as set forth in an operating agreement adopted
 99 pursuant to s. 373.046(4). The Department of Agriculture and
 100 Consumer Services shall perform the staff duties and functions
 101 related to the review of applications and compliance with
 102 conditions for use of board of trustees-owned submerged lands
 103 under authorizations or leases issued pursuant to ss. 253.67-
 104 253.75 and 597.010 and the acquisition, administration, and
 105 disposition of conservation easements pursuant to s. 570.71.
 106 Unless expressly prohibited by law, the board of trustees may
 107 delegate to the department any statutory duty or obligation
 108 relating to the acquisition, administration, or disposition of
 109 lands, title to which is or will be vested in the board of
 110 trustees. The board of trustees may also delegate to any water
 111 management district created under s. 373.069 the authority to
 112 take final agency action, without any action on behalf of the
 113 board, on applications for authorization to use board of
 114 trustees-owned submerged lands for any activity regulated under
 115 part IV of chapter 373 for which the water management district
 116 has permitting responsibility as set forth in an operating

592-01940-25

202556c1

117 agreement adopted pursuant to s. 373.046(4). This water
 118 management district responsibility under this subsection is
 119 ~~shall be~~ subject to the department's general supervisory
 120 authority pursuant to s. 373.026(6) ~~s. 373.026(7)~~. The board of
 121 trustees may also delegate to the Department of Agriculture and
 122 Consumer Services the authority to take final agency action on
 123 behalf of the board on applications to use board of trustees-
 124 owned submerged lands for any activity for which that department
 125 has responsibility pursuant to ss. 253.67-253.75, 369.25,
 126 369.251, and 597.010. However, the board of trustees shall
 127 retain the authority to take final agency action on establishing
 128 any areas for leasing, new leases, expanding existing lease
 129 areas, or changing the type of lease activity in existing
 130 leases. Upon issuance of an aquaculture lease or other real
 131 property transaction relating to aquaculture, the Department of
 132 Agriculture and Consumer Services must send a copy of the
 133 document and the accompanying survey to the Department of
 134 Environmental Protection. The board of trustees may also
 135 delegate to the Fish and Wildlife Conservation Commission the
 136 authority to take final agency action, without any action on
 137 behalf of the board, on applications for authorization to use
 138 board of trustees-owned submerged lands for any activity
 139 regulated under ss. 369.20 and 369.22.

140 Section 4. Subsection (6) of section 373.026, Florida
 141 Statutes, is amended to read:

142 373.026 General powers and duties of the department.—The
 143 department, or its successor agency, shall be responsible for
 144 the administration of this chapter at the state level. However,
 145 it is the policy of the state that, to the greatest extent

592-01940-25

202556c1

146 possible, the department may enter into interagency or
 147 interlocal agreements with any other state agency, any water
 148 management district, or any local government conducting programs
 149 related to or materially affecting the water resources of the
 150 state. All such agreements shall be subject to the provisions of
 151 s. 373.046. In addition to its other powers and duties, the
 152 department shall, to the greatest extent possible:

153 ~~(6) Conduct, either independently or in cooperation with~~
 154 ~~any person or governmental agency, a program of study, research,~~
 155 ~~and experimentation and evaluation in the field of weather~~
 156 ~~modification.~~

157 Section 5. Subsections (1) and (9) of section 373.1501,
 158 Florida Statutes, are amended to read:

159 373.1501 South Florida Water Management District as local
 160 sponsor.—

161 (1) As used in this section and s. 373.026(7) ~~s.~~
 162 ~~373.026(8)~~, the term:

163 (a) "C-111 Project" means the project identified in the
 164 Central and Southern Florida Flood Control Project, Real Estate
 165 Design Memorandum, Canal 111, South Miami-Dade County, Florida.

166 (b) "Department" means the Department of Environmental
 167 Protection.

168 (c) "District" means the South Florida Water Management
 169 District.

170 (d) "Kissimmee River Restoration Project" means the project
 171 identified in the Project Cooperation Agreement between the
 172 United States Department of the Army and the South Florida Water
 173 Management District dated March 22, 1994.

174 (e) "Pal-Mar Project" means the Pal-Mar (West Jupiter

592-01940-25

202556c1

175 Wetlands) lands identified in the Save Our Rivers 2000 Land
176 Acquisition and Management Plan approved by the South Florida
177 Water Management District on September 9, 1999 (Resolution 99-
178 94).

179 (f) "Project" means the Central and Southern Florida
180 Project.

181 (g) "Project component" means any structural or operational
182 change, resulting from the restudy, to the Central and Southern
183 Florida Project as it existed and was operated as of January 1,
184 1999.

185 (h) "Restudy" means the Comprehensive Review Study of the
186 Central and Southern Florida Project, for which federal
187 participation was authorized by the federal Water Resources
188 Development Acts of 1992 and 1996 together with related
189 congressional resolutions and for which participation by the
190 South Florida Water Management District is authorized by this
191 section. The term includes all actions undertaken pursuant to
192 the aforementioned authorizations which will result in
193 recommendations for modifications or additions to the Central
194 and Southern Florida Project.

195 (i) "Southern Corkscrew Regional Ecosystem Watershed
196 Project" means the area described in the Critical Restoration
197 Project Contract C-9906 Southern Corkscrew Regional Ecosystem
198 Watershed Project Addition/Imperial River Flowway and approved
199 by the South Florida Water Management District on August 12,
200 1999.

201 (j) "Water Preserve Areas" means those areas located only
202 within Palm Beach and Broward counties that are designated as
203 Water Preserve Areas, as approved by the South Florida Water

Page 7 of 9

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592-01940-25

202556c1

204 Management District Governing Board on September 11, 1997, and
205 shall also include all of those lands within Cell II of the East
206 Coast Buffer in Broward County as delineated in the boundary
207 survey prepared by Stoner and Associates, Inc., dated January
208 31, 2000, SWFWMD #10953.

209 (k) "Ten Mile Creek Project" means the Ten Mile Creek Water
210 Preserve Area identified in the Central and Southern Florida
211 Ecosystem Critical Project Letter Report dated April 13, 1998.

212 (9) Final agency action with regard to any project
213 component subject to s. 373.026(7)(b) ~~s. 373.026(8)(b)~~ shall be
214 taken by the department. Actions taken by the district pursuant
215 to subsection (5) may ~~shall~~ not be considered final agency
216 action. A ~~Any~~ petition for formal proceedings filed pursuant to
217 ss. 120.569 and 120.57 requires ~~shall require~~ a hearing under
218 the summary hearing provisions of s. 120.574, which is ~~shall be~~
219 mandatory. The final hearing under this section must ~~shall~~ be
220 held within 30 days after receipt of the petition by the
221 Division of Administrative Hearings.

222 Section 6. Paragraph (c) of subsection (10) of section
223 373.4598, Florida Statutes, is amended to read:

224 373.4598 Water storage reservoirs.—

225 (10) FUNDING.—

226 (c) Notwithstanding s. 373.026(7)(b) ~~s. 373.026(8)(b)~~ or
227 any other provision of law, the use of state funds is authorized
228 for the EAA reservoir project.

229 Section 7. Paragraph (a) of subsection (6) of section
230 373.470, Florida Statutes, is amended to read:

231 373.470 Everglades restoration.—

232 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

Page 8 of 9

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592-01940-25

202556c1

233 (a) Except as provided in paragraphs (d) and (e) and for
234 funds appropriated for debt service, the department shall
235 distribute funds in the Save Our Everglades Trust Fund to the
236 district in accordance with a legislative appropriation and s.
237 373.026(7)(b) ~~s. 373.026(8)(b)~~. Distribution of funds to the
238 district from the Save Our Everglades Trust Fund shall be
239 equally matched by the cumulative contributions from the
240 district by fiscal year 2019-2020 by providing funding or
241 credits toward project components. The dollar value of in-kind
242 project design and construction work by the district in
243 furtherance of the comprehensive plan and existing interest in
244 public lands needed for a project component are credits towards
245 the district's contributions.

246 Section 8. This act shall take effect July 1, 2025.



The Florida Senate

Committee Agenda Request

To: Senator Jason Brodeur, Chair
Appropriations Committee on Agriculture, Environment, and General
Government

Subject: Committee Agenda Request

Date: February 13, 2025

I respectfully request that **Senate Bill # 56**, relating to **Geoengineering and Weather Modification Activities**; Repealing provisions relating to the definitions, purpose, licensing requirements, applications, proof of financial responsibility requirements, license issuance and discipline provisions, publication of notice of intention to operate requirements, required contents of the notice of intention, publication of the notice of intention requirements, proof of publication requirements, record and reports of operations requirements, provision of emergency licenses, and suspension or revocation of licenses, respectively, of the weather modification law; prohibiting certain acts intended to affect the temperature, the weather, or the intensity of sunlight within the atmosphere of this state, etc., be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Senator Ileana Garcia
Florida Senate, District 36

3/5/2025

The Florida Senate
APPEARANCE RECORD

SB56

Meeting Date

Appropriations, AG, EN

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Jay Reynolds**

Phone **870-373-1821**

Address **6450 Hubbard Dr.**

Email **thechief762@gmail.com**

Street

Bokeelia

FL

33922

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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CS/SB 56

Bill Number or Topic

Amendment Barcode (if applicable)

~~3/15/25~~ 3/5/25

Meeting Date

AEG

Committee

Name Maya Luebke

Phone 321-442-3877

Address 14796 Peckskill Drive
Street

Email Maya.Luebke@gmail.com

Winter Garden FL 34787
City State Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/5/2025

Meeting Date

AEG - Appropriations Committee on Agriculture, Environment, and General Government

The Florida Senate APPEARANCE RECORD

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SB 56

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Ryan Kinser**

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Email **ryan.e.kinser@gmail.com**

Street

Naples

Florida

34119

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: SB 158

INTRODUCER: Senator Berman

SUBJECT: Coverage for Diagnostic and Supplemental Breast Examinations

DATE: March 4, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Betta	AEG	Favorable
2.			AP	

I. Summary:

SB 158 prohibits the state group insurance program from imposing any cost-sharing liability for diagnostic breast examinations and supplemental breast examinations in any contract or plan for state employee health benefits that provides coverage for diagnostic breast examinations or supplemental breast examinations. The prohibition is effective January 1, 2026, consistent with the start of the new plan year.

The bill provides that if, under federal law, this prohibition would result in health savings account ineligibility under s. 223 of the Internal Revenue Code, the prohibition applies only to health savings account qualified high-deductible health plans with respect to the deductible of such a plan after the person has satisfied the minimum deductible under such plan.

The bill has a significant, negative fiscal impact on the state. See Section V., Fiscal Impact Statement.

The bill provides an effective date of January 1, 2026.

II. Present Situation:

Background

Rates of breast cancer vary among different groups of people. Rates vary between women and men and among people of different ethnicities and ages. Rates of breast cancer incidence (new cases) and mortality (death) are much lower among men than among women. The American Cancer Society made the following estimates regarding cancer among women in the U.S. during 2024:

- 310,720 new cases of invasive breast cancer (This includes new cases of primary breast cancer, but not breast cancer recurrences);
- 56,500 new cases of ductal carcinoma in situ (DCIS), a non-invasive breast cancer; and

- 42,250 breast cancer deaths.¹

The estimates for men in the U.S. for 2024 were:

- 2,790 new cases of invasive breast cancer (This includes new cases of primary breast cancers, but not breast cancer recurrences); and
- 530 breast cancer deaths.²

Breast cancer is the second most common form of cancer diagnosed in women, and it is estimated that one in eight women will be diagnosed with breast cancer in her lifetime.³ It accounts for 30 percent of all new female cancers in the United States each year.⁴ The median age at which a woman is diagnosed is 62 with a very small percentage of women who are diagnosed under the age of 45.⁵

Risks and Risk Factors

There are no absolute ways to prevent breast cancer as there might be with other forms of cancer; however, there are some risk factors that may increase a woman's chances of receiving a diagnosis. Some risk factors that are out of an individual's control are:

- Being born female;
- Aging beyond 55;
- Inheriting certain gene changes;
- Having a family or personal history of breast cancer;
- Being of certain race or ethnicity;
- Being taller;
- Having dense breast tissue;
- Having certain benign breast conditions;
- Starting menstrual periods early, usually before age 12;
- Having radiation to the chest; and
- Being exposed to the drug, diethylstilbestrol (DES).⁶

For many of the factors above, it is unclear why these characteristics make an individual more susceptible to a cancer diagnosis other than perhaps being female. However, men can and do receive breast cancer diagnoses, just in very small numbers. About one in every 100 breast cancers diagnosed in the United States is found in a man.⁷

¹ *Cancer Facts & Figures*, pgs. 10-11, American Cancer Society - [Cancer Facts & Figures 2024](#) (last visited February 20, 2025).

² *Id.*

³ American Cancer Society, *Key Statistics for Breast Cancer*, [Breast Cancer Statistics | How Common Is Breast Cancer? | American Cancer Society](#) (last visited February 25, 2025).

⁴ *Id.*

⁵ *Id.*

⁶ American Cancer Society, *Breast Cancer Risk Factors You Cannot Change*- [Breast Cancer Risk Factors You Can't Change | American Cancer Society](#) (last visited February 25, 2025).

⁷ Centers for Disease Control and Prevention, *Breast Cancer in Men*- [About Breast Cancer in Men | Breast Cancer | CDC](#) (last visited February 25, 2025).

Breast Cancer Screening

In Florida, a group, blanket, or franchise accident or health insurance policy issued, amended, delivered, or renewed in this state must provide coverage for at least the following:

- A baseline mammogram for any woman who is 35 years of age or older, but younger than 40 years of age.
- A mammogram every two years for any woman who is 40 years of age or older, but younger than 50 years of age, or more frequently based on the patient's physician's recommendation.
- A mammogram every year for any woman who is 50 years of age or older.
- One or more mammograms a year, based upon a physician's recommendation, for any woman who is at risk for breast cancer because of a personal or family history of breast cancer, because of having a history of biopsy-proven benign breast disease, because of having a mother, sister, or daughter who has or has had breast cancer, or because a woman has not given birth before the age of 30.⁸

Each such insurer must offer, for an appropriate additional premium, this same coverage without such coverage being subject to the deductible or coinsurance provisions of the policy.⁹

However, mammography is only the initial step in early detection and, by itself, unable to diagnose cancer. A mammogram is an x-ray of the breast.¹⁰ While screening mammograms are routinely performed to detect breast cancer in women who have no apparent symptoms, diagnostic mammograms are used after suspicious results on a screening mammogram or after some signs of breast cancer alert the physician to check the tissue.¹¹

If a mammogram shows something abnormal, early detection of breast cancer requires diagnostic follow-up or additional supplemental imaging required to rule out breast cancer or confirm the need for a biopsy.¹² An estimated 12-16 percent of women screened with modern digital mammography require follow-up imaging.¹³ Out-of-pocket costs are particularly burdensome on those who have previously been diagnosed with breast cancer, as diagnostic tests are recommended rather than traditional screening.¹⁴ When breast cancer is detected early, the five-year relative survival rate is ninety-nine percent.¹⁵

⁸ Section 627.6613(1), F.S.

⁹ Section 627.6613(3), F.S.

¹⁰ *What Is The Difference Between A Diagnostic Mammogram And A Screening Mammogram?* National Breast Cancer Foundation - <https://www.nationalbreastcancer.org/diagnostic-mammogram> (last visited February 25, 2025).

¹¹ *Id.*

¹² *Breast Cancer Screening & Early Detection*, Susan G. Komen Organization - <https://www.komen.org/breast-cancer/screening/> (last visited January 30, 2024).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Early Detection*, National Breast Cancer Foundation - [Breast Cancer Early Detection - National Breast Cancer Foundation](#) (last visited February 25, 2025).

Regulation of Insurance in Florida

The Office of Insurance Regulation (OIR) regulates specified insurance products, insurers and other risk bearing entities in Florida.¹⁶ As part of their regulatory oversight, the OIR may suspend or revoke an insurer's certificate of authority under certain conditions.¹⁷ The OIR is responsible for examining the affairs, transactions, accounts, records, and assets of each insurer that holds a certificate of authority to transact insurance business in Florida.¹⁸ As part of the examination process, all persons being examined must make available to the OIR the accounts, records, documents, files, information, assets, and matters in their possession or control that relate to the subject of the examination.¹⁹ The OIR is also authorized to conduct market conduct examinations to determine compliance with applicable provisions of the Insurance Code.²⁰

The Agency for Health Care Administration (AHCA) regulates the quality of care by health maintenance organizations (HMO) under part III of ch. 641, F.S. Before receiving a certificate of authority from the OIR, an HMO must receive a Health Care Provider Certificate from AHCA.²¹ As part of the certificate process used by the agency, an HMO must provide information to demonstrate that the HMO has the ability to provide quality of care consistent with the prevailing standards of care.²²

State Employee Health Plan

For state employees who participate in the state employee benefit program, the Department of Management Services (DMS) through the Division of State Group Insurance (DSGI) administers the state group health insurance program (Program).²³ The Program is a cafeteria plan managed consistent with section 125 of the Internal Revenue Service Code.²⁴ To administer the program, DSGI contracts with third party administrators for self-insured plans, a fully insured HMO, and a pharmacy benefits manager for the state employees' self-insured prescription drug program, pursuant to s.110.12315, F.S. For the 2025 Plan Year, which began January 1, 2025, the HMO plans under contract with DSGI are Aetna, Capital Health Plan, and United Healthcare, and the preferred provider organization (PPO) plan is Florida Blue.²⁵

¹⁶ Section 20.121(3)(a), F.S. The Financial Services Commission, composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture, serves as agency head of the Office of Insurance Regulation for purposes of rulemaking. Further, the Financial Services Commission appoints the commissioner of the Office of Insurance Regulation.

¹⁷ Section 624.418, F.S.

¹⁸ Section 624.316(1)(a), F.S.

¹⁹ Section 624.318(2), F.S.

²⁰ Section 624.3161, F.S.

²¹ Section 641.21(1), F.S.

²² Section 641.495, F.S.

²³ Section 110.123, F.S.

²⁴ A section 125 cafeteria plan is a type of employer offered, flexible health insurance plan that provides employees a menu of pre-tax and taxable qualified benefits to choose from, but employees must be offered at least one taxable benefit such as cash, and one qualified benefit, such as a Health Savings Account.

²⁵ Department of Management Services, Division of State Group Insurance, *2024 Open Enrollment Brochure for Active State Employee Participants*, available at https://www.mybenefits.myflorida.com/beta - open_enrollment (last visited February 25, 2025).

Breast Cancer Screening Coverage

Currently, the Program covers 100 percent of the costs of screening, preventive mammograms, (consistent with federal requirements related to essential health benefits coverage). Out of pocket costs, such as copayments, may vary for supplemental and diagnostic imaging based on the enrollee's plan and the provider selected.

III. Effect of Proposed Changes:

Section 1 amends s. 110.123, F.S., to provide definitions of "Cost-sharing requirement," "Diagnostic breast examination," and "Supplemental breast examination."

Section 2 amends s. 110.12303, F.S., to prohibit the state group insurance program from imposing any cost-sharing requirement on an enrollee (such as a deductible, copayment, coinsurance, or any other cost-sharing) with respect to coverage for diagnostic breast examinations and supplemental breast examinations in any contract or plan for state employee health benefits that provides coverage for diagnostic breast examinations or supplemental breast examinations. While current plans provide diagnostic breast examinations without cost sharing, cost sharing for supplemental examinations among the current plans vary. The bill provides parameters for what constitutes supplemental breast examinations, prohibiting cost sharing for examinations that are:

- Medically necessary and appropriate breast imaging examinations conducted in accordance with the most recent applicable guidelines of the National Comprehensive Cancer Network, which may include magnetic resonance imaging and ultrasounds and other types of examinations;
- Used when no abnormality is seen or suspected; and
- Based on personal or family medical history or other increased risk factors.

The bill provides that if, under federal law, this prohibition would result in health savings account ineligibility under s. 223 of the Internal Revenue Code, the prohibition applies only to health savings account qualified high-deductible health plans with respect to the deductible of such a plan after the person has satisfied the minimum deductible under such plan.

Section 3 provides that the bill takes effect January 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill eliminates out-of-pocket costs for diagnostic and supplemental imaging for breast examinations, which is anticipated to improve access to these tests and likely to result in more patients receiving an earlier diagnosis. Early diagnosis increases the likelihood of successful treatment, which may result in savings for health insurers and HMOs.

C. Government Sector Impact:

The bill's prohibition on out-of-pocket costs for diagnostic and supplemental breast examinations has the potential to generate a higher insurance premium for the state group health plan. Historically, the state has covered premium inflation in the Program with General Revenue, rather than pass on premium increases to employees.

The Division of State Group Insurance within the Department of Management Services (DMS) estimates the bill will have an estimated fiscal impact of \$3.6 million annually in increased claim costs to state health plans due to the elimination of cost sharing and a projected increase in utilization.²⁶

The DMS included the following fiscal impact breakout between the PPO and HMO plans:

- Due to the differences in cost sharing arrangements, the PPO plan will experience a greater fiscal impact estimated at \$2.3 million. The removal of cost sharing as it relates to advanced imaging drives most of the estimated impact. The remaining impact is due to an estimated 13-27 percent increase in utilization for both the under age 45 population as well as the over age 45 population.
- HMO impacts are estimated to be lower due to the limited cost share responsibility of the standard HMO plan. Cumulative impacts for the HMO plans are estimated at approximately \$1.3 million (Self-Insured HMOs - \$1.31 million and Fully-Insured

²⁶ See Department of Management Services, *2025 Agency Legislative Bill Analysis for SB 158* at 3 (Feb. 24, 2025) (on file with the Senate Appropriations Committee on Agriculture, Environment, and General Government).

