

<b>Tab 1</b>	<b>SB 2-C</b> by <b>Simon</b> ; (Similar to H 00001C) Disaster Relief
<b>Tab 2</b>	<b>SB 4-C</b> by <b>Collins</b> ; (Identical to H 00003C) Family Empowerment Scholarship Program
<b>Tab 3</b>	<b>SB 6-C</b> by <b>Calatayud</b> ; (Identical to H 00007C) Security Grants

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**FISCAL POLICY**  
**Senator Hutson, Chair**  
**Senator Stewart, Vice Chair**

**MEETING DATE:** Monday, November 6, 2023  
**TIME:** 11:30 a.m.—1:30 p.m.  
**PLACE:** *Pat Thomas Committee Room, 412 Knott Building*

**MEMBERS:** Senator Hutson, Chair; Senator Stewart, Vice Chair; Senators Albritton, Berman, Boyd, Burton, Calatayud, Collins, DiCeglie, Garcia, Jones, Mayfield, Osgood, Rodriguez, Simon, Thompson, Torres, Trumbull, Wright, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 2-C</b> Simon (Similar H 1-C)	Disaster Relief; Providing a tangible personal property assessment limitation, during a certain timeframe and in certain counties, for certain agricultural equipment rendered unable to be used due to Hurricane Idalia; providing a sales tax exemption for the purchase, within a certain timeframe and in certain counties, of certain fencing materials used to replace or repair fences damaged by Hurricane Idalia on agricultural lands; specifying a requirement for the Department of Financial Services in implementing the My Safe Florida Home Program; extending the date for future review and repeal of provisions related to the Florida Emergency Management Assistance Foundation, etc.  FP      11/06/2023 Favorable	Favorable Yeas 18 Nays 0
2	<b>SB 4-C</b> Collins (Identical H 3-C)	Family Empowerment Scholarship Program; Revising the number of certain students eligible to participate in the Family Empowerment Scholarship Program, etc.  FP      11/06/2023 Favorable	Favorable Yeas 18 Nays 0
3	<b>SB 6-C</b> Calatayud (Identical H 7-C)	Security Grants; Expanding the Nonprofit Security Grant Program to include additional organizations; revising eligibility criteria to be awarded a grant; requiring that certain rules be adopted by the Division of Emergency Management, etc.  FP      11/06/2023 Favorable	Favorable Yeas 18 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.)

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Prepared By: The Professional Staff of the Committee on Fiscal Policy

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BILL: SB 2-C

INTRODUCER: Senator Simon

SUBJECT: Disaster Relief

DATE: November 2, 2023

REVISED: 11/3/23

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ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Parsons	Yeatman	FP	<b>Favorable</b>

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**I. Summary:**

To mitigate the impacts of recent disasters affecting the state, SB 2-C does the following:

- Provides that certain agricultural equipment that was unable to be used for 60 days due to Hurricane Idalia would be assessed at salvage value on the 2024 property tax roll.
- Grants refunds of sales tax paid on fencing materials used to repair or replace farm fences on lands classified as agriculture and were damaged due to Hurricane Idalia.
- Grants refunds of sales tax paid on building materials used to repair or