HMO - \$11,309). The removal of cost sharing as well as increased utilization drives the estimated impact.²⁷

The bill does not appear to implicate the Patient Protection and Affordable Care Act, as it is a cost-sharing bill only and does not mandate any new coverage or service or require any additions to the benchmark plan. Florida's EHB Benchmark Plan already includes diagnostic imaging.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 110.123 and 110.12303.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

²⁷ *Id.*

By Senator Berman

26-00164A-25

2025158__

1 A bill to be entitled
 2 An act relating to coverage for diagnostic and
 3 supplemental breast examinations; amending s. 110.123,
 4 F.S.; defining terms; amending s. 110.12303, F.S.;

5 prohibiting the state group insurance program from
 6 imposing any cost-sharing requirement upon an enrollee
 7 with respect to coverage for diagnostic breast
 8 examinations or supplemental breast examinations;
 9 providing applicability; providing an effective date.

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

11

12 Section 1. Present paragraphs (a), (b) through (p), (q),
 13 and (r) of subsection (2) of section 110.123, Florida Statutes,
 14 are redesignated as paragraphs (b), (d) through (r), (t), and
 15 (u), respectively, new paragraphs (a) and (c) and paragraph (s)
 16 are added to that subsection, and paragraphs (c) and (d) of
 17 subsection (14) of that section are amended, to read:

18 110.123 State group insurance program.—

19 (2) DEFINITIONS.—As used in ss. 110.123-110.1239, the term:

20 (a) "Cost-sharing requirement" means an insured's
 21 deductible, coinsurance, copayment, or similar out-of-pocket
 22 expense.

23 (c) "Diagnostic breast examination" means a medically
 24 necessary and appropriate imaging examination of the breast, as
 25 determined in accordance with the most recent applicable
 26 guidelines of the National Comprehensive Cancer Network,
 27 including, but not limited to, an examination using diagnostic
 28 mammography, breast magnetic resonance imaging, or breast
 29

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00164A-25

2025158__

30 ultrasound, which is used to evaluate an abnormality that is
 31 seen or suspected during a screening examination for breast
 32 cancer.

33 (s) "Supplemental breast examination" means a medically
 34 necessary and appropriate imaging examination of the breast,
 35 conducted in accordance with the most recent applicable
 36 guidelines of the National Comprehensive Cancer Network,
 37 including, but not limited to, an examination using breast
 38 magnetic resonance imaging or breast ultrasound, which is:

39 1. Used to screen for breast cancer when there is no
 40 abnormality seen or suspected; and

41 2. Based on personal or family medical history or
 42 additional factors that may increase the person's risk of breast
 43 cancer.

44 (14) OTHER-PERSONAL-SERVICES EMPLOYEES (OPS).—

45 (c) The initial measurement period used to determine
 46 whether an employee hired before April 1, 2013, and paid from
 47 OPS funds is a full-time employee described in subparagraph
 48 (2)(g)1. ~~(2)(e)1-~~ is the 6-month period from April 1, 2013,
 49 through September 30, 2013.

50 (d) All other measurement periods used to determine whether
 51 an employee paid from OPS funds is a full-time employee
 52 described in paragraph (2)(g) ~~(2)(e)~~ must be for 12 consecutive
 53 months.

54 Section 2. Present subsections (5) and (6) of section
 55 110.12303, Florida Statutes, are redesignated as subsections (6)
 56 and (7), respectively, and a new subsection (5) is added to that
 57 section, to read:

58 110.12303 State group insurance program; additional

Page 2 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00164A-25

2025158__

59 benefits; price transparency program; reporting.-

60 (5) In any contract or plan for state employee health
61 benefits which provides coverage for diagnostic breast
62 examinations or supplemental breast examinations, the state
63 group insurance program may not impose any cost-sharing
64 requirement upon an enrollee. If, under federal law, the
65 application of this subsection would result in health savings
66 account ineligibility under s. 223 of the Internal Revenue Code,
67 the prohibition under this subsection applies only to health
68 savings account qualified high-deductible health plans with
69 respect to the deductible of such a plan after the person has
70 satisfied the minimum deductible under s. 223 of the Internal
71 Revenue Code, except with respect to items or services that are
72 preventive care pursuant to s. 223(c)(2)(C) of the Internal
73 Revenue Code, in which case the requirements of s. 223(c)(2)(A)
74 of the Internal Revenue Code apply regardless of whether the
75 minimum deductible under s. 223 of the Internal Revenue Code has
76 been satisfied.

77 Section 3. This act shall take effect January 1, 2026.



The Florida Senate

Committee Agenda Request

To: Senator Jason Brodeur, Chair
Appropriations Committee on Agriculture, Environment, and General
Government

Subject: Committee Agenda Request

Date: January 27, 2025

I respectfully request that **Senate Bill #158**, relating to Coverage for Diagnostic and Supplemental Breast Examinations, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in cursive script that reads "Lori Berman". The signature is written in black ink and extends to the right with a long horizontal line.

Senator Lori Berman
Florida Senate, District 26

The Florida Senate

APPEARANCE RECORD

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3/5/25

Meeting Date

Gen Gov Approps (Sen)

Committee

158

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Susan Harbin

Phone

770-546-8845

Address

Street

Email

susan.harbin@caner.org

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

American Cancer Society Cancer Action Network

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf](#) | [flsenate.gov](#)

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March 5, 2025

Meeting Date

App. Comm Ag., Env. Gen Gov.

Committee

The Florida Senate

APPEARANCE RECORD

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SB0158

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Jason D. Winn**

Phone **850/222-5702**

Address **106 E. College Ave, Suite 1500**

Email **jwinn@llw-law.com**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Osteopathic Medical Association (FOMA)

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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3/5/25

Meeting Date

SB 0158

Bill Number or Topic

Approp. for Ag, Env'l, Gen'l

Committee

Amendment Barcode (if applicable)

Name

Cardyn Cassidy

Phone

561-374-1526

Address

6450 N Ocean Blvd

Email

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Street

Ocean Ridge FL 33435

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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The Florida Senate

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158
SB [scribble]

Bill Number or Topic

3/5/25

Meeting Date

Approp / Ag / Envir General

Committee

Amendment Barcode (if applicable)

Name Yvette Drucker

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Email yvettedm@aol.com

Street

Boca Raton

FL

33496

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

3/5/25

Meeting Date

Approp. Ag ENV. 49

Committee

The Florida Senate APPEARANCE RECORD

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SB 158

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Marz Wiegler

Phone

856 759 8401

Address

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Street

Email

MWiegler@myboca.com

Boca Raton FL

33431

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

3/5/25

The Florida Senate

APPEARANCE RECORD

~~SB 158~~ 158
~~932~~

Meeting Date

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Senate professional staff conducting the meeting

Bill Number or Topic

Approp/Ag/Envr/General
Committee

Amendment Barcode (if applicable)

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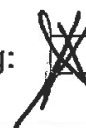
For

Against

Information

OR

Waive Speaking:



In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:



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something of value for my appearance
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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: CS/SB 160

INTRODUCER: Regulated Industries Committee and Senator Gruters and others

SUBJECT: Public Accountancy

DATE: March 4, 2025

REVISED: 3/5/25

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Oxamendi</u>	<u>Imhof</u>	<u>RI</u>	<u>Fav/CS</u>
2.	<u>Davis</u>	<u>Betta</u>	<u>AEG</u>	<u>Favorable</u>
3.	<u></u>	<u></u>	<u>RC</u>	<u></u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 160 revises the regulation of certified public accountants (CPAs) by the Florida Board of Accountancy (board) within the Department of Business and Professional Regulation (department).

The bill allows the board to, by a majority vote, delegate duties to the appropriate division within the department, and to further provide that the board may delegate duties by contract pursuant to corporations not for profit organized before 2024 under ch. 617, F.S.

The bill revises the requirements for licensure of CPAs, including licensure by endorsement and of international applicants, by providing four separate pathways to qualify for a license based on education and work experience criteria. Effective January 1, 2026, a person may qualify for a CPA license if he or she:

- Complete at least 150 semester hours of college education, including a baccalaureate or higher degree conferred by an accredited college or university, with a concentration in accounting and business as prescribed by the board, and have one year of work experience;
- Hold a master's degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the board, and have one year of work experience;
- Hold a baccalaureate degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the board, and have two years of work experience; or

- Hold a baccalaureate degree in any major course of study conferred by an accredited college or university, have completed coursework required for a concentration in accounting and business as prescribed by the board, and have two years of work experience.

In addition, the bill requires the board to prescribe the coursework required for a concentration in accounting and business. Under the bill, an applicant may satisfy the coursework requirement if the applicant receives a baccalaureate or higher degree in accounting or finance conferred by an accredited college or university in a state or territory of the United States. If the applicant has received a baccalaureate or higher degree with a major course of study other than accounting or finance, the applicant must complete the coursework required for a concentration in accounting and business as prescribed by the board.

The bill revises the licensure by endorsement requirements for applicants who are licensed in any state or territory of the United States. Under the bill, a person holding a license in another state or a territory of the United States may qualify for licensure by endorsement if they have maintained good moral character and, at the time of licensure by the other state or territory, were required to show evidence of having obtained at least a baccalaureate degree from an accredited college or university and having passed the Uniform CPA Examination.

Effective January 1, 2026, the bill revises the requirements for the licensure of international applicants. The bill provides the following two pathways for licensure by applicants who hold an active license in good standing to practice public accounting, or its equivalent, in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has determined:

- The license standards are equal to those in the United States and who have passed an examination pursuant to s. 473.306(5), F.S.; or
- Have not met the licensure standards but meets the Florida requirements for education, work experience, and good moral character and have passed the Uniform CPA exam.

Regarding continuing education, the bill requires the continuing education requirement to be administered by reputable providers determined and provided by the board. The board must give preference to corporations not for profit organized under ch. 617, F.S., that are exempt from taxation under s. 501(c)(6) of the Internal Revenue Code and that demonstrate their experience, integrity, knowledge, practice, professional responsibility, and representation of the largest numbers of CPAs in this state.

Effective January 1, 2026, the bill permits, a person who holds an active license in good standing in another state or territory to practice limited accountancy services, such as tax advisory services or consulting services that do not require the expression of an opinion or an attestation, by showing evidence to the board of having obtained at least a baccalaureate degree and having passed the Uniform CPA Examination.

The bill has an indeterminate fiscal impact on the department. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2025, except as expressly provided.

II. Present Situation:

Certified Public Accountants

The Florida Board of Accountancy (board) within the Department of Business and Professional Regulation (department) is responsible for regulating and licensing of nearly 35,667 active certified public accountants (CPAs) in Florida.¹ The Division of Certified Public Accounting provides administrative support to the nine-member board, which consists of seven CPAs and two laypersons.²

A CPA is an individual who holds a license to practice public accounting in this state under ch. 473, F.S., or an individual who is practicing public accounting in this state pursuant to the practice privilege granted in s. 473.3141, F.S.³

Section 473.302(8), F.S., defines the practice of public accounting to include offering to the public the performance of services involving audits, reviews, compilations, tax preparation, management advisory or consulting services, or preparation of financial statements. To engage in the practice of public accounting,⁴ an individual or firm must be licensed pursuant to s. 473.308, F.S., or s. 473.3101, F.S., and business entities must meet the requirements of s. 473.309, F.S.

CPA Licensing

Section 473.308, F.S., provides licensing requirements for CPAs. To be licensed as a CPA, a person must be of good moral character, pass the licensure exam, and have at least 150 semester hours of college education, including a baccalaureate or higher degree conferred by an accredited college or university with a concentration in accounting and business in the total education program to the extent specified by the board.⁵

An applicant for a CPA license must also have at least one year of work experience.⁶ If the applicant completed the education requirements by December 31, 2008, and passed the licensure examination on or before December 31, 2010, he or she was exempt from the work experience requirement.

An applicant must also have good moral character.⁷ Section 473.308(7)(a), F.S., defines “good moral character” to mean “a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation.”

¹ Department of Business and Professional Regulation, *Fiscal Year 2023-2024 Annual Report*, page 20, (on file with the Senate Appropriations Committee on Agriculture, Environment, and General Government).

² Section 473.303, F.S.

³ See s. 473.302(4), F.S. Section 473.3141, F.S., permits a person who does not have an office in Florida to practice public accountancy in this state without obtaining a license under ch. 473, F.S., notifying or registering with the board, or paying a fee if the person meets the required criteria.

⁴ Section 473.302(8), F.S., defines the terms “practice of,” “practicing public accountancy,” and “public accounting.”

⁵ Sections 473.308(2)-(4), F.S.

⁶ Sections 473.308(5), F.S.

⁷ Sections 473.308(6) and (7), F.S.

CPA licenses must be renewed on a biennial basis through procedures adopted by the DBPR.⁸

Licensure by Endorsement

Section 473.308(8), F.S., provides for licensure of certified public accountants by endorsement.

The board may certify for licensure by endorsement an applicant who:

- Is not licensed in another state or territory, and:
 - Meets the requirements for education, work experience, and good moral character; and
 - Passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306, F.S.;⁹
- Holds a valid license to practice public accounting in another state or territory, and has satisfied licensing criteria that were substantially equivalent to the licensure criteria in this state at the time the license was issued;
- If the licensing criteria was not substantially equivalent to Florida's, has met the education, work experience, good moral character requirements, and has passed a national, regional, state or territorial licensing examination with examination criteria that was substantially equivalent to the examination criteria required in Florida; or¹⁰
- Has a valid license in another state or territory for at least 10 years before applying for a license in Florida, has passed a national, regional, state or territorial licensing examination with examination criteria that were substantially equivalent to the examination criteria required in this state, and has met the good moral character requirement.¹¹

Section 473.08(9), F.S., provides that the board may issue a licensure by endorsement and waive education requirements that exceed a baccalaureate degree if the applicant has:

- At least five years of experience in the practice of public accountancy in the United States or in the practice of public accountancy or its equivalent in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has determined has licensure standards that are substantially equivalent to those in the United States; or
- At least five years of work experience that meets the requirements of s. 473.08(5), F.S.

The work experience that is used as a basis for waiving the education requirements of s. 473.08(4), F.S., must be while licensed as a certified public accountant by another state or territory of the United States or while licensed in the practice of public accountancy or its equivalent in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy¹² has determined has licensure standards that are substantially equivalent to those in the United States.

⁸ Section 473.311(2), F.S.

⁹ Section 473.308(8)(a), F.S.

¹⁰ Section 473.308(7)(b), F.S.

¹¹ Section 473.308(7)(c), F.S.

¹² The National Association of State Boards of Accountancy is a forum for the 55 State Boards of Accountancy, which administer the Uniform CPA Examination. See National Association of State Boards of Accountancy, *About Us*, at <https://nasba.org/about/> (last visited February 18, 2025).

Continuing Education

As a part of the license renewal procedure, CPAs are required to submit proof satisfactory to the board that, during the two years prior to the application for renewal, they have successfully completed not less than 48 or more than 80 hours of continuing professional education programs in public accounting subjects approved by the board.¹³ The board has the authority to prescribe by rule additional continuing professional education hours, not to exceed 25 percent of the total hours required, for failure to complete the hours required for renewal by the end of the two-year period.¹⁴

Not less than 10 percent of the total continuing education hours required by the board shall be in accounting-related and auditing-related subjects, as distinguished from federal and local taxation matters and management services.¹⁵

Not less than five percent of the continuing education must be in ethics applicable to the practice of public accounting, including a review of the provisions of ch. 455, F.S., relating to the regulations of businesses and professions, ch. 473, F.S., and the related administrative rules. This requirement must be administered by providers approved by the board.¹⁶

CPA Mobility

Section 473.3141, F.S., provides what is known as “CPA mobility” or practice mobility for CPAs.¹⁷ CPA mobility permits a CPA in another state who is not licensed in Florida, but is licensed in another state, to perform limited accounting services in Florida without obtaining a Florida license, notifying or registering with the board, or paying a fee.

An out-of-state CPA is not required to be licensed in Florida to provide accounting services from outside the state. The types of accounting services that may be provided are limited to the services in ss. 473.302(8)(b) and (c), F.S. If the CPA provides the types of services described in s. 473.302(8)(a), F.S., the CPA must first obtain a Florida license. For example, under practice mobility, the out-of-state CPA could provide tax advisory services or consulting services in Florida from out-of-state, but he or she could not provide the types of services that require the expression of an opinion or an attestation. Section 473.3141, F.S., requires that an individual who provides accountancy services that require the expression of an opinion must obtain a firm license from the board as required by s. 473.3101, F.S.

Certified public accountants in another state who practice in Florida under practice mobility consent, as a condition for the privilege, to the personal and subject matter jurisdiction and disciplinary authority of the board. They also must comply with ch. 473, F.S., and the applicable board rules.

¹³ Section 473.312(1)(a), F.S.

¹⁴ *Id.*

¹⁵ Section 473.312(1)(b), F.S.

¹⁶ Section 473.312(1)(c), F.S.

¹⁷ Florida Institute of Certified Public Accountants, *What is CPA Mobility?*, available at: <https://www.ficpa.org/mobility> (last visited February 12, 2025).

Section 473.3141(1), F.S., provides the following minimum requirements for CPAs in other states who may practice accountancy in Florida through practice mobility. The individual must:

- Hold a valid CPA license in another state that the board has determined has adopted standards that are substantially equivalent to the certificate requirements in the Uniform Accountancy Act; and
- Have satisfied license qualifications that are substantially equivalent to the license qualifications in the Uniform Accountancy Act.

Under current law, the CPA mobility provision does not apply to CPAs who are licensed in the territories of the United States.¹⁸

International Applicants

Section 473.306(5), F.S., authorizes the board to adopt an alternative licensure examination for persons who have been licensed to practice public accountancy or its equivalent in a foreign country so long as the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has ratified an agreement with that country for reciprocal licensure.

III. Effect of Proposed Changes:

Purpose of Chapter 473, F.S.

The bill amends s. 473.301, F.S., which states the legislative purpose for the regulation of the practice of public accountancy, to revise the term “public accountants” to “certified public accountants” (CPAs).

Definition

The bill amends s. 473.302, F.S., to delete the definition of the term “Uniform Accountancy Act.”¹⁹ The bill deletes all references to “Uniform Accountancy Act” in ch. 473, F.S.

Division of Certified Public Accounting

The bill amends s. 473.3035(1), F.S., which provides that the Florida Board of Accountancy (board) may, by a majority vote, delegate a duty or duties to the appropriate division within the Department of Business and Professional Regulation (department), to further provide that the board may delegate duties by contract pursuant to part I of ch. 287, F.S.,²⁰ for the performance of such duties by corporations not for profit organized before 2024 under ch. 617, F.S.²¹

¹⁸ The territories of the United States include American Samoa, Guam, Republic of the Marshall Islands, Federated States of Micronesia, Commonwealth of the Northern Mariana Islands, Republic of Palau, Puerto Rico, and the U.S. Virgin Islands. See U.S. Department of the Interior, *Insular Areas of the United States and Freely Associated States*, available at: <https://www.doi.gov/library/internet/insular> (last visited February 12, 2025).

¹⁹ Section 473.302(9), F.S., defines the term “Uniform Accountancy Act” to mean the Uniform Accountancy Act, Eighth Edition, dated January 2018 and published by the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy.

²⁰ Part I of ch. 287, F.S., relates to the state’s procurement of commodities, insurance, and contractual services.

²¹ Chapter 617, F.S., relates to corporations not for profit.

Licensure

Education

The bill, effective January 1, 2026, amends s. 473.308, F.S., to revise the requirements for licensure of CPA, including licensure by endorsement and of international applicants.

Effective July 1, 2026, the bill amends s. 473.308(4), F.S., to revise the education requirements for a CPA license by providing four separate pathways to qualify for a license. A person may qualify for a CPA license if they:

- Complete at least 150 semester hours of college education, including a baccalaureate or higher degree conferred by an accredited college or university, with a concentration in accounting and business as prescribed by the board;
- Hold a master's degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the board;
- Hold a baccalaureate degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the board; or
- Hold a baccalaureate degree in any major course of study conferred by an accredited college or university and have completed coursework required for a concentration in accounting and business as prescribed by the board.

In addition, the bill requires the board to prescribe the coursework required for a concentration in accounting and business. Under the bill, an applicant may satisfy the coursework requirement if the applicant receives a baccalaureate or higher degree in accounting or finance conferred by an accredited college or university in a state or territory of the United States.

If the applicant has received a baccalaureate or higher degree with a major course of study other than accounting or finance, the applicant must complete the coursework required for a concentration in accounting and business as prescribed by the board.

Work Experience

Effective January 1, 2026, the bill also amends s. 473.308(5), F.S., to require a CPA license applicant to have at least one year of work experience if the applicant education requirement is based on:

- Having completed at least 150 semester hours of college education, including a baccalaureate or higher degree, with a concentration in accounting and business; or
- Holding a master's degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business.

Under the bill, a CPA license applicant must have at least two years of work experience if the applicant education requirement is based on holding:

- A baccalaureate degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the board; or
- A baccalaureate degree in any major course of study conferred by an accredited college or university and having completed coursework required for a concentration in accounting and business as prescribed by the board.

The bill also amends s. 473.308(5), F.S., to delete the work experience exception for applicants who completed the education requirements by December 31, 2008, and passed the licensure examination on or before December 31, 2010.

Licensure by Endorsement

Effective January 1, 2026, the bill amends s. 473.308(7), F.S., to revise the licensure by endorsement requirements for applicants who are licensed in any state or territory of the United States. Under the bill, a person holding a license in another state or a territory of the United States may qualify for licensure by endorsement if they have maintained good moral character and, at the time of licensure by the other state or territory, were required to show evidence of having obtained at least a baccalaureate degree from an accredited college or university and having passed the Uniform CPA Examination.

The bill deletes provisions allowing a person to be licensed if he or she holds a valid license in another state or territory and has met the requirements of the section for education, work experience, good moral character, and passed a national, regional, state, or territorial licensing examination substantially equivalent to s. 473.306, F.S. It also deletes the provisions allowing a person to be licensed if they had been licensed in another jurisdiction for 10 years.

International Applicants

Effective January 1, 2026, the bill amends s. 473.308(8), F.S., to revise the requirements for the licensure of international applicants to. The bill provides the following two pathways for licensure by applicants who hold an active license in good standing to practice public accounting, or its equivalent, in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has determined:

- The licensure standards are equal to those in the United States and who have passed an examination pursuant to s. 473.306(5), F.S.; or
- Have not met the licensure standards but meets the Florida requirements for education, work experience, and good moral character and have passed the Uniform CPA exam.

Continuing Education

The bill amends s. 473.312(1)(c), F.S., to require the continuing education requirement to be administered by reputable providers to be determined and provided by the board. The bill requires the board to give preference to corporations not for profit organized under ch. 617, F.S., who are exempt from taxation under s. 501(c)(6) of the Internal Revenue Code and who demonstrate their experience, integrity, knowledge, practice, professional responsibility, and representation of the largest numbers of CPAs in this state.

The bill republishes s. 473.311(1)(b), F.S., relating to the renewal of a nonresident CPA license, to incorporate the amendment in the bill to s. 473.312, F.S., relating to continuing education requirements.

CPA Mobility

The bill amends s. 473.3141(1) and (3), F.S., to revise the requirements for CPA mobility. Effective January 1, 2026, a person who holds an active license in good standing in another state or territory can qualify for CPA mobility by evidence to the board of having obtained at least a baccalaureate degree and having passed the Uniform CPA Examination.

Cross-reference Correction

The bill amends s. 473.306(3)(a), F.S., relating to examinations, to correct a cross-reference to the license requirements in s. 473.308, F.S., as revised by the bill.

Effective Date

The bill takes effect July 1, 2025, except as expressly provided.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Department of Business and Professional Regulation (department) may incur an indeterminate increase in costs related to contracting delegated duties to certain authorized corporations; however, it's expected that any contract costs could be handled with existing resources. To date, no analysis by the department of the impact of the bill on its operations, revenue, and expenditures has been provided.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 473.301, 473.302, 473.3035, 473.306, 473.308, 473.312, 473.3141, and 473.311.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**Regulated Industries on February 18, 2025:**

The committee substitute:

- Changes the effective date from July 1, 2026 to January 1, 2026, for the sections of the bill amending s. 473.306, F.S., relating to examinations, s. 473.308, F.S., relating to licensure, and s. 473.3141, F.S., relating to certified public accountants (CPAs) licensed in other states.
- Amends s. 473.308, F.S., to revise the requirements for licensure of international applicants by providing a pathway for licensure applicants whose country has licensing standards that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has determined are equal to those in the United States and who have passed an examination, and provides a pathway for applicants whose country has not met those standards but meets the Florida requirements for education, work experience, and good moral character and have passed the Uniform CPA exam.
- Deletes new s. 473.3085, F.S., relating to the licensure of international applicants.

B. Amendments:

None.

By the Committee on Regulated Industries; and Senators Gruters
and Boyd

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1 A bill to be entitled
2 An act relating to public accountancy; amending s.
3 473.301, F.S.; making a technical change regarding the
4 purpose of ch. 473, F.S.; amending s. 473.302, F.S.;
5 deleting the definition of the term "Uniform
6 Accountancy Act"; amending s. 473.3035, F.S.;
7 authorizing the Board of Accountancy to contract with
8 certain corporations not for profit for the
9 performance of certain duties assigned to the Division
10 of Certified Public Accounting of the Department of
11 Business and Professional Regulation; amending s.
12 473.306, F.S.; conforming a cross-reference; making a
13 technical change; amending s. 473.308, F.S.; revising
14 the education and work experience requirements for a
15 certified public accountant license; directing the
16 board to prescribe specified coursework for licensure;
17 revising requirements for licensure by endorsement;
18 revising requirements for licensure of international
19 applicants; deleting obsolete language; amending s.
20 473.312, F.S.; revising requirements for the approval
21 of providers who administer continuing education on
22 ethics for certified public accountants; requiring the
23 board to give preference to certain providers;
24 amending s. 473.3141, F.S.; revising requirements for
25 certified public accountants licensed in another state
26 or a territory of the United States to practice in
27 this state without obtaining a license; reenacting s.
28 473.311(1)(b), F.S., relating to renewal of license,
29 to incorporate the amendment made to s. 473.312, F.S.,

Page 1 of 13

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580-02000-25

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30 in references thereto; providing effective dates.
31
32 Be It Enacted by the Legislature of the State of Florida:
33
34 Section 1. Section 473.301, Florida Statutes, is amended to
35 read:
36 473.301 Purpose.—The Legislature recognizes that there is a
37 public need for independent and objective certified public
38 accountants and that it is necessary to regulate the practice of
39 public accounting to assure the minimum competence of
40 practitioners and the accuracy of audit statements upon which
41 the public relies and to protect the public from dishonest
42 practitioners and, therefore, deems it necessary in the interest
43 of public welfare to regulate the practice of public accountancy
44 in this state.
45 Section 2. Subsection (9) of section 473.302, Florida
46 Statutes, is amended to read:
47 473.302 Definitions.—As used in this chapter, the term:
48 ~~(9) "Uniform Accountancy Act" means the Uniform Accountancy~~
49 ~~Act, Eighth Edition, dated January 2018 and published by the~~
50 ~~American Institute of Certified Public Accountants and the~~
51 ~~National Association of State Boards of Accountancy.~~
52
53 However, these terms shall not include services provided by the
54 American Institute of Certified Public Accountants or the
55 Florida Institute of Certified Public Accountants, or any full
56 service association of certified public accounting firms whose
57 plans of administration have been approved by the board, to
58 their members or services performed by these entities in

Page 2 of 13

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580-02000-25

2025160c1

59 reviewing the services provided to the public by members of
60 these entities.

61 Section 3. Subsection (1) of section 473.3035, Florida
62 Statutes, is amended to read:

63 473.3035 Division of Certified Public Accounting.—

64 (1) All services concerning this chapter, including, but
65 not limited to, recordkeeping services, examination services,
66 legal services, and investigative services, and those services
67 in chapter 455 necessary to perform the duties of this chapter
68 are assigned to shall be provided by the Division of Certified
69 Public Accounting. The board may, by majority vote, delegate
70 such a duty or duties to the appropriate division within the
71 department or contract pursuant to part I of chapter 287 for the
72 performance of such duties by corporations not for profit
73 organized before 2024 under chapter 617. The board may, by
74 majority vote, rescind any such delegation of duties at any
75 time.

76 Section 4. Effective January 1, 2026, subsection (3) of
77 section 473.306, Florida Statutes, is amended, and subsection
78 (4) of that section is republished, to read:

79 473.306 Examinations.—

80 (3) An applicant is entitled to take the licensure
81 examination to practice in this state as a certified public
82 accountant if:

83 (a) The applicant has completed 120 semester hours or 180
84 quarter hours from an accredited college or university with a
85 concentration in accounting and business ~~courses~~ as prescribed
86 ~~specified~~ by the board by rule; and

87 (b) The applicant shows that she or he has good moral

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88 character. For purposes of this paragraph, the term "good moral
89 character" has the same meaning as provided in s. 473.308(6)(a)
90 ~~s. 473.308(7)(a)~~. The board may refuse to allow an applicant to
91 take the licensure examination for failure to satisfy this
92 requirement if:

93 1. The board finds a reasonable relationship between the
94 lack of good moral character of the applicant and the
95 professional responsibilities of a certified public accountant;
96 and

97 2. The finding by the board of lack of good moral character
98 is supported by competent substantial evidence.

99
100 If an applicant is found pursuant to this paragraph to be
101 unqualified to take the licensure examination because of a lack
102 of good moral character, the board must ~~shall~~ furnish to the
103 applicant a statement containing the findings of the board, a
104 complete record of the evidence upon which the determination was
105 based, and a notice of the rights of the applicant to a
106 rehearing and appeal.

107 (4) The board shall have the authority to establish the
108 standards for determining and shall determine:

109 (a) What constitutes a passing grade for each subject or
110 part of the licensure examination;

111 (b) Which educational institutions, in addition to the
112 universities in the State University System of Florida, shall be
113 deemed to be accredited colleges or universities;

114 (c) What courses and number of hours constitute a major in
115 accounting; and

116 (d) What courses and number of hours constitute additional

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117 accounting courses acceptable under s. 473.308(4).

118 Section 5. Effective January 1, 2026, subsections (4)
119 through (10) of section 473.308, Florida Statutes, are amended
120 to read:

121 473.308 Licensure.—

122 (4)(a) An applicant for licensure must do at least one of
123 the following:

124 1. Complete ~~have~~ at least 150 semester hours of college
125 education, including a baccalaureate or higher degree conferred
126 by an accredited college or university, with a concentration in
127 accounting and business as prescribed by the board ~~in the total~~
128 ~~educational program to the extent specified by the board.~~

129 2. Hold a master's degree in accounting or finance
130 conferred by an accredited college or university with a
131 concentration in accounting and business as prescribed by the
132 board.

133 3. Hold a baccalaureate degree in accounting or finance
134 conferred by an accredited college or university with a
135 concentration in accounting and business as prescribed by the
136 board.

137 4. Hold a baccalaureate degree in any major course of study
138 conferred by an accredited college or university and have
139 completed coursework required for a concentration in accounting
140 and business as prescribed by the board.

141 (b) The board shall prescribe the coursework required for a
142 concentration in accounting and business. The board may deem an
143 applicant to have satisfied requirements for such coursework if
144 the applicant receives a baccalaureate or higher degree in
145 accounting or finance conferred by an accredited college or

580-02000-25

2025160c1

146 university in a state or territory of the United States. An
147 applicant receiving a baccalaureate or higher degree with a
148 major course of study other than accounting or finance must
149 complete the coursework required for a concentration in
150 accounting and business as prescribed by the board.

151 (5)(a) An applicant for licensure who completes the
152 education requirements under subparagraph (4)(a)1. or
153 subparagraph (4)(a)2. after December 31, 2008, must show that he
154 or she has had 1 year of work experience. An applicant who
155 completes the education requirements under subparagraph (4)(a)3.
156 or subparagraph (4)(a)4. must show 2 years of work experience.

157 (b) Such work ~~This experience includes~~ shall include
158 providing any type of service or advice involving the use of
159 accounting, attest, compilation, management advisory, financial
160 advisory, tax, or consulting skills, all of which must be
161 verified by a certified public accountant who is licensed by a
162 state or territory of the United States. This experience is
163 acceptable if it was gained through employment in government,
164 industry, academia, or public practice; constituted a
165 substantial part of the applicant's duties; and was verified by
166 a certified public accountant licensed by a state or territory
167 of the United States. The board shall adopt rules specifying
168 standards and providing for the review and approval of the work
169 experience required by this subsection ~~section~~.

170 ~~(b) However, an applicant who completed the requirements of~~
171 ~~subsection (4) on or before December 31, 2008, and who passes~~
172 ~~the licensure examination on or before June 30, 2010, is exempt~~
173 ~~from the requirements of this subsection.~~

174 (6)(a) An applicant for licensure must shall show that he

580-02000-25

2025160c1

175 ~~or she the applicant~~ has good moral character. For purposes of
 176 this paragraph, the term

177 ~~(7)(a)~~ "good moral character" means a personal history of
 178 honesty, fairness, and respect for the rights of others and for
 179 the laws of this state and nation.

180 (b) The board may refuse to certify an applicant for
 181 failure to satisfy this requirement if:

182 1. The board finds a reasonable relationship between the
 183 lack of good moral character of the applicant and the
 184 professional responsibilities of a certified public accountant;
 185 and

186 2. The finding by the board of lack of good moral character
 187 is supported by competent substantial evidence.

188 (c) When an applicant is found to be unqualified for a
 189 license because of a lack of good moral character, the board
 190 shall furnish to the applicant a statement containing the
 191 findings of the board, a complete record of the evidence upon
 192 which the determination was based, and a notice of the rights of
 193 the applicant to a rehearing and appeal.

194 ~~(7)(8)~~ The board shall certify as qualified for a license
 195 by endorsement an applicant who:

196 ~~(a) Is not licensed and has not been licensed in any state~~
 197 ~~or territory and who has met the requirements of this section~~
 198 ~~for education, work experience, and good moral character and has~~
 199 ~~passed a national, regional, state, or territorial licensing~~
 200 ~~examination that is substantially equivalent to the examination~~
 201 ~~required by s. 473.306; or~~

202 ~~(b)1.~~ holds an active ~~a valid~~ license in good standing to
 203 practice public accounting issued by another state or a

580-02000-25

2025160c1

204 territory of the United States, if the applicant has maintained
 205 good moral character and, at the time of licensure by such other
 206 state or territory, the applicant was required to show evidence
 207 of having obtained at least a baccalaureate degree from an
 208 accredited college or university and having passed the Uniform
 209 CPA Examination criteria for issuance of such license were
 210 substantially equivalent to the licensure criteria that existed
 211 in this state at the time the license was issued;

212 ~~2. Holds a valid license to practice public accounting~~
 213 ~~issued by another state or territory of the United States but~~
 214 ~~the criteria for issuance of such license did not meet the~~
 215 ~~requirements of subparagraph 1.; has met the requirements of~~
 216 ~~this section for education, work experience, and good moral~~
 217 ~~character; and has passed a national, regional, state, or~~
 218 ~~territorial licensing examination that is substantially~~
 219 ~~equivalent to the examination required by s. 473.306; or~~

220 ~~3. Holds a valid license to practice public accounting~~
 221 ~~issued by another state or territory of the United States for at~~
 222 ~~least 10 years before the date of application; has passed a~~
 223 ~~national, regional, state, or territorial licensing examination~~
 224 ~~that is substantially equivalent to the examination required by~~
 225 ~~s. 473.306; and has met the requirements of this section for~~
 226 ~~good moral character.~~

227 ~~(8)(9)~~ An international applicant who seeks licensure as a
 228 certified public accountant in this state must do at least one
 229 of the following:

230 (a) Hold an active license in good standing to ~~If the~~
 231 ~~applicant has at least 5 years of experience in the practice of~~
 232 ~~public accountancy in the United States or in the practice of~~

580-02000-25

2025160c1

233 ~~public accountancy or its equivalent in a foreign country that~~
 234 ~~the International Qualifications Appraisal Board of the National~~
 235 ~~Association of State Boards of Accountancy has determined has~~
 236 ~~licensure standards that are substantially equivalent to those~~
 237 ~~in the United States, or has at least 5 years of work experience~~
 238 ~~that meets the requirements of subsection (5), the board must~~
 239 ~~waive the requirements of subsection (4) which are in excess of~~
 240 ~~a baccalaureate degree. All experience that is used as a basis~~
 241 ~~for waiving the requirements of subsection (4) must be while~~
 242 ~~licensed as a certified public accountant by another state or~~
 243 ~~territory of the United States or while licensed in the practice~~
 244 ~~of public accounting, accountancy or its equivalent, in a~~
 245 ~~foreign country that the International Qualifications Appraisal~~
 246 ~~Board of the National Association of State Boards of Accountancy~~
 247 ~~has determined has licensure standards equal that are~~
 248 ~~substantially equivalent to those in the United States and has~~
 249 ~~passed an exam pursuant to s. 473.306(5).~~

250 (b) Hold an active license in good standing to practice
 251 public accounting, or its equivalent, in a foreign country that
 252 the International Qualifications Appraisal Board of the National
 253 Association of State Boards of Accountancy has not determined
 254 has licensure standards equal to those in the United States and
 255 has met the requirements for education, work experience, and
 256 good moral character under subsections (4), (5), and (6) and has
 257 passed the Uniform CPA exam. The board shall have the authority
 258 to establish the standards for experience that meet this
 259 requirement.

260 ~~(9)(10)~~ The board may refuse to certify for licensure any
 261 applicant who is under investigation in another state for any

Page 9 of 13

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580-02000-25

2025160c1

262 act that would constitute a violation of this act or chapter
 263 455, until such time as the investigation is complete and
 264 disciplinary proceedings ~~are have been~~ terminated.

265 Section 6. Paragraph (c) of subsection (1) of section
 266 473.312, Florida Statutes, is amended to read:

267 473.312 Continuing education.—

268 (1)

269 (c) ~~At least~~ Not less than 5 percent of the total hours
 270 required by the board ~~must shall~~ be in ethics applicable to the
 271 practice of public accounting. ~~This requirement shall be~~
 272 ~~administered by providers approved by the board, and a majority~~
 273 ~~of the hours must shall~~ include a review of ~~the provisions of~~
 274 ~~chapter 455 and this chapter and the related administrative~~
 275 ~~rules. Such requirement must be administered by reputable~~
 276 ~~providers determined by the board. The board shall give~~
 277 ~~preference to corporations not for profit organized under~~
 278 ~~chapter 617 who are exempt from taxation under s. 501(c)(6) of~~
 279 ~~the Internal Revenue Code and who demonstrate their experience,~~
 280 ~~integrity, knowledge, practice, professional responsibility, and~~
 281 ~~representation of the largest numbers of certified public~~
 282 ~~accountants in this state.~~

283 Section 7. Effective January 1, 2026, subsections (1) and
 284 (3) of section 473.3141, Florida Statutes, are amended to read:

285 473.3141 Certified public accountants licensed in other
 286 states.—

287 (1) ~~Except as otherwise provided in this chapter,~~ An
 288 individual who holds an active license in good standing to
 289 practice public accounting in another state or a territory of
 290 the United States and who does not have an office in this state

Page 10 of 13

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580-02000-25

2025160c1

291 has the privileges of Florida certified public accountants and
 292 may provide public accounting services in this state without
 293 obtaining a license under this chapter or notifying or
 294 registering with the board or paying a fee if, at the time of
 295 licensure by such other state or territory, the individual was
 296 required to show evidence of having obtained at least a
 297 baccalaureate degree and having passed the Uniform CPA
 298 Examination+

299 ~~(a) Holds a valid license as a certified public accountant~~
 300 ~~from a state that the board or its designee has determined by~~
 301 ~~rule to have adopted standards that are substantially equivalent~~
 302 ~~to the certificate requirements in s. 5 of the Uniform~~
 303 ~~Accountancy Act in the issuance of licenses; or~~

304 ~~(b) Holds a valid license as a certified public accountant~~
 305 ~~from a state that has not been approved by the board as having~~
 306 ~~adopted standards in substantial equivalence with s. 5 of the~~
 307 ~~Uniform Accountancy Act, but obtains verification from the~~
 308 ~~board, or its designee, as determined by rule, that the~~
 309 ~~individual's certified public accountant qualifications are~~
 310 ~~substantially equivalent to the certificate requirements in s. 5~~
 311 ~~of the Uniform Accountancy Act.~~

312 The board shall define by rule what constitutes an office.

314 (3) An individual certified public accountant from another
 315 state or a territory of the United States who practices pursuant
 316 to this section, and the firm that employs that individual, must
 317 ~~shall~~ both consent, as a condition of the privilege of
 318 practicing in this state:

319 (a) To the ~~personal and subject matter~~ jurisdiction and

Page 11 of 13

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580-02000-25

2025160c1

320 disciplinary authority of the board;

321 (b) To comply with this chapter and the applicable board
 322 rules;

323 (c) That if the individual's license as a certified public
 324 accountant from another the state or a territory of the United
 325 States becomes invalid of the individual's principal place of
 326 ~~business is no longer valid~~, the individual must will cease
 327 offering or rendering public accounting services in this state,
 328 individually and on behalf of a firm; and
 329 (d) To the appointment of the ~~state~~ board that issued the
 330 individual's license as the agent upon whom process may be
 331 served in any action or proceeding by the board or department
 332 against the individual or firm.

333 Section 8. For the purpose of incorporating the amendment
 334 made by this act to section 473.312, Florida Statutes, in
 335 references thereto, paragraph (b) of subsection (1) of section
 336 473.311, Florida Statutes, is reenacted to read:

337 473.311 Renewal of license.—

338 (1)

339 (b) A nonresident licensee seeking renewal of a license in
 340 this state shall be determined to have met the continuing
 341 education requirements in s. 473.312, except for the
 342 requirements in s. 473.312(1)(c), if the licensee has complied
 343 with the continuing education requirements applicable in the
 344 state in which his or her office is located. If the state in
 345 which the nonresident licensee's office is located has no
 346 continuing education requirements for license renewals, the
 347 nonresident licensee must comply with the continuing education
 348 requirements in s. 473.312.

Page 12 of 13

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580-02000-25

2025160c1

349 Section 9. Except as otherwise expressly provided in this
350 act, this act shall take effect July 1, 2025.

March 5th 2025

Meeting Date

The Florida Senate APPEARANCE RECORD

SB 140

Bill Number or Topic

Approp. on Ag. Enviro.

Committee

General

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

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Tallahassee

FL

32301

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

FICPA

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: SB 7002

INTRODUCER: Environment and Natural Resources Committee

SUBJECT: Water Management Districts

DATE: March 4, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	<u>Carroll</u>	<u>Rogers</u>		EN Submitted as Comm. Bill/Fav
1.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	Favorable
2.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 7002 amends laws concerning water management district funding, budgeting, and business practices, as well as Everglades restoration projects more generally. The bill provides direct appropriations for listed Everglades restoration projects.

District Funding

The bill provides that water management districts may not use state funds as a local match for any state grant program unless specifically appropriated for that purpose.

The bill authorizes a district to levy ad valorem taxes by referendum to finance the construction of capital improvement projects related to water supply, water quality, flood protection and floodplain management, and natural systems.

The bill authorizes the issuance of 20-year, interest-free loans to finance projects submitted by a district and included in the Statewide Flooding and Sea Level Rise Resilience Plan. The bill commits the lesser of 26.042 percent or \$100 million from the Indian Gaming Revenue Clearing Trust Fund for this purpose.

District Budgets

Concerning preliminary budgets: the bill requires a section for each water management district's capital improvement plan for the current fiscal year and the next fiscal year, which will be incorporated in the district's five-year capital improvement plan. The bill requires the South Florida Water Management District (SFWMD) to include a separate section in its preliminary budget for all projects within the Comprehensive Everglades Restoration Plan.

Concerning tentative budgets: the bill authorizes the Legislative Budget Commission to reject district budget proposals for any portion of the budget funded with state appropriations and any individual project in a district's five-year capital improvement plan.

The bill requires SFWMD to incorporate the amount of state revenues appropriated for the fiscal year in the sections of its tentative budget document on the costs associated with the Everglades Construction Project and the Comprehensive Everglades Restoration Plan.

District Business Practices

The bill prohibits a lobbyist or a principal from making, and a water management district governing board member, executive director, or district employee who qualifies as a local officer from knowingly accepting, any expenditure from a lobbyist for the purpose of lobbying.

The bill specifies that a quorum is necessary for a water management district governing board to conduct official business. It defines quorum as a majority of the members of the board, including appointed members and any vacancies.

For contractual services for the design, engineering, or construction of capital improvement projects costing \$1 million or more, the bill requires districts to give preference to the lowest responsible and responsive bid, proposal, or reply that includes a 10-year construction bond or that provides proof of a comparable financial assurance mechanism.

Everglades Restoration

The bill requires SFWMD to include the total estimated remaining cost to implement the comprehensive plan for the Central and Southern Florida Project Comprehensive Review Study in its progress report on the comprehensive plan.

The bill provides that state and local members of the South Florida Ecosystem Restoration Task Force may not include the assumption of the future availability of state funds over a certain amount in their recommendations for updates to the Integrated Delivery Schedule for Everglades restoration projects.

Everglades Restoration Funding

The bill includes Everglades Restoration funding for projects requested by SFWMD for the 2025-2026 fiscal year totaling over \$750 million. Projects include:

- C-111 South Dade;
- Indian River Lagoon South;
- Central Everglades Planning Project South;
- Central Everglades Planning Project North;
- Loxahatchee River Watershed Restoration Project;
- Western Everglades Restoration Project;
- Comprehensive Everglades Restoration Project Planning and Design;
- Caloosahatchee River C-43 West Basin Storage;
- Central Everglades Planning Project Everglades Agricultural Area Reservoir;

- Northern Everglades and Estuaries Protection Program; and
- Lake Okeechobee Watershed Restoration Project Aquifer Storage and Recovery Wells.

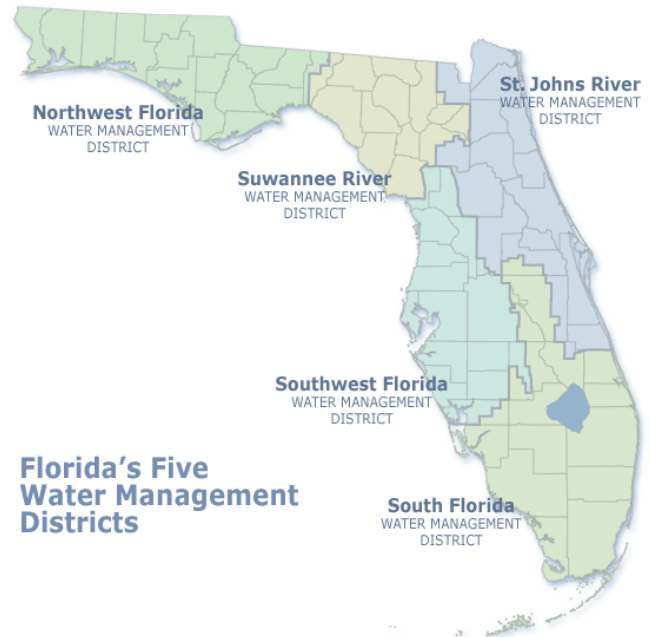
The bill has an effective date of July 1, 2025.

II. Present Situation:

Water Management Districts

Florida's water management districts are responsible for administering water resources at a regional level.¹ Their core focus is on water supply (including alternative water supply and the water resource development projects identified in a district's regional water supply plans), water quality, flood protection and floodplain management, and natural systems.²

Each water management district is directed by a governing board.³ Each board includes nine members who reside in the district, except the Southwest Florida Water Management District board, which includes 13 members who reside in the district.⁴ The Governor is tasked with appointing board members, subject to Senate confirmation.⁵ Vacancies in governing boards prior to the expiration of the affected term must be filled for that term.⁶



Currently, the governing board for only one district – the St. Johns River Water Management District – has no vacancies.⁷ The Northwest Florida, Suwannee River, and South Florida water management districts have eight out of nine possible members. The Southwest Florida Water Management District has 12 out of 13 possible members.⁸

¹ Florida Department of Environmental Protection (DEP), *Water Management Districts*, <https://floridadep.gov/owper/water-policy/content/water-management-districts> (last visited Feb. 14, 2025); section 373.069, F.S.

² DEP, *Water Management Districts*; s. 373.535(1)(a)2., F.S.

³ Section 373.073, F.S.

⁴ Section 373.073(1)(a), F.S.

⁵ *Id.*

⁶ Section 373.076, F.S.

⁷ Northwest Florida Water Management District, *Governing Board*, <https://nwfwater.com/about/governing-board/> (last visited Feb. 14, 2025); Suwannee River Water Management District, *Current Governing Board Members*, <https://www.mysuwanneeriver.com/134/Current-Board-Members> (last visited Feb. 14, 2025); St. Johns River Water Management District, *Governing Board*, <https://www.sjrwm.com/governingboard/> (last visited Feb. 14, 2025); Southwest Florida Water Management District, *Governing Board*, <https://www.swfwmd.state.fl.us/about/about-the-district/governing-board> (last visited Feb. 14, 2025); South Florida Water Management District, *Governing Board*, <https://www.sfwmd.gov/who-we-are/governing-board> (last visited Feb. 14, 2025).

⁸ *Id.*

A governing board is required to meet at least once a month and upon the call of the chair.⁹ There is no statutory language defining a quorum for district governing board purposes.¹⁰ The governing boards may conduct meetings by means of communications media technology.¹¹

Lobbying Water Management Districts and Ethics Investigations

Ethics laws concerning lobbying before water management districts require a lobbyist¹² to register with the district they intend to lobby.¹³ To register, a lobbyist must provide a statement signed by the principal¹⁴ or principal's representative stating that the lobbyist is authorized to represent the principal. The principal must also identify its main business on the authorization statement.¹⁵ The registration form requires each lobbyist to disclose certain information.¹⁶

The Commission on Ethics¹⁷ is required to investigate a lobbyist or principal if it receives allegations that the lobbyist or principal has failed to register with a district or has knowingly submitted false information in a report or registration.¹⁸

Water Management District Contracts

Water management districts are authorized in statute to purchase commodities and contractual services that have been procured pursuant to competitive bid, request for proposal, request for qualification, competitive selection, or competitive negotiation.¹⁹ This authorization does not extend to the purchase of commodities and contractual services that fall under the definition of "professional services" in s. 287.055, F.S.²⁰

Professional services are defined in the Consultants' Competitive Negotiation Act to include services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping.²¹ The Act requires a water management district to publicly announce when such professional services must be purchased for projects that

⁹ Section 373.079(7), F.S.

¹⁰ See section 373.079, F.S.

¹¹ Section 373.079(7), F.S. As used in section 120.54(5)(b)2., F.S., communications media technology is "the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available."

¹² A lobbyist is a person who is employed and receives payment for lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. Section 112.3215(1)(h), F.S.

¹³ Section 112.3261(2), F.S.

¹⁴ A principal is the person, firm, corporation, or other entity that employs or retains a lobbyist. Section 112.3215(1)(i), F.S.

¹⁵ *Id.*

¹⁶ Section 112.3261(2)(a)-(d), F.S.

¹⁷ The Commission on Ethics is created in statute to "serve as guardian of the standards of conduct for the officers and employees of the state, and of a county, city, or other political subdivision of the state...and to serve as the independent commission provided for in s. 8(f), Art. II of the State Constitution." Section 112.320, F.S.

¹⁸ Section 112.3261(7), F.S.

¹⁹ Section 373.6075, F.S. Water management districts may purchase commodities and contractual services from the purchasing contracts of special districts, municipalities, counties, other political subdivisions, educational institutions, other states, nonprofit entities, purchasing cooperatives, or the federal government. *Id.*

²⁰ *Id.*

²¹ Section 287.055(2)(a), F.S.

meet certain threshold amounts.²² For each proposed project, the district must select, in order of preference, at least three firms that are the most highly qualified to perform the required services.²³ To do this, the district must consider factors including, but not limited to, the ability level of professional personnel, whether a firm is a certified minority business enterprise, past performance, and willingness to meet time and budget requirements.²⁴

Water Management District Budget Development

The water management district fiscal year begins on October 1 and ends on September 30 of the following year.²⁵ On January 15 of each year, the water management districts must submit a preliminary budget for the next fiscal year for legislative review.²⁶ The Legislature may review each preliminary budget by March 1 and submit comments to the districts.²⁷ Any district that receives comments must respond in writing to the Legislature and the Governor by March 15.²⁸

Following the review of the preliminary budget, if the Legislature takes no action²⁹ by July 1, a water management district may proceed with the budget process.³⁰ By July 15 of each year, the budget officer of each district must develop a tentative budget and submit it for review and adoption by the governing board.³¹ By August 1, the tentative budget must also be submitted for review to the Legislature, the Governor, the chairs of all legislative committees and subcommittees that have substantive or fiscal jurisdiction over water management districts, the secretary of the Florida Department of Environmental Protection (DEP), and the governing body of each county in which the district has jurisdiction or derives any funds for district operations.³² The tentative budget submission must include a description of any significant changes from the preliminary budget.³³

By September 5, the chairs of each legislative committee and subcommittee may submit comments and objections to the districts.³⁴ Each district's governing board must include its response in the record of the meeting in which the final budget is adopted.³⁵ The record must be transmitted to the Governor, the chairs of the legislative appropriations committees, and the

²² Section 287.055(3)(a)1., F.S. Threshold amounts for purchasing categories are as follows: Category 1 is \$20,000, Category 2 is \$35,000, Category 3 is \$65,000, Category 4 is \$195,000, and Category 5 is \$325,000. Section 287.017, F.S.

²³ Section 287.055(4)(b), F.S.

²⁴ *Id.*

²⁵ Section 373.536, F.S.

²⁶ Section 373.535(1)(a), F.S. The preliminary budget must be submitted to the President of the Senate, the Speaker of the House of Representatives, and the chairs of each legislative committee and subcommittee having substantive or fiscal jurisdiction over water management districts, as applicable. *Id.*

²⁷ Section 373.535(2)(a), (b), F.S.

²⁸ Section 373.535(2)(b), F.S.

²⁹ The Legislature is required to annually review districts' preliminary budgets to ensure that taxes authorized by chapter 373, F.S., continue to be in proportion to the benefits derived by the parcels of real estate within the districts. Based on the review, the Legislature can set the authorized maximum millage rate or the maximum amount of property tax revenue to be raised by each district in the next fiscal year from the taxes levied. Section 373.503(4), F.S.

³⁰ Section 373.535(2)(c), F.S.

³¹ Section 373.535(3), F.S.; section 373.536(2), F.S.

³² Section 373.536(5)(d), F.S. The tentative budget must also be posted on the district's website at least two days prior to budget hearings. *Id.*

³³ *Id.*

³⁴ Section 373.536(5)(f), F.S.

³⁵ *Id.*

DEP. Then, by December 15, the Executive Office of the Governor must file with the Legislature a report that summarizes its review of the tentative budget.³⁶

The Executive Office of the Governor may approve or disapprove all or part of the budget of each water management district.³⁷ The Legislative Budget Commission may also reject the following district budget proposals:

- A single purchase of land over \$10 million, except for land exchanges.
- Any cumulative purchase of land during a single fiscal year over \$50 million.
- Any issuance of debt on or after July 1, 2012.
- Program expenditures relating to salaries and benefits, expenses, operating capital outlay, number of authorized positions, and other personal services for public outreach activities, lobbying, management, and administration³⁸ in excess of 15 percent of a district's total annual budget.
- Any individual variances in the tentative budget over 25 percent from the preliminary budget.³⁹

Written disapproval of any provision in the tentative budget must be received by the district at least five business days before the final district budget adoption hearing.⁴⁰

After the final budget adoption hearing, each district must submit copies of the following documents to the Governor, the Legislature, the chairs of all legislative committees and subcommittees with substantive or fiscal jurisdiction over the districts, the secretary of the DEP, and the governing board of each county in which the district has jurisdiction or derives any funds for the operation of the district:

- The adopted budget;
- A financial audit of the district's accounts and records;
- A five-year capital improvement plan, which will be included in the consolidated annual report⁴¹ and which must include expected sources of revenue for planned improvement; and
- A five-year water resource development work program.⁴²

Water Management District Budget Contents

Each preliminary budget must include the following:

- A section clearly identifying and justifying each proposed expenditure relating to salaries and benefits, expenses, operating capital outlay, number of authorized positions, and other personal services for public outreach activities, lobbying, management, and administration.⁴³ It must also identify the source of funds for each proposed expenditure.

³⁶ Section 373.536(5)(g), F.S.

³⁷ Section 373.536(5)(a), F.S.

³⁸ These expenditures are listed in s. 373.536(5)(e)4.e. and f., F.S.

³⁹ Section 373.536(5)(c), F.S.

⁴⁰ Section 373.536(5), F.S.

⁴¹ The consolidated annual report is required under the Florida Water Plan in section 373.036(7), F.S.

⁴² Section 373.536(6)(a), F.S.

⁴³ Section 373.535(1)(a), F.S.

- A section identifying the justification for proposed expenditures by core mission area of responsibility and the source of funds needed for activities related to water supply, water quality, flood protection and floodplain management, and natural systems.
- A section reviewing the adopted and proposed budget allocations by program area and the performance metrics of the prior year.
- An analysis of each preliminary budget to determine the adequacy of fiscal resources available to the district and the adequacy of proposed district expenditures relating to its core mission areas. The analysis must be based on the needs of each district for its core mission areas of responsibility.⁴⁴

If applicable, the preliminary budget must specify that a district's first obligation for payment is the debt service on bonds and certificates of participation.⁴⁵

Each preliminary budget must also include everything required in the tentative budget; the tentative budget must be based on the preliminary budget.⁴⁶ Both budgets must include, but are not limited to, the following information for the preceding fiscal year and the current fiscal year, and the proposed amounts for the upcoming fiscal year:

- The estimated amount of funds remaining at the beginning of the fiscal year, which are obligated for the payment of outstanding commitments that are not completed.⁴⁷
- The estimated amount of unobligated funds or net cash balance on hand at the beginning of the fiscal year, as well as an accounting of the source, balance, and projected future use of the unobligated funds and the estimated amount of funds that the district will raise through taxes or receive from other sources to meet the requirements of the district.
- The millage rates and the percentage increase above the rolled-back rate, an explanation of the necessity of the increase, and the percentage increase in taxable value from new construction in the district.
- The salaries and benefits, expenses, operating capital outlay, number of authorized positions, other personal services, and estimated amounts in the district budget for certain enumerated program areas.
- The total estimated amount in the district budget for each program area and for water resource, water supply, and alternative water supply development projects identified in the district's regional water supply plans.
- A description of each new, expanded, reduced, or eliminated program.
- The funding sources, including, but not limited to, ad valorem taxes, Surface Water Improvement and Management Program funds, other state funds, federal funds, and user and permit fees for each program area.⁴⁸

In addition to other program areas, the South Florida Water Management District must also include separate sections on costs associated with the Everglades Construction Project and the Comprehensive Everglades Restoration Plan.⁴⁹

⁴⁴ *Id.*

⁴⁵ Section 373.535(1)(b), F.S.

⁴⁶ Section 373.535(1)(a), F.S.; Section 373.536(5)(e), F.S.

⁴⁷ Section 373.536(5)(e), F.S.

⁴⁸ *Id.*

⁴⁹ *Id.*

Water Management District Taxes

General regulatory and administrative functions of the water management districts benefit all of the people of the state and therefore those functions may be financed by general appropriations. Water resources programs of the districts that are of particular benefit to limited groups of people should be financed by the people who are most directly benefited.⁵⁰ Because of this policy, water management districts may finance their activities in part through ad valorem taxes.⁵¹

The Florida Constitution sets maximum millage rates for water management purposes.⁵² The constitutional maximum millage rate is 0.05 mill for the northwest portion of the state and 1.0 mill for the rest of the state.⁵³ This millage may only be levied by the water management districts.⁵⁴

Water management districts may, if appropriate, separate the taxes they levy into a millage necessary for the purposes of the district and a millage necessary for financing basin functions.⁵⁵ Notwithstanding any other law, and subject to annual legislative review in the preliminary budgets of each district, the maximum total millage rates for district and basin purposes are as follows:

- Northwest Florida Water Management District: 0.05 mill.
- Suwannee River Water Management District: 0.75 mill.
- St. Johns River Water Management District: 0.60 mill.
- Southwest Florida Water Management District: 1.0 mill.⁵⁶ In the Southwest Florida Water Management District, the maximum millage assessed for district purposes may not exceed 50 percent of the total authorized millage if there are one or more basins in the district, and the maximum millage assessed for basin purposes may not exceed 50 percent of the total authorized millage.⁵⁷
- South Florida Water Management District: 0.80 mill.⁵⁸ The apportionment of taxes raised by the South Florida Water Management District is a maximum of 40 percent for district purposes and a maximum of 60 percent for basin purposes.⁵⁹

Resilience Funding

The Statewide Flooding and Sea Level Rise Resilience Plan is a three-year plan consisting of ranked projects that address risks of flooding and sea level rise to coastal and inland

⁵⁰ Section 373.503(1), F.S.

⁵¹ *Id.* An ad valorem tax is a tax imposed on the value of property. Ad valorem taxes are commonly imposed by states, counties, and cities on real estate. These taxes are levied on property in proportion to its value, as determined by assessment or appraisal. West's Tax Law Dictionary §A530.

⁵² FLA. CONST. art. VII, s. 9(b).

⁵³ *Id.*

⁵⁴ Section 373.503(2)(a), F.S.

⁵⁵ Section 373.503(3), F.S. Basin functions include: preparing engineering plans for water resources development and holding related public hearings, developing and preparing the overall basin plan for secondary water control facilities, budgeting, considering and approval of final construction plans for works that will be constructed within the basin, managing basin affairs, and planning for and providing water supply and transmission facilities for water supply. Section 373.0695(1), F.S.

⁵⁶ Section 373.503(3)(a), F.S.

⁵⁷ Section 373.503(3)(c), F.S.

⁵⁸ Section 373.503(3)(a), F.S.

⁵⁹ Section 373.503(3)(b), F.S.

communities in the state.⁶⁰ Local governments and certain local districts may submit projects for funding. Water management districts may also submit projects for inclusion in the Statewide Flooding and Sea Level Rise Resilience Plan.⁶¹

Each project included in the plan must have a minimum 50 percent cost share unless the project assists a community eligible for a reduced cost share or is located within a community eligible for a reduced cost share.⁶² The total amount of funding proposed for each year of the plan may not be less than \$100 million.⁶³ The Legislature must review and, subject to appropriation, approve funding.⁶⁴

The Resilient Florida Trust Fund is a source of funding for the Statewide Flooding and Sea-Level Rise Resilience Plan, including costs to operate the grant program, to develop the plan, and to provide grants to regional resilience coalitions.⁶⁵ The Resilient Florida Trust Fund is scheduled to be terminated on July 1, 2025. It is expected to be saved from repeal by another bill in the 2025 Session.

As of 2024, revenues from the gaming compact between the Seminole Tribe of Florida and the State of Florida are distributed in part to the Resilient Florida Trust Fund for the Statewide Flooding and Sea Level Rise Resilience Plan.⁶⁶ Specifically, the lesser of 26.042 percent or \$100 million each fiscal year is deposited into the Resilient Florida Trust Fund for the plan.⁶⁷ Additionally, the Resilient Florida Trust Fund is funded by a percentage of documentary stamp tax revenues.⁶⁸ These funds may be used for planning and project grants.⁶⁹

The South Florida Water Management District

The South Florida Water Management District (SFWMD) was created in 1949 and is the oldest and largest of Florida's water management districts.⁷⁰ The SFWMD covers 16 counties and stretches from Orlando at its northernmost point to the Florida Keys at its southernmost point. It is responsible for managing the water resources for nine million residents by balancing and improving flood control, water supply, water quality, and natural systems.⁷¹

Pursuant to its mission, the SFWMD manages the Central and Southern Florida (C&SF) Project.⁷² The C&SF Project was authorized in 1948 to provide flood control, water supply, saltwater intrusion prevention, fish and wildlife preservation, recreation, and navigation in

⁶⁰ Section 380.093(5)(a), F.S.

⁶¹ Section 380.093(5)(a), F.S.

⁶² Section 380.093(5)(e), F.S.

⁶³ Section 380.093(5)(h), F.S.

⁶⁴ *Id.*

⁶⁵ Section 380.0935(2), F.S.

⁶⁶ Section 380.095(2), F.S.; chapter 2024-58, Laws of Fla.

⁶⁷ Section 380.095(2)(c), F.S.

⁶⁸ Section 201.15(4)(g), F.S.

⁶⁹ *Id.*

⁷⁰ SFWMD, *Who We Are*, <https://www.sfwmd.gov/who-we-are> (last visited Feb. 14, 2025).

⁷¹ *Id.*

⁷² SFWMD, *2024 Consolidated Annual Report on Flood Resiliency*, 2 (Oct. 2024), available at https://www.sfwmd.gov/sites/default/files/documents/Flood_Resiliency_SFWMD_2024_Consolidated_Annual_Report.pdf.

Central and South Florida.⁷³ The C&SF Project includes over 2,100 miles of canals and levees, 918 water control structures, and 89 pump stations.⁷⁴ Much of this infrastructure is over 60 years old and the SFWMD has determined that it will need repair or replacement to address the risk of more frequent and significant flooding.⁷⁵

Everglades Restoration

At one time, the Everglades system covered well over seven million acres of South Florida.⁷⁶ Water flowed uninterrupted from the Kissimmee River to Lake Okeechobee through the “River of Grass” that was the Everglades and then on to the Biscayne Bay estuaries, the Ten Thousand Islands, and Florida Bay.⁷⁷ By the early 1900s, land in the Everglades was being drained to make room for agriculture and development, with little concern for the increasingly damaged ecosystem.⁷⁸

Early conservationists, scientists, and other advocates, however, were concerned about environmental degradation and with their support, the Everglades National Park was created in 1947.⁷⁹ The following year, Congress authorized the C&SF Project.⁸⁰ It addressed flood control, regional water supply, prevention of saltwater intrusion, water supply to Everglades National Park, wildlife preservation, recreation, and navigation.⁸¹ The C&SF Project initially focused on the construction of levees and canals, water control structures, pump stations, and other projects.⁸²

In spite of its stated purpose, the construction and operation of the C&SF Project had unintended adverse effects on the Everglades system.⁸³ Some of these included extreme fluctuations in the water levels of Lake Okeechobee, extreme fluctuations in the salinity levels of the Caloosahatchee and St. Lucie estuaries caused by major changes in freshwater discharges, detrimental changes in hydrologic conditions in freshwater wetland habitats, and fluctuations in the salinity levels of Florida and Biscayne bays caused by unsuitable freshwater flows. Wading bird populations are indicative of ecosystem health; by 1999, those populations had decreased by 85-90 percent and were steadily declining.⁸⁴ Further, the C&SF Project created water supply

⁷³ SFWMD and USACE, *C&SF Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement*, i, 1-1 (April 1999), available at https://www.sfwmd.gov/sites/default/files/documents/CENTRAL_AND_SOUTHERN_FLORIDA_PROJECT_COMPREHENSIVE_REVIEW_STUDY.pdf.

⁷⁴ SFWMD, *2024 Consolidated Annual Report on Flood Resiliency* at 2.

⁷⁵ *Id.*

⁷⁶ SFWMD, *Everglades*, <https://www.sfwmd.gov/our-work/everglades> (last visited Feb. 14, 2025).

⁷⁷ *Id.*; National Park Service, *Everglades*, <https://www.nps.gov/ever/learn/historyculture/index.htm> (last visited Feb. 14, 2025).

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ The Flood Control Act of 1948. Pub. L. No. 858, s. 203, 62 Stat. 1176.

⁸¹ SFWMD and USACE, *C&SF Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement* at i.

⁸² *Id.*; SFWMD, *2024 Consolidated Annual Report on Flood Resiliency* at 2.

⁸³ *Id.* at iii.

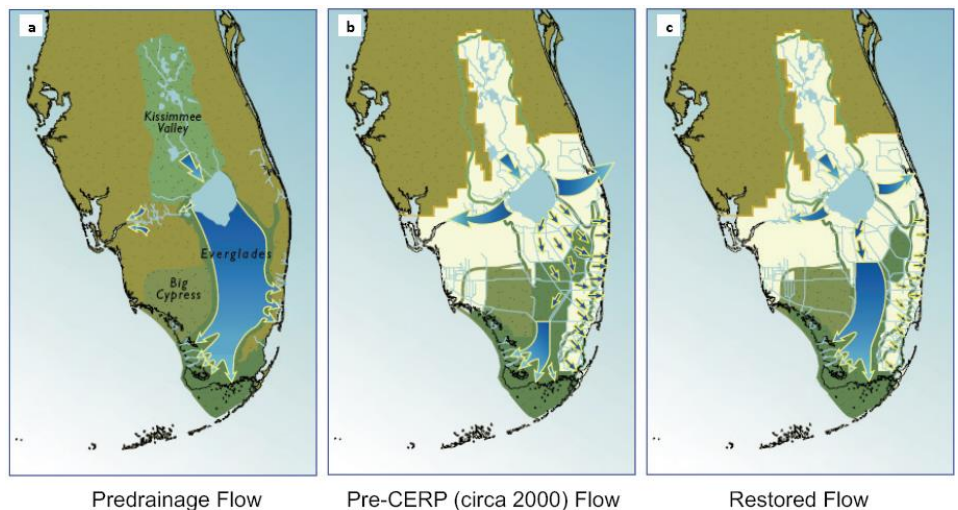
⁸⁴ *Id.*

shortages in Central and South Florida during dry periods, because the canals drained water off the land too quickly without allowing for storage.⁸⁵

In 1994, in response to litigation over water quality issues in the Everglades, the State of Florida adopted the Everglades Forever Act.⁸⁶ The State also began to implement the Everglades Construction Project, which focused on the construction of stormwater treatment areas and the implementation of best management practices to improve water quality flowing south.⁸⁷

The federal government was increasingly concerned about the environmental consequences of the C&SF Project and in 1992 and 1996, Congress authorized the Comprehensive Review Study (Restudy).⁸⁸ The Restudy reexamined the C&SF Project to evaluate modifications that would help restore the Everglades ecosystem. Following the reexamination of the C&SF Project, the Restudy recommended a comprehensive plan that included structural and operational changes to the project in 1999.

In response to the Restudy, Congress authorized the Comprehensive Everglades Restoration Plan (CERP) in the Water Resources Development Act of 2000.⁸⁹ The CERP is a framework for modifications and operational changes to the C&SF Project that are necessary to restore, preserve, and protect the South Florida ecosystem, while providing for other water-related needs of the region, including water supply and flood protection.⁹⁰ The CERP contains over 68 individual components comprising



⁸⁵ *Id.* at iii.

⁸⁶ SFWMD, *Conceptual Design Document* (1994), available at <https://www.sfwmd.gov/sites/default/files/documents/epp%20conceptual%20design.pdf>; DEP, *Everglades Forever Act*, <https://floridadep.gov/owper/eco-restoration/content/everglades-forever-act-efa> (last visited Feb. 14, 2025); Keith W. Rizzardi, *Alligators and Litigators: A Recent History of Everglades Regulation and Litigation*, *The Florida Bar*, vol. 75, no. 3, 18 (March 2001), available at <https://www.floridabar.org/the-florida-bar-journal/alligators-and-litigators-a-recent-history-of-everglades-regulation-and-litigation/>.

⁸⁷ See, section 373.4592(2)(g) defining the Everglades Construction Project as a project described in the February 15, 1994, conceptual design document together with construction and operation schedules on file with the South Florida Water Management District, except as modified by this section and further described in the Long-Term Plan. SFWMD, *Conceptual Design Document* (1994); DEP, *Everglades Forever Act*.

⁸⁸ SFWMD and USACE, *C&SF Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement* at 1-3.

⁸⁹ Water Resources Development Act of 2000, Pub. L. No. 106-541, s. 601, 114 Stat. 2680 (2000); U.S. Army Corps of Engineers, *Central & Southern Florida (C&SF) Project*, <https://www.saj.usace.army.mil/About/Congressional-Fact-Sheets-2024/C-SF-Project-C/> (last visited Feb. 14, 2025).

⁹⁰ National Park Service, *Everglades: Comprehensive Everglades Restoration Plan (CERP)*, <https://www.nps.gov/ever/learn/nature/cerp.htm> (last visited Feb. 14, 2025).

more than 50 projects.⁹¹ These components improve delivery and timing within the Everglades system by increasing the size of natural areas, improving water quality, releasing water to mimic historical flow patterns, and storing and distributing water for urban, agricultural, and ecological uses.⁹² The CERP covers around 18,000 square miles, including all or part of 18 counties in central and southern Florida.⁹³

The federal legislation provides the framework for the CERP as a 50/50 cost-share program between the state and federal government.⁹⁴ The Army Corps of Engineers is the federal sponsor for the partnership and the SFWMD is the lead non-federal sponsor.⁹⁵ The agencies track the cost-sharing based on their total respective spending on the CERP initiatives. In 2009, the Army Corps of Engineers and the SFWMD executed a Master Agreement, an umbrella agreement for CERP projects that established conditions for cost-sharing and for project partnership agreements.⁹⁶ Project partnership agreements establish project-specific responsibilities for the implementing agencies and provide project-specific credit to the SFWMD for its land acquisition and project construction efforts completed prior to the agreement.⁹⁷ At the time of the agreement, the State of Florida and the SFWMD had invested approximately \$2.4 billion for the CERP, including approximately \$300 million for construction.⁹⁸

South Florida Ecosystem Restoration Task Force

Congress established the intergovernmental South Florida Ecosystem Restoration Task Force in 1996.⁹⁹ The task force brings together federal, state, Tribal, and local agencies involved in Everglades restoration.¹⁰⁰ There are 15 members of the task force, including seven federal, two Tribal, and six state and local government representatives at the senior leadership level.¹⁰¹ The task force's role is to coordinate the conservation, restoration, and research efforts for the

⁹¹ U.S. Army Corps of Engineers, *Central & Southern Florida (C&SF) Project*; see generally SFWMD and USACE, *C&SF Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement*. The April 1999 Central and Southern Florida Project Comprehensive Review Study Final Integrated Feasibility Report and Programmatic Environmental Impact Statement, commonly known as the “Yellow Book,” contains the original CERP plan authorized by Congress. The plan identifies CERP components using a code of letters.

⁹² *Restudy*, at vii-x.

⁹³ U.S. Army Corps of Engineers, *Central & Southern Florida (C&SF) Project*. The figure on this page shows the changing water flow in the Everglades. National Academy of Sciences, *Progress Toward Restoring the Everglades: Ninth Biennial Review – 2022*, 24 (2022), available at <https://nap.nationalacademies.org/read/26706/chapter/4#24>.

⁹⁴ Water Resources Development Act of 2000, Pub. L. No. 106-541, s. 601(e), 114 Stat. 2684 (2000).

⁹⁵ U.S. Army Corps of Engineers, *Central & Southern Florida (C&SF) Project*.

⁹⁶ See SFWMD, *News Release: Momentum for Everglades Restoration Continues with Historic State-Federal Agreements* (Aug. 13, 2009), available at https://www.sfwmd.gov/sites/default/files/documents/nr_2009_0813_master_agreement.pdf.

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ Everglades Restoration, U.S. Department of the Interior, Office of Everglades Restoration Initiatives, *The South Florida Ecosystem Restoration Task Force: About Us*, <https://www.evergladesrestoration.gov/overview> (last visited Feb. 14, 2025).

¹⁰⁰ South Florida Ecosystem Restoration Task Force, *2022 Biennial Report*, i (Dec. 2022), available at <https://static1.squarespace.com/static/5d5179e7e42ca1000117872f/t/63a493a62905c4171d028c83/1671730088082/December+2022+Final+Biennial+Report.pdf>.

¹⁰¹ Department of the Interior, *South Florida Ecosystem Restoration Task Force Charter*, 2-3 (Sept. 2023), available at <https://static1.squarespace.com/static/5d5179e7e42ca1000117872f/t/651d6ab2891e7229053fdde4/1696426676989/Charter.pdf>.

Everglades ecosystem.¹⁰² To coordinate restoration projects, the task force compiles the Integrated Delivery Schedule.¹⁰³

The Integrated Delivery Schedule lists Everglades restoration projects to reflect upcoming design and program schedules and programmatic costs.¹⁰⁴ The image on this page is included in the 2024 Integrated Delivery Schedule update and shows the South Florida Ecosystem Restoration investment through fiscal year 2023.¹⁰⁵ The Integrated Delivery Schedule does not include the funding needed for completed work or land acquisition.¹⁰⁶ Further, it does not require agency action and is not a decision document.¹⁰⁷

The Integrated Delivery Schedule serves the purpose of the Master Implementation Sequencing Plan described in the original CERP plan.¹⁰⁸ The CERP requires the Army Corps of Engineers and the SFWMD, in consultation with other federal, state, Tribal, and local agencies to develop the Master Implementation Sequencing Plan, which provides sequencing and scheduling for the implementation of all included projects based on the best scientific, technical, funding, contracting, and other information available. The Army Corps of Engineers and the SFWMD must also consult with the South Florida Ecosystem Restoration Task Force in preparing the Master Implementation Sequencing Plan.¹⁰⁹

SOUTH FLORIDA ECOSYSTEM RESTORATION (SFER) INVESTMENT THROUGH FY2023 (Millions)					
	FEDERAL			NON-FEDERAL	GRAND TOTAL
	USACE	DOI	TOTAL	MULTIPLE AGENCIES	
Modified Water Deliveries to ENP	\$ 78	\$ 317	\$ 395	-	\$ 395
Critical Projects	\$ 89	-	\$ 89	\$ 88	\$ 177
Kissimmee River Restoration	\$ 487	-	\$ 487	\$ 438	\$ 925
C&SF Non-CERP	\$ 788	\$ 52	\$ 840	\$ 227	\$ 1,067
C&SF CERP	\$ 2,524	\$ 112	\$ 2,637	\$ 2,823	\$ 5,460
C&SF CERP, to be credited	-	-	-	\$ 984	\$ 984
TOTAL SFER	\$ 3,965	\$ 482	\$ 4,446	\$ 4,560	\$ 9,008
Herbert Hoover Dike	\$ 1,559	-	\$ 1,559	\$ 100	\$ 1,659
Restoration Strategies and ECP	-	-	-	\$ 2,612	\$ 2,612

State Funding for Everglades Restoration

Everglades restoration projects receive funding from the state through general appropriations and through the Land Acquisition Trust Fund within the DEP.¹¹⁰ The Land Acquisition Trust Fund is designated in the Florida Constitution to receive certain documentary stamp tax revenues.¹¹¹ For fiscal year 2023-2024, \$1.1 billion was deposited into the Land Acquisition Trust Fund from

¹⁰² South Florida Ecosystem Restoration Task Force, *2022 Biennial Report* at i.

¹⁰³ *Id.* at 2.

¹⁰⁴ *Id.*; South Florida Ecosystem Restoration Task Force, *Integrated Delivery Schedule 2024 Update*, 1 (2024), available at https://static1.squarespace.com/static/5d5179e7e42ca1000117872f/t/6759afacafb52e728f61dd9d/1733930924242/IDS_2024.pdf; U.S. Army Corps of Engineers, *Integrated Delivery Schedule*, <https://www.saj.usace.army.mil/Missions/Environmental/Ecosystem-Restoration/Integrated-Delivery-Schedule/> (last visited Feb. 14, 2025).

¹⁰⁵ South Florida Ecosystem Restoration Task Force, *Integrated Delivery Schedule 2024 Update* at 1.

¹⁰⁶ U.S. Army Corps of Engineers, *Integrated Delivery Schedule*.

¹⁰⁷ *Id.*; South Florida Ecosystem Restoration Task Force, *Integrated Delivery Schedule 2024 Update* at 1.

¹⁰⁸ South Florida Ecosystem Restoration Task Force, *Integrated Delivery Schedule 2024 Update* at 1.

¹⁰⁹ 33 CFR §385.30.

¹¹⁰ Section 375.041, F.S.

¹¹¹ Section 373.041(1), F.S.

documentary stamp tax revenues.¹¹² Funds distributed into the Land Acquisition Trust Fund must be applied first to pay debt service or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds.¹¹³ Of the funds remaining, but before funds may be appropriated, pledged, or dedicated for other uses:

- A minimum of the lesser of 25 percent of the funds remaining after the payment of debt service or \$200 million annually for Everglades projects that implement the CERP, the Long-Term Plan, or the Northern Everglades and Estuaries Protection Program, with priority given to Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner. From these funds, the following specified distributions are required:
 - \$32 million annually through the 2023-2024 fiscal year for the Long-Term Plan;
 - After deducting the \$32 million, the minimum of the lesser of 76.5 percent of the remainder or \$100 million annually through the 2025-2026 fiscal year for the CERP; and
 - Any remaining funds for Everglades projects under the CERP, the Long-Term Plan, or the Northern Everglades and Estuaries Protection Program.
- A minimum of the lesser of 7.6 percent of the funds remaining after the payment of debt service or \$50 million annually for spring restoration, protection, and management projects;
- \$5 million annually through the 2025-2026 fiscal year to the St. Johns River Water Management District for projects dedicated to the restoration of Lake Apopka;
- \$64 million to the Everglades Trust Fund in the 2018-2019 fiscal year and each fiscal year thereafter, for the Everglades Agricultural Area Reservoir project and any funds remaining in any fiscal year shall be made available only for Phase II of the C-51 Reservoir Project or projects that implement the CERP, the Long Term Plan, or the Northern Everglades and Estuaries Protection Program;
- \$50 million annually to the SFWMD for the Lake Okeechobee Watershed Restoration Project; and
- \$100 million annually to the DEP for the acquisition of land.

Then, any remaining moneys are authorized to be appropriated for the purposes set forth in Art. X, s. 28 of the State Constitution.¹¹⁴

Restoration Projects Funded in the Bill

The Northern Everglades and Estuaries Protection Program (NEEPP) includes a phased, comprehensive, and innovative protection program that involves the creation of watershed protection plans to improve the quality, quantity, timing, and distribution of water in the northern Everglades ecosystem.¹¹⁵ The NEEPP includes the Lake Okeechobee, St. Lucie, and Caloosahatchee watershed protection plans. The plan for each watershed requires research and monitoring, best management practices implementation, refinement of current regulations, and structural and nonstructural projects.¹¹⁶

¹¹² Office of Economic and Demographic Research, *Conference Results: Documentary Stamp Tax Collections and Distributions*, 1 (Aug. 2024), available at <https://edr.state.fl.us/Content/conferences/docstamp/docstampresults.pdf>.

¹¹³ Section 373.041(3)(a), F.S.

¹¹⁴ Section 375.041(2)(b), F.S.

¹¹⁵ Section 373.4595, F.S.; SFWMD, *Northern Everglades Watershed Protection Plans (WPPs)*, <https://www.sfwmd.gov/our-work/wpps> (last visited Feb. 14, 2025).

¹¹⁶ *Id.*

The Western Everglades Restoration Project will use a series of water management and water quality features and will make alterations to existing canals and levees to improve the quantity, timing, quality, and distribution of water in the western Everglades.¹¹⁷ The project will restore sheet flow across the Big Cypress Seminole Indian Reservation and into Big Cypress National Park, provide flood protection on Seminole Tribal lands, and ensure that the water is meeting water quality standards.¹¹⁸

The C-111 South Dade Project is a CERP project that will restore hydrologic conditions in Taylor Slough and the eastern panhandle of Everglades National Park, while also providing flood protection in southern Dade County.¹¹⁹ It will include the construction of a hydraulic ridge to prevent groundwater from seeping out of Everglades National Park, which will allow additional water to flow south into Florida Bay.¹²⁰

The Indian River Lagoon-South Restoration Project is projected to reverse the damaging effects of pollution and large freshwater discharges into the Indian River Lagoon.¹²¹ The project will feature an aboveground storage reservoir, stormwater treatment areas, restored wetlands, and muck removal.¹²²

The Central Everglades Planning Project will increase storage, treatment, and conveyance of water south of Lake Okeechobee, remove canals and levees in the Everglades, and retain water in Everglades National Park to prevent flooding.¹²³ Due to the size and complexity of the project, it has been divided into three implementation phases, two of which are “North” and “South.” The North Phase includes project features in the northern Water Conservation Area 3A and the South Phase includes project features in the southern Water Conservation Areas 3A and 3B, as well as Everglades National Park.¹²⁴ The project also includes construction of the 240,000 acre-foot Everglades Agricultural Area Reservoir and a 6,500 acre-foot stormwater treatment area.¹²⁵

The Loxahatchee River Watershed Restoration Project is a CERP project that will restore and sustain the overall quantity, quality, timing, and distribution of fresh water to the federally

¹¹⁷ U.S. Army Corps of Engineers, *Western Everglades Restoration Project*, <https://www.saj.usace.army.mil/WERP/> (last visited Feb. 14, 2025).

¹¹⁸ *Id.*

¹¹⁹ U.S. Army Corps of Engineers, *C-111 South Dade Project*, <https://www.saj.usace.army.mil/C111SouthDade/> (last visited Feb. 14, 2025).

¹²⁰ *Id.*

¹²¹ U.S. Army Corps of Engineers, *Indian River Lagoon-South: Facts and Information*, 1 (Nov. 2022), available at <https://usace.contentdm.oclc.org/utills/getfile/collection/p16021coll11/id/5921>.

¹²² *Id.*

¹²³ U.S. Army Corps of Engineers, *Central Everglades Planning Project*, <https://www.saj.usace.army.mil/Missions/Environmental/Ecosystem-Restoration/Central-Everglades-Planning-Project/#:~:text=The%20Central%20Everglades%20Planning%20Project%20will%20identify%20and,is%20a%20major%20component%20of%20this%20planning%20effort> (last visited Feb. 14, 2025).

¹²⁴ U.S. Army Corps of Engineers, *Central Everglades Planning Project South*, <https://www.saj.usace.army.mil/CEPPSouth/> (last visited Feb. 14, 2025).

¹²⁵ U.S. Army Corps of Engineers, *Central Everglades Planning Project – Everglades Agricultural Area (EAA) Reservoir*, <https://www.saj.usace.army.mil/CEPPEAA/> (last visited Feb. 14, 2025).

designated “National Wild and Scenic” Northwest Fork of the Loxahatchee River.¹²⁶ It will also reconnect the wetlands and watersheds that make up the Loxahatchee River headwaters. The Project area includes approximately 753 square miles in central and northern Palm Beach County and southern Martin County.¹²⁷

The Caloosahatchee River C-43 West Basin Storage Reservoir is a CERP project that will store approximately 170,000 acre-feet of stormwater runoff and releases from Lake Okeechobee.¹²⁸ The added storage will reduce the volume of discharges from Lake Okeechobee to the Caloosahatchee Estuary during the wet season and will provide added flow to the estuary during the dry season.¹²⁹

The Lake Okeechobee Watershed Restoration Project includes the installation of up to 55 aquifer storage and recovery wells in northern Everglades watersheds that will reduce harmful discharges from Lake Okeechobee to the Caloosahatchee and St. Lucie estuaries.¹³⁰ The project is designed to increase water storage capacity in the watershed, resulting in improved Lake Okeechobee water levels, improved quantity, timing, and distribution of water to the northern estuaries, to improve water supply for existing legal Lake Okeechobee Service Area users, and to restore wetlands within the project area.¹³¹

III. Effect of Proposed Changes:

Section 1 amends s. 112.3261, F.S., which regulates lobbying before water management districts. The bill requires the Commission on Ethics to investigate a lobbyist or principal if the Commission receives a complaint alleging that the lobbyist or principal has made a prohibited expenditure. The bill defines “expenditure” as a payment, distribution, loan, advance, reimbursement, deposit, or anything of value made by a lobbyist or principal for the purpose of lobbying.¹³²

The bill also prohibits, notwithstanding any law to the contrary, a lobbyist or principal from making, directly or indirectly, and a district governing board member, executive director, or any

¹²⁶ U.S. Army Corps of Engineers, *Loxahatchee River Watershed Restoration Project*, <https://www.saj.usace.army.mil/Missions/Environmental/Ecosystem-Restoration/Loxahatchee-River-Watershed-Restoration-Project/> (last visited Feb. 14, 2025).

¹²⁷ *Id.*

¹²⁸ SFWMD, *C-43 West Basin Storage Reservoir Water Quality Component Working Group*, <https://www.sfwmd.gov/our-work/c43waterqualitystudy> (last visited Feb. 14, 2025).

¹²⁹ *Id.*

¹³⁰ SFWMD, *2024 South Florida Environmental Report* at 8A-25.

¹³¹ USACE, *Integrated Project Implementation Report and Supplemental Environmental Impact Statement*, <https://www.saj.usace.army.mil/LOWRP/> (last visited Feb. 14, 2025).

¹³² The term “expenditure” does not include contributions or expenditures reported pursuant to state campaign financing law, federal election law, campaign-related personal services provided without compensation by individuals volunteering their time, any other contribution or expenditure made by or to a political party or an affiliated party committee, or any other contribution or expenditure made by political organizations that are exempt under 26 U.S.C. § 527 or certain non-profit civic leagues or organizations that are exempt under 26 U.S.C. § 501(c)(4). “Expenditure” has the same meaning as it does in s. 112.3215, F.S.

district employee who is a local officer¹³³ from knowingly accepting, directly or indirectly, any expenditure.

Section 2 amends s. 373.079, F.S., to specify requirements for water management district governing board quorums. The bill states that a quorum is necessary for a governing board to conduct official business. The bill defines a quorum as a majority of all possible members of a governing board, which includes appointed members and any vacancies.

The bill requires a board member's appearance at a board meeting to be counted for the determination of a quorum, whether they appear in person or through the use of communication media technology. The bill specifies that action may be taken by the governing board only upon an affirmative vote of a majority of the members of the governing board.

The bill clarifies a citation.

Section 3 amends the annual reporting requirements in s. 373.470, F.S., which is the Everglades Restoration Investment Act.

The Everglades Restoration Investment Act currently requires the South Florida Water Management District (SFWMD), in cooperation with the Florida Department of Environmental Protection (DEP), to provide a detailed report on progress made in the implementation of the comprehensive plan,¹³⁴ including the status of all project components initiated after the effective date of the Everglades Restoration Investment Act or after the date of the last detailed report, whichever is later.

The bill additionally requires the report to include the total estimated remaining cost to implement the comprehensive plan, as well as the applicable performance indicators of all project components. The bill requires project components to be subdivided in the report into the following categories based on the project's status:

- Planning and design phase.
- Construction phase, for which the performance indicators must include, but are not limited to, whether the project is on time and on budget based on a schedule performance index.
- Operational phase, for which the performance indicators must include, but are not limited to, whether the project is operating in accordance with the draft operating manual included in the project implementation report, and an explanation of any significant modification to the final project operating manual.
- Pending projects phase, which includes project components that have not yet entered the planning or design phase.

¹³³ "Local officer" is defined in section 112.3145(1), F.S., to mean every person who is elected to office in any political subdivision of the state, and every person who is appointed to fill a vacancy for an unexpired term in such elected office; any appointed member of the listed boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision of the state; and any person holding one or more position, as listed.

¹³⁴ The "comprehensive plan" is the recommended comprehensive plan contained in the Central and Southern Florida Project Comprehensive Review Study's *Final Integrated Feasibility Report and Programmatic Environmental Impact Statement*. For more information, see the "Everglades Restoration" section of this analysis.

The bill removes the requirement that only project components initiated after certain dates must be included in the report.

The bill also addresses the Integrated Delivery Schedule. It provides that, in order to ensure accountability in the planning process, the Integrated Delivery Schedule must be developed to maximize the achievement of the goals and purposes of the comprehensive plan at the earliest possible time and to the extent practicable given funding, engineering, and other contractual constraints. The bill prohibits state and local members of the South Florida Ecosystem Restoration Task Force from including in their recommendations for Integrated Delivery Schedule updates the assumption that state funds will be available in the future above the amounts provided by the Land Acquisition Trust Fund.

Section 4 amends s. 373.501, F.S., to prohibit water management districts from using state funds as a local match for any state grant program, unless the funds have been specifically appropriated to the water management district for that purpose.

Section 5 amends s. 373.503, F.S., to clarify that a water management district may levy ad valorem taxes by resolution adopted by a majority vote of its governing board¹³⁵ and to authorize a district to levy ad valorem taxes by referendum.

The bill provides that a district may, by referendum, levy separate ad valorem taxes on property within the district or basin to finance the construction of capital improvement projects related to:

- Water supply, including alternative water supply and water resource development projects identified in the water management district's regional water supply plans,
- Water quality,
- Flood protection and floodplain management, and
- Natural systems.

To finance capital improvement projects through separate ad valorem taxes, a district governing board must adopt a resolution to be approved by a majority vote of the electors in the district or basin voting in a referendum held at a general election.¹³⁶

The bill requires the resolution to include the millage that will be levied, a description of the capital improvement projects, the expected completion date for each project, and the date when the millage will expire. The millage may not be levied beyond the date of a project's expected date of completion.

The bill allows the millage to be levied up to an amount that, when it is combined with the millage levied by an adopted resolution, does not exceed maximum total millage rates.¹³⁷

¹³⁵ Current law authorizes a district to levy ad valorem taxes on property within the district, however the current statutory language does not specify that this is done by resolution adopted by a majority vote of its governing board.

¹³⁶ A general election is "an election held on the first Tuesday after the first Monday in November in the even-numbered years, for the purpose of filling national, state, county, and district offices and for voting on constitutional amendments not otherwise provided for by law." Section 97.021(17), F.S.

¹³⁷ The maximum millage rates for district and basin purposes are provided in section 373.501(3)(c), F.S., and are 0.05 mill. for the Northwest Florida Water Management District, 0.75 mill. for the Suwannee River Water Management District, 0.6

Following approval by a majority vote in a general election, the resolution will take effect on January 1. The bill directs the referendum to be conducted consistent with the laws governing bond referenda.¹³⁸

The bill specifies that the millage raised by the SFWMD by a majority vote in a general election is excluded from the current statutory requirement that the SFWMD must direct no more than 40 percent of its ad valorem tax income to district purposes and no more than 60 percent to basin purposes.

Section 6 amends s. 373.535, F.S., to require each water management district to include in its preliminary budget a section that includes the district's capital improvement plan for the current fiscal year and the next fiscal year, which will be incorporated as part of its five-year capital improvement plan. The bill requires this section to include the following information for each project in the capital improvement plan:

- Estimated beginning and ending date.
- Current status, such as planning, construction, or operations.
- Funding distribution, broken down by federal, state, or other.
- Total cost of the project.
- Whether the project is funded from reserves.
- Total expenditures made to date, by fiscal year.
- Current year estimated expenditures.
- Annual budget, including future budget requests, until project completion, by funding source.
- Project description.
- State program code, such as operations and maintenance or ecosystems restoration.

The bill also requires the SFWMD to include a separate section in its preliminary budget for all projects within the Comprehensive Everglades Restoration Plan. The information must be provided on a project-by-project basis, must include the source of funds, and must include, for each project, the following:

- The project title and a brief description.
- The total estimated cost of the project, broken down by federal and nonfederal sponsor obligations. The local sponsor obligations must be further broken down by state and district obligations.
- The timeline for the project.
- The total expenditures to date and estimated remaining expenditures needed for project completion.
- The estimate for expenditures for the current year and the next year by source of fund.
- For expenditures funded by state appropriations, the SFWMD must indicate which fiscal year the appropriation is from. In estimating expenditures for the next fiscal year, the SFWMD may only incorporate state revenues in an amount up to the funds provided for Everglades restoration projects in the Land Acquisition Trust Fund.¹³⁹ The SFWMD may incorporate state revenues beyond what is authorized in statute only if the district commits district

mill. for the St. Johns Water Management District, 1.0 mill. for the Southwest Florida Water Management District, and 0.80 mill. for the South Florida Water Management District.

¹³⁸ As provided in sections 100.201-.351, F.S.

¹³⁹ Specific amounts can be found in section 375.041(3)(b)1., 4., and 5., F.S.

revenues on a dollar-for-dollar basis for any amount over the amount specifically provided in the Land Acquisition Trust Fund.

Section 7 amends s. 373.536, F.S., relating to the content and submission of water management district tentative budgets. The bill authorizes the Legislative Budget Commission to reject any individual part of a water management district's tentative budget that is funded with state appropriations, as well as any individual project in a district's five-year capital improvement plan. The Legislative Budget Commission may not reject specifically appropriated proposals.

Current law requires the SFWMD to include separate sections on costs associated with the Everglades Construction Project and the Comprehensive Everglades Restoration Plan in its tentative budget. The bill adds that these sections must incorporate the amount of state revenues appropriated for the fiscal year.

The bill requires a water management district's tentative budget to include its capital improvement plan for the current fiscal year and the next fiscal year, in the same format as required in the preliminary budget.

Section 8 amends s. 373.6075, F.S., to provide that for contractual services for the design, engineering, or construction of capital improvement projects costing \$1 million or more, a water management district must give preference to the lowest responsible and responsive bid, proposal, or reply that includes a 10-year construction bond or that provides proof of a comparable financial assurance mechanism, which has been defined by district rule.

The bill explains that the purpose of the 10-year construction bond or comparable financial assurance mechanism is to ensure that the capital improvement project functions as it was designed to function for at least 10 years. It directs that, for the purpose of the competitive selection process for certain professional services,¹⁴⁰ the agency¹⁴¹ must consider whether a firm has included in its bid, proposal, or reply a 10-year construction bond or proof of a comparable financial assurance mechanism.

Section 9 amends the Statewide Flooding and Sea Level Rise Resilience Plan in s. 380.093, F.S. Current law requires the Plan to consist of ranked projects that address the risks of flooding and sea level rise. The bill requires all of the eligible projects submitted by a water management district to be ranked on a separate list.

Current law requires each project included in the Statewide Flooding and Sea Level Rise Resilience Plan to have a minimum 50 percent cost-share, with an exception for projects that assist or are within a community eligible for a reduced cost share. The bill adds an exception for projects submitted by a water management district because water management district projects included in the plan will be financed by the loan program described below.

¹⁴⁰ Section 287.055(4), F.S., the Consultant's Competitive Negotiation Act.

¹⁴¹ The term agency is defined in the Consultant's Competitive Negotiation Act as "the state, a state agency, a municipality, a political subdivision, a school district, or a school board." Section 387.055(2)(b), F.S.

The bill provides that the total amount of funding proposed for each year of the Statewide Flooding and Sea Level Rise Resilience Plan may include funds that have been repaid by a water management district for projects submitted by the district. The only funding a water management district may receive under the Statewide Flooding and Sea Level Rise Resilience Plan is through the loan program created by the bill.

The loan program authorizes the DEP to issue 20-year, interest-free loans to finance projects submitted by a water management district. These loans must be issued through promissory notes or another form of written agreement evidencing an obligation to repay the borrowed funds to the DEP. The district may borrow funds made available pursuant to this section and may pledge any revenues or other adequate security available to it, other than state revenues, to repay any funds borrowed. The loans must be repaid in equal installments for no more than 20 years, which commences within 12 months after the execution of the loan agreement.

The bill further authorizes the DEP to impose a penalty of six percent of the amount due for delinquent loan payments, in addition to charging the cost to handle and process the debt. The bill provides that penalty interest accrues on any amount due and payable beginning on the 30th day following the date the payment was due. The DEP may not issue additional state loans or grants to a water management district that defaults under the terms of its loan agreement until its default has been remedied.

The bill authorizes the DEP to adopt rules to implement the revolving loan program.

Section 10 amends the Resilient Florida Trust Fund in s. 380.0935, F.S. The bill directs the DEP to create and maintain a separate account in the trust fund for funds received from the gaming compact between the Seminole Tribe of Florida and the State of Florida.¹⁴² These funds must be used to administer a revolving loan program for water management district projects included in the Statewide Flooding and Sea Level Rise Resilience Plan.

The bill provides that all repayments must be returned to the revolving loan program and made available for other water management district projects in the Statewide Flooding and Sea Level Rise Resilience Plan. Funds appropriated for the loan program are not subject to reversion.

Section 11 amends s. 380.095, F.S., to direct the distribution of funds deposited in the Indian Gaming Revenue Clearing Trust Fund. The lesser of 26.042 percent or \$100 million per fiscal year is distributed into the Resilient Florida Trust Fund for the projects in the Statewide Flooding and Sea Level Rise Resilience Plan. The bill specifies that these funds must be distributed into the fund for the revolving loan program for water management district projects included in the Statewide Flooding and Sea Level Rise Resilience Plan.

Section 12 appropriates for the 2025-2026 fiscal year \$236,665,971 in nonrecurring funds from the General Revenue Fund and \$64 million in recurring funds and \$328,684,029 in nonrecurring funds from the Land Acquisition Trust Fund.

¹⁴² Funds are distributed pursuant to section 380.095, F.S.

These funds are appropriated to the DEP and must be distributed to the SFWMD for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan. The funds must be allocated in the following fixed capital outlay appropriation categories:

- For nonrecurring funds from the General Revenue Fund:
 - C-111 South Dade - \$69,473,191.
 - Indian River Lagoon South - \$65,905,639.
 - Central Everglades Planning Project South - \$15,330,142.
 - Central Everglades Planning Project North - \$27,572,071.
 - Loxahatchee River Watershed Restoration Project - \$24,430,721.
 - Western Everglades Restoration Project - \$25,756,289.
 - Comprehensive Everglades Restoration Project Planning and Design - \$8,197,918.
- For nonrecurring funds from the Land Acquisition Trust Fund:
 - Indian River Lagoon South - \$30,110,627.
 - Caloosahatchee River C-43 West Basin Storage - \$95,530,738.
 - Central Everglades Planning Project North - \$123,542,359
 - Central Everglades Planning Project Everglades Agricultural Area Reservoir - \$79,500,305.
- For recurring funds of \$64 million in the Everglades restoration appropriation category from the Land Acquisition Trust Fund, transfer to the Everglades Trust Fund within the SFWMD.¹⁴³

Section 13 appropriates for the 2025-2026 fiscal year \$39,876,213 in recurring funds and \$33,151,846 in nonrecurring funds from the Land Acquisition Trust Fund to the DEP to be used to implement the Northern Everglades and Estuaries Protection Program.

Section 14 appropriates for the 2025-2026 fiscal year \$50 million in recurring funds from the Land Acquisition Trust Fund in the Fixed Capital Outlay Lake Okeechobee Watershed Restoration Project Aquifer Storage and Recovery Wells appropriation category for Everglades restoration.

Section 15 reenacts s. 373.0697, F.S., to incorporate an amendment made by this bill to s. 373.503, F.S., which is referenced in the reenacted section.

Section 16 reenacts s. 373.026, F.S., to incorporate an amendment made by this bill to s. 373.536, F.S., which is referenced in the reenacted section.

Section 17 provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

¹⁴³ Pursuant to section 375.041(3)(b)4., F.S., the Land Acquisition Trust Fund.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

The bill authorizes water management districts to, by referendum, levy separate ad valorem taxes on property within the district or basin to finance the construction of capital improvement projects. The millage may not be levied beyond the date of a project's expected date of completion. The total amount of the millage may not be more than what is currently authorized by law.

B. Private Sector Impact:

Indeterminate.

C. Government Sector Impact:

The bill authorizes specific appropriations for Everglades restoration projects. The bill appropriates for the 2025-2026 fiscal year \$236,665,971 in nonrecurring funds from the General Revenue Fund and \$64 million in recurring funds and \$328,684,029 in nonrecurring funds from the Land Acquisition Trust Fund. The South Florida Water Management District will receive this funding for the specific projects listed in the bill.

The bill also appropriates for the 2025-2026 fiscal year, \$39,876,213 in recurring funds and \$33,151,846 in nonrecurring funds from the Land Acquisition Trust Fund to the Florida Department of Environmental Protection to be used to implement the Northern Everglades and Estuaries Protection Program.

It also appropriates for the 2025-2026 fiscal year, \$50 million in recurring funds from the Land Acquisition Trust Fund in the Fixed Capital Outlay Lake Okeechobee Watershed Restoration Project Aquifer Storage and Recovery Wells appropriation category for Everglades restoration.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 112.3261, 373.079, 373.470, 373.501, 373.503, 373.535, 373.536, 373.6075, 380.093, 380.0935, and 380.095.

This bill reenacts the following sections of the Florida Statutes: 373.026 and 373.0697.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By the Committee on Environment and Natural Resources

592-01993-25

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1 A bill to be entitled
 2 An act relating to water management districts;
 3 amending s. 112.3261, F.S.; defining the term
 4 "expenditure"; requiring the Commission on Ethics to
 5 investigate a lobbyist or principal who has made a
 6 prohibited expenditure and to provide the Governor
 7 with a report of its findings and recommendations
 8 regarding such investigation; prohibiting certain
 9 persons from making or accepting expenditures;
 10 amending s. 373.079, F.S.; requiring a quorum for the
 11 conduct of official business by the governing board of
 12 a water management district; providing requirements
 13 for a quorum; requiring an affirmative vote of a
 14 majority of the members of the governing board before
 15 any action may be taken by the board; amending s.
 16 373.470, F.S.; requiring the South Florida Water
 17 Management District, in cooperation with the
 18 Department of Environmental Protection, to provide a
 19 detailed report that includes the total estimated
 20 remaining cost of implementation of the Everglades
 21 restoration comprehensive plan and the status of all
 22 performance indicators; requiring the subdivision of
 23 the project components into specified categories based
 24 on the project's status; requiring the integrated
 25 delivery schedule to be developed using estimates of
 26 actual state funding levels and other constraints;
 27 prohibiting certain recommendations; amending s.
 28 373.501, F.S.; prohibiting a water management district
 29 from using state funds for a specified purpose;

Page 1 of 29

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592-01993-25

20257002__

30 amending s. 373.503, F.S.; authorizing the districts
 31 to levy ad valorem taxes on property by resolution
 32 adopted by a majority vote of the governing board;
 33 authorizing the districts to levy certain ad valorem
 34 taxes on specified property; defining the term
 35 "capital improvement projects"; requiring a governing
 36 board levying ad valorem taxes for certain projects to
 37 adopt a resolution approved by a majority vote of the
 38 voting electors in the district or basin; providing
 39 requirements for such resolution; prohibiting a
 40 governing board from levying millage beyond a certain
 41 date; providing requirements for such millage;
 42 requiring that such resolution take effect on a
 43 specified date; providing construction for such
 44 referenda; providing requirements for the maximum
 45 total millage rate for all purposes; providing that
 46 the apportionment in the South Florida Water
 47 Management District excludes certain millage;
 48 reenacting and amending s. 373.535, F.S.; requiring
 49 that the preliminary budget for each water management
 50 district include a section that contains the
 51 district's capital improvement plan for the current
 52 fiscal year and the next fiscal year; requiring the
 53 that the section contain specified information;
 54 requiring the South Florida Water Management District
 55 to include a section in its preliminary budget for all
 56 projects within the Comprehensive Everglades
 57 Restoration Plan; requiring that the section contain
 58 specified information; providing that the South

Page 2 of 29

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592-01993-25

20257002__

59 Florida Water Management District may only incorporate
 60 state revenues up to a specified amount when
 61 estimating expenditures for the next fiscal year;
 62 providing an exception; amending s. 373.536, F.S.;
 63 authorizing the Legislative Budget Commission to
 64 reject certain district budget proposals; providing an
 65 exception; requiring the South Florida Water
 66 Management District to include in its budget document
 67 certain sections that incorporate the actual amount of
 68 state revenues appropriated for the fiscal year;
 69 requiring a water management district's tentative
 70 budget for its proposed operations and funding
 71 requirements to include the district's capital
 72 improvement plan for the current year and the next
 73 fiscal year; amending s. 373.6075, F.S.; requiring a
 74 water management district to give preference to
 75 certain bids, proposals, or replies for the design,
 76 engineering, or construction of capital improvement
 77 projects in excess of a specified amount; providing
 78 the purpose for the 10-year construction bond or
 79 comparable financial assurance mechanism; providing
 80 requirements for the competitive selection process;
 81 amending s. 380.093, F.S.; requiring that certain
 82 projects submitted by water management districts to
 83 the department for the Statewide Flooding and Sea
 84 Level Rise Resilience Plan be ranked on a separate
 85 list; providing applicability; requiring that each
 86 project included in such plan have a certain percent
 87 cost share unless the project was submitted by a water

Page 3 of 29

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592-01993-25

20257002__

88 management district; specifying the composition of the
 89 total amount of funding for such plan; requiring
 90 specified financing for projects submitted by a water
 91 management district for such plan; restricting funding
 92 available to water management districts; authorizing
 93 the department to issue certain loans by specified
 94 means to finance projects submitted by a water
 95 management district; authorizing the district to
 96 borrow certain funds and pledge certain revenues to
 97 repay such funds; providing for the repayment of such
 98 loan; providing a penalty; prohibiting the department
 99 from issuing additional loans or grants to a water
 100 management district that defaults under the terms of
 101 its loan until the default is remedied; requiring the
 102 department to adopt rules necessary to administer the
 103 revolving loan program to finance projects submitted
 104 by water management districts; amending s. 380.0935,
 105 F.S.; requiring the department to create and maintain
 106 a separate account in the Resilient Florida Trust Fund
 107 for certain funds received to administer the revolving
 108 loan program for certain projects submitted by water
 109 management districts within the Statewide Flooding and
 110 Sea Level Rise Resilience Plan; requiring that all
 111 repayments be returned to the revolving loan program
 112 and made available for the eligible projects in the
 113 plan; providing that funds appropriated for the loan
 114 program are not subject to reversion; amending s.
 115 380.095, F.S.; requiring that a specified amount of
 116 funds deposited into the Indian Gaming Revenue

Page 4 of 29

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592-01993-25

20257002__

117 Clearing Trust Fund be distributed to the Resilient
 118 Florida Trust Fund for the revolving loan program for
 119 specified uses; providing appropriations; reenacting
 120 s. 373.0697, F.S., relating to basin taxes, to
 121 incorporate the amendment made to s. 373.503, F.S., in
 122 a reference thereto; reenacting s. 373.026(8) (d),
 123 F.S., relating to general powers and duties of the
 124 Department of Environmental Protection, to incorporate
 125 the amendment made to s. 373.536, F.S., in a reference
 126 thereto; providing an effective date.

127
 128 Be It Enacted by the Legislature of the State of Florida:

129
 130 Section 1. Present paragraphs (b), (c), and (d) of
 131 subsection (1) of section 112.3261, Florida Statutes, are
 132 redesignated as paragraphs (c), (d), and (e), respectively, a
 133 new paragraph (b) is added to that subsection, subsection (9) is
 134 added to that section, and subsection (7) of that section is
 135 amended, to read:

136 112.3261 Lobbying before water management districts;
 137 registration and reporting.—

138 (1) As used in this section, the term:

139 (b) "Expenditure" has the same meaning as in s. 112.3215.

140 (7) Upon receipt of a sworn complaint alleging that a
 141 lobbyist or principal has failed to register with a district,
 142 has made a prohibited expenditure, or has knowingly submitted
 143 false information in a report or registration required under
 144 this section, the commission shall investigate a lobbyist or
 145 principal pursuant to the procedures established under s.

Page 5 of 29

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592-01993-25

20257002__

146 112.324. The commission shall provide the Governor with a report
 147 of its findings and recommendations in any investigation
 148 conducted pursuant to this subsection. The Governor is
 149 authorized to enforce the commission's findings and
 150 recommendations.

151 (9) Notwithstanding s. 112.3148, s. 112.3149, or any other
 152 law, a lobbyist or principal may not make, directly or
 153 indirectly, and a district governing board member, executive
 154 director, or any district employee that qualifies as a local
 155 officer as defined in s. 112.3145(1) may not knowingly accept,
 156 directly or indirectly, any expenditure.

157 Section 2. Subsection (7) of section 373.079, Florida
 158 Statutes, is amended to read:

159 373.079 Members of governing board; oath of office; staff.—

160 (7) The governing board shall meet at least once a month
 161 and upon call of the chair. A quorum is necessary for the board
 162 to conduct official business. A majority of the members of the
 163 governing board, which includes both appointed members and
 164 vacancies, constitutes a quorum. A board member's appearance at
 165 a board meeting, whether such appearance is in person or through
 166 the use of communications media technology, must be counted for
 167 the determination of a quorum. Except where otherwise provided
 168 by law, action may be taken by the governing board only upon an
 169 affirmative vote of a majority of the members of the governing
 170 board. The governing board, a basin board, a committee, or an
 171 advisory board may conduct meetings by means of communications
 172 media technology in accordance with rules adopted pursuant to s.
 173 120.54(5) (b) s. 120.54.

174 Section 3. Paragraph (c) of subsection (7) of section

Page 6 of 29

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592-01993-25 20257002__

175 373.470, Florida Statutes, is amended, and subsection (8) is
 176 added to that section, to read:

177 373.470 Everglades restoration.—

178 (7) ANNUAL REPORT.—To provide enhanced oversight of and
 179 accountability for the financial commitments established under
 180 this section and the progress made in the implementation of the
 181 comprehensive plan, the following information must be prepared
 182 annually as part of the consolidated annual report required by
 183 s. 373.036(7):

184 (c) The district, in cooperation with the department, shall
 185 provide a detailed report on progress made in the implementation
 186 of the comprehensive plan, including the total estimated
 187 remaining cost of implementation of the comprehensive plan. The
 188 report must also include the status of and applicable
 189 performance indicators for all project components. The project
 190 components must be subdivided into the following categories
 191 based on the project's status:

192 1. Planning and design phase.

193 2. Construction phase, for which the performance indicators
 194 must include, but are not limited to, whether the project is on
 195 time and on budget based on a schedule performance index.

196 3. Operational phase, for which the performance indicators
 197 must include, but are not limited to, whether the project is
 198 operating in accordance with the draft operating manual included
 199 in the project implementation report, and an explanation of any
 200 significant modification to the final project operating manual.

201 4. Pending projects phase, which includes project
 202 components that have not yet entered the planning or design
 203 phase initiated after the effective date of this act or the date

592-01993-25 20257002__

204 ~~of the last report prepared under this subsection, whichever is~~
 205 ~~later.~~

206

207 The information required in paragraphs (a), (b), and (c) shall
 208 be provided as part of the consolidated annual report required
 209 by s. 373.036(7). Each annual report is due by March 1.

210 (8) INTEGRATED DELIVERY SCHEDULE.—In order to ensure
 211 accountability in the planning process, the integrated delivery
 212 schedule must be developed to maximize the achievement of the
 213 goals and purposes of the comprehensive plan at the earliest
 214 possible time to the extent practical given funding,
 215 engineering, and other contractual constraints. Therefore, state
 216 and local members of the South Florida Ecosystem Restoration
 217 Task Force may not include in their recommendations for any
 218 update to the integrated delivery schedule the assumption of a
 219 future availability of state funds per fiscal year above the
 220 amounts provided pursuant to s. 375.041(3)(b)1., 4., and 5.

221 Section 4. Subsection (3) is added to section 373.501,
 222 Florida Statutes, to read:

223 373.501 Appropriation of funds to water management
 224 districts.—

225 (3) A water management district may not use state funds as
 226 a local match for any state grant program unless such funds have
 227 been specifically appropriated to the district for such purpose.

228 Section 5. Subsection (3) of section 373.503, Florida
 229 Statutes, is amended to read:

230 373.503 Manner of taxation.—

231 (3)(a)1. The districts may, by resolution adopted by a
 232 majority vote of the governing board, levy ad valorem taxes on

592-01993-25 20257002__
 233 property within the district solely for the purposes of this
 234 chapter and of chapter 25270, 1949, Laws of Florida, as amended,
 235 and chapter 61-691, Laws of Florida, as amended. If appropriate,
 236 taxes levied by each governing board may be separated by the
 237 governing board into a millage necessary for the purposes of the
 238 district and a millage necessary for financing basin functions
 239 specified in s. 373.0695.

240 2.a. The districts may, by referendum, levy separate ad
 241 valorem taxes on property within the district or basin for the
 242 purposes of the construction of capital improvement projects.
 243 For purposes of this subparagraph, the term "capital improvement
 244 projects" means projects related to water supply, including
 245 alternative water supply and water resource development projects
 246 identified in the district's regional water supply plans, water
 247 quality, flood protection and floodplain management, and natural
 248 systems.

249 b. A governing board exercising the option to levy separate
 250 ad valorem taxes for the purposes of the construction of capital
 251 improvement projects pursuant to this subparagraph shall adopt a
 252 resolution to be approved by a majority vote of the electors in
 253 the district or basin voting in a referendum held at a general
 254 election as defined in s. 97.021. The resolution must include
 255 the millage to be levied, a description of the capital
 256 improvement projects, such projects' expected dates of
 257 completion, and the date when the millage levied under this
 258 subparagraph shall expire. No millage may be levied beyond the
 259 date of a project's expected date of completion. Such millage
 260 levied may be up to an amount that, when combined with millage
 261 levied under subparagraph 1., does not exceed the maximum total

592-01993-25 20257002__
 262 millage rate under paragraph (b). The resolution must take
 263 effect on the January 1 immediately succeeding approval. The
 264 referendum must be conducted consistent with the laws governing
 265 bond referenda as provided in ss. 100.201-100.351.

266 (b)(a) Notwithstanding any other general or special law,
 267 and subject to subsection (4), the maximum total millage rate
 268 for all district and basin purposes authorized under this
 269 section shall be:

- 270 1. Northwest Florida Water Management District: 0.05 mill.
- 271 2. Suwannee River Water Management District: 0.75 mill.
- 272 3. St. Johns River Water Management District: 0.6 mill.
- 273 4. Southwest Florida Water Management District: 1.0 mill.
- 274 5. South Florida Water Management District: 0.80 mill.

275 (c)(b) The apportionment in the South Florida Water
 276 Management District shall be a maximum of 40 percent for
 277 district purposes and a maximum of 60 percent for basin
 278 purposes, respectively. This calculation excludes millage raised
 279 pursuant to subparagraph (a)2.

280 (d)(e) Within the Southwest Florida Water Management
 281 District, the maximum millage assessed for district purposes may
 282 not exceed 50 percent of the total authorized millage if there
 283 are one or more basins in the district, and the maximum millage
 284 assessed for basin purposes may not exceed 50 percent of the
 285 total authorized millage.

286 Section 6. Subsection (1) of section 373.535, Florida
 287 Statutes, is amended, and subsections (2) and (3) of that
 288 section are reenacted, to read:

289 373.535 Preliminary district budgets.—

- 290 (1) BUDGET DEVELOPMENT.—

592-01993-25

20257002__

291 (a) By January 15 of each year, each water management
 292 district shall submit a preliminary budget for the next fiscal
 293 year for legislative review to the President of the Senate, the
 294 Speaker of the House of Representatives, and the chairs of each
 295 legislative committee and subcommittee having substantive or
 296 fiscal jurisdiction over water management districts, as
 297 determined by the President of the Senate or the Speaker of the
 298 House of Representatives, as applicable, in the form and manner
 299 prescribed in s. 373.536(5) (e).

300 (b) Each preliminary budget must also include:

301 1. A section that clearly identifies and provides
 302 justification for each proposed expenditure listed in s.
 303 373.536(5) (e)4.e. and f. and identifies the source of funds for
 304 each proposed expenditure.

305 2. A section identifying the justification for proposed
 306 expenditures by core mission area of responsibility and the
 307 source of funds needed for activities related to water supply,
 308 including alternative water supply and water resource
 309 development projects identified in the district's regional water
 310 supply plans, water quality, flood protection and floodplain
 311 management, and natural systems.

312 3. A section that includes the district's capital
 313 improvement plan for the current fiscal year and the next fiscal
 314 year, which will be incorporated as part of the district's 5-
 315 year capital improvement plan. The following information must be
 316 included for each project contained in the capital improvement
 317 plan:

318 a. Estimated beginning and ending date.

319 b. Current status, such as planning, construction, or

592-01993-25

20257002__

320 operations.

321 c. Funding distribution, broken down by federal, state,
 322 local, or other.

323 d. Total cost of the project.

324 e. Whether the project is funded from reserves.

325 f. Total expenditures made to date, by fiscal year.

326 g. Current year estimated expenditures.

327 h. Annual budget, including future budget requests, until
 328 project completion, by funding source.

329 i. Project description.

330 j. State program code, such as operations and maintenance
 331 or ecosystems restoration.

332 ~~4.3~~ A section reviewing the adopted and proposed budget
 333 allocations by program area and the performance metrics for the
 334 prior year.

335 5.4 An analysis of each preliminary budget to determine
 336 the adequacy of fiscal resources available to the district and
 337 the adequacy of proposed district expenditures related to the
 338 core mission areas of responsibility for water supply, including
 339 alternative water supply and water resource development projects
 340 identified in the district's regional water supply plans, water
 341 quality, flood protection and floodplain management, and natural
 342 systems. The analysis must be based on the particular needs
 343 within each district for core mission areas of responsibility.
 344 The water supply analysis must specifically include a
 345 determination of the adequacy of each district's fiscal
 346 resources provided in the district's preliminary budget to
 347 achieve appropriate progress toward meeting the districtwide 20-
 348 year projected water supply demands, including funding for

592-01993-25 20257002__

349 alternative water supply development and conservation projects.
 350 ~~(c)(b)~~ If applicable, the preliminary budget for each
 351 district must specify that the district's first obligation for
 352 payment is the debt service on bonds and certificates of
 353 participation.
 354 (d) In addition to the information that must be included
 355 for projects carried out pursuant to the capital improvement
 356 plan in subparagraph (b)3., the South Florida Water Management
 357 District must include a separate section in its preliminary
 358 Restoration Plan. The information for the separate section must
 359 be provided on a project-by-project basis and include the source
 360 of funds. For each project, all of the following information
 361 must be included:
 362
 363 1. The project title and a brief description.
 364 2. The total estimated cost of the project, broken down by
 365 federal and nonfederal sponsor obligations. The local sponsor
 366 obligations must be further broken down by state and district
 367 obligations.
 368 3. The timeline for the project.
 369 4. The total expenditures to date and estimated remaining
 370 expenditures needed for project completion.
 371 5. The estimate of expenditures for the current year.
 372 6. The estimate of expenditures for the next fiscal year.
 373 (e) For expenditures funded by state appropriations, the
 374 South Florida Water Management District must indicate which
 375 fiscal year the appropriation is from. In estimating
 376 expenditures for the next fiscal year, the district may only
 377 incorporate state revenues in an amount up to the amount of

592-01993-25 20257002__

378 funds specifically provided in s. 375.041(3)(b)1., 4., and 5.,
 379 unless the district commits district revenues on a dollar-for-
 380 dollar basis for any amount over such amount specifically
 381 provided.
 382 (2) LEGISLATIVE REVIEW.—
 383 (a) The Legislature may annually review the preliminary
 384 budget for each district, including, but not limited to, those
 385 items listed in s. 373.536(5)(e)4.d.-f., specific to regulation,
 386 outreach, management, and administration program areas.
 387 (b) On or before March 1 of each year, the President of the
 388 Senate and the Speaker of the House of Representatives may
 389 submit comments regarding the preliminary budget to the
 390 districts, and provide a copy of the comments to the Executive
 391 Office of the Governor. Each district shall respond to the
 392 comments in writing on or before March 15 of each year to the
 393 President of the Senate, the Speaker of the House of
 394 Representatives, and the Executive Office of the Governor.
 395 (c) If, following such review, the Legislature does not
 396 take any action pursuant to s. 373.503 on or before July 1 of
 397 each year, a water management district may proceed with budget
 398 development as provided in subsection (3) and s. 373.536.
 399 (3) FUNDING AUTHORITY GRANTED.—Each district shall use the
 400 preliminary budget as submitted pursuant to subsection (1), and
 401 as may be amended by the district in response to review by the
 402 Legislature pursuant to this section and s. 373.503, as the
 403 basis for developing the tentative budget for the next fiscal
 404 year as provided in s. 373.536(5).
 405 Section 7. Paragraphs (c) and (e) of subsection (5) of
 406 section 373.536, Florida Statutes, are amended to read:

592-01993-25 20257002__

407 373.536 District budget and hearing thereon.-
 408 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND
 409 APPROVAL.-
 410 (c) The Legislative Budget Commission may reject any of the
 411 following district budget proposals unless specifically
 412 appropriated by the Legislature:
 413 1. A single purchase of land in excess of \$10 million,
 414 except for land exchanges.
 415 2. Any cumulative purchase of land during a single fiscal
 416 year in excess of \$50 million.
 417 3. Any issuance of debt on or after July 1, 2012.
 418 4. Any program expenditure ~~expenditures~~ as described in
 419 sub-subparagraphs (e)4.e. and f. in excess of 15 percent of a
 420 district's total annual budget.
 421 5. Any individual variance ~~variances~~ in a district's
 422 tentative budget which is in excess of 25 percent from a
 423 district's preliminary budget.
 424 6. Any individual portion of a district's tentative budget
 425 funded with state appropriations.
 426 7. Any individual project in the district's 5-year capital
 427 improvement plan.
 428
 429 Written disapproval of any provision in the tentative budget
 430 must be received by the district at least 5 business days before
 431 the final district budget adoption hearing conducted under s.
 432 200.065(2)(d). If written disapproval is not received at least 5
 433 business days before the final budget adoption hearing, the
 434 governing board may proceed with final adoption. Any provision
 435 rejected by the Executive Office of the Governor or the

Page 15 of 29

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592-01993-25 20257002__

436 Legislative Budget Commission may not be included in a
 437 district's final budget and may not be acted upon through any
 438 other means without the prior approval of the entity rejecting
 439 the provision.
 440 (e) The tentative budget must be based on the preliminary
 441 budget as submitted to the Legislature, and as may be amended by
 442 the district in response to review by the Legislature pursuant
 443 to ss. 373.503 and 373.535, as the basis for developing the
 444 tentative budget for the next fiscal year as provided in this
 445 subsection, and must set forth the proposed expenditures of the
 446 district, to which may be added an amount to be held as reserve.
 447 The tentative budget must include, but is not limited to, the
 448 following information for the preceding fiscal year and the
 449 current fiscal year, and the proposed amounts for the upcoming
 450 fiscal year, in a standard format prescribed by the Executive
 451 Office of the Governor, in consultation with the Legislature:
 452 1. The estimated amount of funds remaining at the beginning
 453 of the fiscal year which have been obligated for the payment of
 454 outstanding commitments not yet completed.
 455 2. The estimated amount of unobligated funds or net cash
 456 balance on hand at the beginning of the fiscal year; an
 457 accounting of the source, balance, and projected future use of
 458 the unobligated funds; and the estimated amount of funds to be
 459 raised by district taxes or received from other sources to meet
 460 the requirements of the district.
 461 3. The millage rates and the percentage increase above the
 462 rolled-back rate, together with a summary of the reasons the
 463 increase is required, and the percentage increase in taxable
 464 value resulting from new construction within the district.

Page 16 of 29

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592-01993-25

20257002__

465 4. The salaries and benefits, expenses, operating capital
 466 outlay, number of authorized positions, and other personal
 467 services for the following program areas of the district:
 468 a. Water resource planning and monitoring;
 469 b. Land acquisition, restoration, and public works;
 470 c. Operation and maintenance of works and lands;
 471 d. Regulation;
 472 e. Outreach for which the information provided must contain
 473 a full description and accounting of expenditures for water
 474 resources education; public information and public relations,
 475 including public service announcements and advertising in any
 476 media; and lobbying activities related to local, regional, state
 477 and federal governmental affairs, whether incurred by district
 478 staff or through contractual services; and
 479 f. Management and administration.

480
 481 In addition to the program areas reported by all water
 482 management districts, the South Florida Water Management
 483 District shall include in its budget document separate sections
 484 on all costs associated with the Everglades Construction Project
 485 and the Comprehensive Everglades Restoration Plan, incorporating
 486 the amount of state revenues appropriated for the fiscal year.

487 5. The total estimated amount in the district budget for
 488 each area of responsibility listed in subparagraph 4. and for
 489 water resource, water supply, and alternative water supply
 490 development projects identified in the district's regional water
 491 supply plans.

492 6. A description of each new, expanded, reduced, or
 493 eliminated program.

592-01993-25

20257002__

494 7. The funding sources, including, but not limited to, ad
 495 valorem taxes, Surface Water Improvement and Management Program
 496 funds, other state funds, federal funds, and user fees and
 497 permit fees for each program area.

498 8. The water management district's capital improvement plan
 499 for the current fiscal year and the next fiscal year, in the
 500 same format as required in the preliminary budget.

501 Section 8. Section 373.6075, Florida Statutes, is amended
 502 to read:

503 373.6075 Purchases from contracts of other entities.—

504 (1) A water management district may purchase commodities
 505 and contractual services, excluding services subject to s.
 506 287.055, from the purchasing contracts of special districts,
 507 municipalities, counties, other political subdivisions,
 508 educational institutions, other states, nonprofit entities,
 509 purchasing cooperatives, or the Federal Government, which have
 510 been procured pursuant to competitive bid, request for proposal,
 511 request for qualification, competitive selection, or competitive
 512 negotiation, and which are otherwise in compliance with general
 513 law if the purchasing contract of the other entity is procured
 514 by a process that meets the procurement requirements of the
 515 water management district.

516 (2) For contractual services for the design, engineering,
 517 or construction of capital improvement projects costing \$1
 518 million or more, a water management district shall give
 519 preference to the lowest responsible and responsive bid,
 520 proposal, or reply that includes a 10-year construction bond or
 521 that provides proof of a comparable financial assurance
 522 mechanism, which has been defined by district rule. The purpose

592-01993-25

20257002__

523 of the 10-year construction bond or a comparable financial
 524 assurance mechanism is to ensure that the capital improvement
 525 project functions as it was designed to function for at least 10
 526 years. For the purpose of the competitive selection process in
 527 s. 287.055(4), the agency shall consider whether a firm has
 528 included in its bid, proposal, or reply a 10-year construction
 529 bond or proof of a comparable financial assurance mechanism.

530 Section 9. Present paragraph (i) of subsection (5) of
 531 section 380.093, Florida Statutes, is redesignated as paragraph
 532 (j) and amended, a new paragraph (i) is added to that
 533 subsection, and paragraphs (a), (c), (d), (e), and (h) of that
 534 subsection are amended, to read:

535 380.093 Resilient Florida Grant Program; comprehensive
 536 statewide flood vulnerability and sea level rise data set and
 537 assessment; Statewide Flooding and Sea Level Rise Resilience
 538 Plan; regional resilience entities.—

539 (5) STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE PLAN.—

540 (a) By December 1 of each year, the department shall
 541 develop a Statewide Flooding and Sea Level Rise Resilience Plan
 542 on a 3-year planning horizon and submit it to the Governor, the
 543 President of the Senate, and the Speaker of the House of
 544 Representatives. The plan must consist of ranked projects that
 545 address risks of flooding and sea level rise to coastal and
 546 inland communities in the state. All eligible projects submitted
 547 to the department pursuant to this section must be ranked and
 548 included in the plan. All eligible projects submitted by a water
 549 management district must be ranked on a separate list. Each plan
 550 must include a detailed narrative overview describing how the
 551 plan was developed, including a description of the methodology

592-01993-25

20257002__

552 used by the department to determine project eligibility, a
 553 description of the methodology used to rank projects, the
 554 specific scoring system used, the project proposal application
 555 form, a copy of each submitted project proposal application form
 556 separated by eligible projects and ineligible projects, the
 557 total number of project proposals received and deemed eligible,
 558 the total funding requested, and the total funding requested for
 559 eligible projects.

560 (c) Each plan submitted by the department pursuant to this
 561 subsection must include all of the following information for
 562 each recommended project:

- 563 1. A description of the project.
 - 564 2. The location of the project.
 - 565 3. An estimate of how long the project will take to
 566 complete.
 - 567 4. An estimate of the cost of the project.
 - 568 5. The cost-share percentage available for the project, if
 569 applicable.
 - 570 6. A summary of the priority score assigned to the project.
 - 571 7. The project sponsor.
- 572 (d)1. By September 1 of each year, all of the following
 573 entities may submit to the department a list of proposed
 574 projects that address risks of flooding or sea level rise
 575 identified in the comprehensive statewide flood vulnerability
 576 and sea level rise assessment or vulnerability assessments that
 577 meet the requirements of subsection (3):
- 578 a. Counties.
 - 579 b. Municipalities.
 - 580 c. Special districts as defined in s. 189.012 which are

592-01993-25 20257002__

581 responsible for the management and maintenance of inlets and
582 intracoastal waterways or for the operation and maintenance of a
583 potable water facility, a wastewater facility, an airport, or a
584 seaport facility.

585 d. Regional resilience entities acting on behalf of one or
586 more member counties or municipalities.

587
588 For the plans submitted by December 1, 2024, such entities may
589 submit projects identified in existing vulnerability assessments
590 that do not comply with subsection (3) only if the entity is
591 actively developing a vulnerability assessment that is either
592 under a signed grant agreement with the department pursuant to
593 subsection (3) or funded by another state or federal agency, or
594 is self-funded and intended to meet the requirements of
595 paragraph (3)(d) or if the existing vulnerability assessment was
596 completed using previously compliant statutory requirements.

597 Projects identified from this category of vulnerability
598 assessments will be eligible for submittal until the prior
599 vulnerability assessment has been updated to meet most recent
600 statutory requirements.

601 2. By September 1 of each year, all of the following
602 entities may submit to the department a list of any proposed
603 projects that address risks of flooding or sea level rise
604 identified in the comprehensive statewide flood vulnerability
605 and sea level rise assessment or vulnerability assessments that
606 meet the requirements of subsection (3), or that mitigate the
607 risks of flooding or sea level rise on water supplies or water
608 resources of the state and a corresponding evaluation of each
609 project:

Page 21 of 29

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592-01993-25 20257002__

610 a. Water management districts.

611 b. Drainage districts.

612 c. Erosion control districts.

613 d. Flood control districts.

614 e. Regional water supply authorities.

615 3. Each project submitted to the department pursuant to
616 this paragraph for consideration by the department for inclusion
617 in the plan must include all of the following information:

618 a. A description of the project.

619 b. The location of the project.

620 c. An estimate of how long the project will take to
621 complete.

622 d. An estimate of the cost of the project.

623 e. The cost-share percentage available for the project, if
624 applicable.

625 f. The project sponsor.

626 (e) Each project included in the plan must have a minimum
627 50 percent cost share unless the project was submitted by a
628 water management district, or assists or is within a community
629 eligible for a reduced cost share. For purposes of this section,
630 the term "community eligible for a reduced cost share" means:

631 1. A municipality that has a population of 10,000 or less
632 ~~fewer~~, according to the most recent April 1 population estimates
633 posted on the Office of Economic and Demographic Research's
634 website, and a per capita annual income that is less than the
635 state's per capita annual income as shown in the most recent
636 release from the Bureau of the Census of the United States
637 Department of Commerce that includes both measurements;

638 2. A county that has a population of 50,000 or less fewer,

Page 22 of 29

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592-01993-25

20257002__

639 according to the most recent April 1 population estimates posted
640 on the Office of Economic and Demographic Research's website,
641 and a per capita annual income that is less than the state's per
642 capita annual income as shown in the most recent release from
643 the Bureau of the Census of the United States Department of
644 Commerce that includes both measurements; or

645 3. A municipality or county that has a per capita annual
646 income that is equal to or less than 75 percent of the state's
647 per capita annual income as shown in the most recent release
648 from the Bureau of the Census of the United States Department of
649 Commerce.

650 (h) The total amount of funding proposed for each year of
651 the plan ~~must~~ ~~may not~~ be at least less than \$100 million and,
652 for projects submitted by a water management district, may
653 include funds that have been repaid by a water management
654 district. Upon review and subject to appropriation, the
655 Legislature shall approve funding for the projects as specified
656 in the plan. The only funding available to water management
657 districts under this subsection is through the loan program
658 pursuant to paragraph (i). Multiyear projects that receive
659 funding for the first year of the project must be included in
660 subsequent plans and funded until the project is complete,
661 provided that the project sponsor has complied with all
662 contractual obligations and funds are available.

663 (i) To finance projects submitted by a water management
664 district, the department may issue 20-year, interest-free loans
665 through a promissory note or other form of written agreement
666 evidencing an obligation to repay the borrowed funds to the
667 department. The district may borrow funds made available

Page 23 of 29

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592-01993-25

20257002__

668 pursuant to this section and may pledge any revenues or other
669 adequate security available to it, other than state revenues, to
670 repay any funds borrowed. The loans must be repaid in equal
671 installments over a period not to exceed 20 years, commencing
672 within 12 months after the execution of the loan agreement.

673 1. The department may impose a penalty for delinquent loan
674 payments in the amount of 6 percent of the amount due, in
675 addition to charging the cost to handle and process the debt.
676 Penalty interest accrues on any amount due and payable beginning
677 on the 30th day following the date that the payment was due.

678 2. If a water management district defaults under the terms
679 of its loan agreement, no additional state loans or grants may
680 be issued to that water management district until the default
681 has been remedied.

682 (j)(4) The department shall adopt rules to implement this
683 section, including, but not limited to, rules necessary to
684 administer the revolving loan program to finance projects
685 submitted by water management districts.

686 Section 10. Present subsection (3) of section 380.0935,
687 Florida Statutes, is redesignated as subsection (4), a new
688 subsection (3) is added to that section, and subsection (2) of
689 that section is amended, to read:

690 380.0935 Resilient Florida Trust Fund.—

691 (2) Moneys deposited in the fund are available as a funding
692 source for the department for the Resilient Florida Grant
693 Program and the Statewide Flooding and ~~Sea Level~~ Sea-Level Rise
694 Resilience Plan, including costs to operate the grant program,
695 to develop the plan, and to provide grants to regional
696 resilience coalitions pursuant to s. 380.093. The department may

Page 24 of 29

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592-01993-25 20257002__

697 also use moneys deposited in the fund for administrative and
698 operational costs of the Florida Flood Hub for Applied Research
699 and Innovation pursuant to s. 380.0933 and coastal resilience
700 initiatives.

701 (3) The department shall create and maintain a separate
702 account in the trust fund for funds received pursuant to s.
703 380.095 to administer a revolving loan program for eligible
704 projects submitted by water management districts within the
705 Statewide Flooding and Sea Level Rise Resilience Plan. All
706 repayments must be returned to the revolving loan program and
707 made available for the eligible projects submitted by water
708 management districts in the plan. Notwithstanding s. 216.301,
709 funds appropriated for the loan program are not subject to
710 reversion.

711 Section 11. Paragraph (c) of subsection (2) of section
712 380.095, Florida Statutes, is amended to read:

713 380.095 Dedicated funding for conservation lands,
714 resiliency, and clean water infrastructure.—

715 (2) DISTRIBUTION.—Notwithstanding s. 285.710, the
716 Department of Revenue shall, upon receipt, deposit 96 percent of
717 any revenue share payment received under the compact as defined
718 in s. 285.710 into the Indian Gaming Revenue Clearing Trust Fund
719 within the Department of Financial Services. The funds deposited
720 into the trust fund shall be distributed as follows:

721 (c) The lesser of 26.042 percent or \$100 million each
722 fiscal year to the Resilient Florida Trust Fund within the
723 Department of Environmental Protection for the revolving loan
724 fund within the Statewide Flooding and Sea Level Rise Resilience
725 Plan to be used to fund eligible projects submitted by water

592-01993-25 20257002__

726 management districts in accordance with s. 380.093.

727
728 Allocations to trust funds shall be transferred monthly by
729 nonoperating authority to the named trust fund.

730 Section 12. (1) For the 2025-2026 fiscal year, the sum of
731 \$236,665,971 in nonrecurring funds from the General Revenue Fund
732 and \$64 million in recurring funds and \$328,684,029 in
733 nonrecurring funds from the Land Acquisition Trust Fund are
734 appropriated to the Department of Environmental Protection and
735 must be distributed to the South Florida Water Management
736 District for the planning, design, engineering, and construction
737 of the Comprehensive Everglades Restoration Plan and allocated
738 in the following fixed capital outlay appropriation categories:

- 739 (a) Nonrecurring funds from the General Revenue Fund:
- 740 1. C-111 South Dade - \$69,473,191.
 - 741 2. Indian River Lagoon South - \$65,905,639.
 - 742 3. Central Everglades Planning Project South - \$15,330,142.
 - 743 4. Central Everglades Planning Project North - \$27,572,071.
 - 744 5. Loxahatchee River Watershed Restoration Project -
745 \$24,430,721.
 - 746 6. Western Everglades Restoration Project - \$25,756,289.
 - 747 7. Comprehensive Everglades Restoration Project Planning
748 and Design - \$8,197,918.

749 (b) Nonrecurring funds from the Land Acquisition Trust
750 Fund:

- 751 1. Indian River Lagoon South - \$30,110,627.
- 752 2. Caloosahatchee River C-43 West Basin Storage -
753 \$95,530,738.
- 754 3. Central Everglades Planning Project North -

592-01993-25 20257002__

755 \$123,542,359.
 756 4. Central Everglades Planning Project EAA Reservoir -
 757 \$79,500,305.
 758 (c) Recurring funds of \$64 million in the Everglades
 759 Restoration appropriation category from the Land Acquisition
 760 Trust Fund to transfer to the Everglades Trust Fund within the
 761 South Florida Water Management District pursuant to s.
 762 375.041(3)(b)4., Florida Statutes.
 763 Section 13. For the 2025-2026 fiscal year, the sum
 764 \$39,876,213 in recurring funds and \$33,151,846 in nonrecurring
 765 funds from the Land Acquisition Trust Fund are appropriated to
 766 the Department of Environmental Protection and must be used to
 767 implement the Northern Everglades and Estuaries Protection
 768 Program, pursuant to s. 373.4595, Florida Statutes.
 769 Section 14. For the 2025-2026 fiscal year, the sum of \$50
 770 million in recurring funds from the Land Acquisition Trust Fund
 771 are appropriated in the Fixed Capital Outlay Lake Okeechobee
 772 Watershed Restoration Project ASR Wells appropriation category
 773 for Everglades Restoration.
 774 Section 15. For the purpose of incorporating the amendment
 775 made by this act to section 373.503, Florida Statutes, in a
 776 reference thereto, section 373.0697, Florida Statutes, is
 777 reenacted to read:
 778 373.0697 Basin taxes.—The respective basins may, pursuant
 779 to s. 9(b), Art. VII of the State Constitution, by resolution
 780 request the governing board of the district to levy ad valorem
 781 taxes within such basin. Upon receipt of such request, a basin
 782 tax levy shall be made by the governing board of the district to
 783 finance basin functions enumerated in s. 373.0695,

592-01993-25 20257002__

784 notwithstanding the provisions of any other general or special
 785 law to the contrary, and subject to the provisions of s.
 786 373.503(3).
 787 (1) The amount of money to be raised by said tax levy shall
 788 be determined by the adoption of an annual budget by the
 789 district board of governors, and the average millage for the
 790 basin shall be that amount required to raise the amount called
 791 for by the annual budget when applied to the total assessment of
 792 the basin as determined for county taxing purposes. However, no
 793 such tax shall be levied within the basin unless and until the
 794 annual budget and required tax levy shall have been approved by
 795 formal action of the basin board, and no county in the district
 796 shall be taxed under this provision at a rate to exceed 1 mill.
 797 (2) The taxes provided for in this section shall be
 798 extended by the county property appraiser on the county tax roll
 799 in each county within, or partly within, the basin and shall be
 800 collected by the tax collector in the same manner and time as
 801 county taxes, and the proceeds therefrom paid to the district
 802 for basin purposes. Said taxes shall be a lien, until paid, on
 803 the property against which assessed and enforceable in like
 804 manner as county taxes. The property appraisers, tax collectors,
 805 and clerks of the circuit court of the respective counties shall
 806 be entitled to compensation for services performed in connection
 807 with such taxes at the same rates as apply to county taxes.
 808 (3) It is hereby determined that the taxes authorized by
 809 this subsection are in proportion to the benefits to be derived
 810 by the several parcels of real estate within the basin from the
 811 works authorized herein.
 812 Section 16. For the purpose of incorporating the amendment

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813 made by this act to section 373.536, Florida Statutes, in a
814 reference thereto, paragraph (d) of subsection (8) of section
815 373.026, Florida Statutes, is reenacted to read:

816 373.026 General powers and duties of the department.—The
817 department, or its successor agency, shall be responsible for
818 the administration of this chapter at the state level. However,
819 it is the policy of the state that, to the greatest extent
820 possible, the department may enter into interagency or
821 interlocal agreements with any other state agency, any water
822 management district, or any local government conducting programs
823 related to or materially affecting the water resources of the
824 state. All such agreements shall be subject to the provisions of
825 s. 373.046. In addition to its other powers and duties, the
826 department shall, to the greatest extent possible:

827 (8)

828 (d) The Executive Office of the Governor, pursuant to its
829 duties under s. 373.536(5) to approve or disapprove, in whole or
830 in part, the budget of each water management district, shall
831 review all proposed expenditures for project components in the
832 district's budget.

833 Section 17. This act shall take effect July 1, 2025.

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(321) 409-2025

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Bernier.Nancy@flsenate.gov

Legislative Aide
Tommy Unger
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Randy Fine
Florida Senate
Senator, District 19

March 3, 2025
The Honorable Jason Brodeur
Chairman of Appropriations Committee on Agriculture,
Environment, and General Government
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Chairman Brodeur,

I respectfully request an excused absence from the Appropriations Committee on Agriculture, Environment, and General Government meeting on March 5th, 2025.

Thank you in advance for your consideration of this request.

cc:
Staff Director Giovanni Betta
Administrative Assistant Julie Brass Sincerely,

Sincerely,

A handwritten signature in blue ink that reads "Randy A. Fine".

Randy Fine
State Senator, District 19

A handwritten signature in black ink, appearing to be "Julie Brass".

Governmental Oversight and Accountability, Chair
Community Affairs, Vice Chair
Joint Select Committee on Collective Bargaining, Alternating Chair
Appropriations -- Regulated Industries
Appropriations Committee on Agriculture, Environment, and General Government
Appropriations Committee on Pre-K - 12 Education -- Education Postsecondary
Brevard County Delegation



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Environment and Natural Resources, *Chair*
Appropriations Committee on Agriculture, Environment,
and General Government
Appropriations Committee on Health and
Human Services
Education Postsecondary
Fiscal Policy
Governmental Oversight and Accountability
Rules

SELECT COMMITTEE:

Joint Select Committee on Collective Bargaining

SENATOR ANA MARIA RODRIGUEZ
40th District

March 5, 2025

The Honorable Senator Jason Brodeur
Appropriations Committee on Agriculture, Environment and General Government
The Florida Senate
416 Senate Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Chair Brodeur,

Please excuse my absence from the Appropriations Committee on Agriculture, Environment, and General Government, on Wednesday, March 5th, 2025.

Thank you for your understanding and if you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "AMB".

Senator Ana Maria Rodriguez
The Florida Senate, District 40

A handwritten signature in black ink, appearing to read "JB".

REPLY TO:

- Miami-Dade College, West Campus Suite 1112, 3800 NW 115th Avenue, Doral, Florida 33178 (305) 470-2552
- 410 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5040

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

CourtSmart Tag Report

Room: KB 412

Case No.: -

Type:

Caption: Senate Appropriations Committee on Agriculture, Environment and General Government

Judge:

Started: 3/5/2025 11:01:04 AM

Ends: 3/5/2025 11:43:19 AM

Length: 00:42:16

11:01:18 AM Sen. Brodeur (Chair)
11:02:04 AM S 158
11:02:12 AM Sen. Berman
11:03:55 AM Sen. Brodeur
11:04:03 AM Jason Winn, Florida Osteopathic Medical Association (waives in support)
11:04:10 AM Susan Harbin, American Cancer Society Cancer Action Network (waives in support)
11:04:24 AM Carolyn Cassidy (waives in support)
11:04:32 AM Yvette Drucker (waives in support)
11:04:39 AM Fran Nachlas (waives in support)
11:04:45 AM Marc Widger (waives in support)
11:04:52 AM Sen. Brodeur
11:05:04 AM Sen. Arrington
11:05:25 AM Sen. Sharief
11:05:48 AM Sen. Brodeur
11:05:55 AM Sen. Berman
11:06:36 AM Sen. Brodeur
11:07:12 AM S 160
11:07:15 AM Sen. Gruters
11:07:48 AM Sen. Brodeur
11:07:56 AM Jason Harrell, Florida Institute of Certified Public Accountants (waives in support)
11:08:03 AM Sen. Brodeur
11:08:12 AM Sen. Gruters
11:08:16 AM Sen. Brodeur
11:08:54 AM Sen. Berman (Chair)
11:09:00 AM S 7002
11:09:02 AM Sen. Brodeur
11:09:47 AM Sen. Berman
11:09:52 AM Sen. Pizzo
11:10:22 AM Sen. Brodeur
11:11:15 AM Sen. Berman
11:11:46 AM Sen. Brodeur
11:11:50 AM Sen. Berman
11:12:02 AM Sen. Sharief
11:12:53 AM Sen. Berman
11:13:00 AM Sen. Brodeur
11:13:31 AM Sen. Berman
11:14:19 AM Sen. Brodeur (Chair)
11:15:12 AM Recording Paused
11:37:02 AM Recording Resumed
11:37:06 AM Sen. Brodeur
11:37:20 AM S 50
11:37:31 AM Sen. Garcia
11:38:44 AM Sen. Brodeur
11:38:50 AM Am. 372636
11:38:54 AM Sen. Garcia
11:39:22 AM Sen. Brodeur
11:39:33 AM S 50 (cont.)
11:39:42 AM Kahreem Golden, The Nature Conservancy (waives in support)
11:39:46 AM Pepper Uchino, Florida Shore and Beach Preservation Association (waives in support)
11:39:52 AM Yvette Drucker (waives in support)
11:39:55 AM Carolyn Cassidy (waives in support)
11:40:01 AM Mark Wigder (waives in support)

11:40:08 AM Fran Nachlas (waives in support)
11:40:13 AM Steven Schale, The Environmental Defense Fund (waives in support)
11:40:20 AM David Rathke, Resiliency Florida (waives in support)
11:40:23 AM Sen. Brodeur
11:40:34 AM Sen. Sharief
11:41:11 AM Sen. Brodeur
11:41:15 AM Sen. Garcia
11:41:44 AM Sen. Brodeur
11:42:19 AM S 56
11:42:24 AM Sen. Garcia
11:42:31 AM Sen. Brodeur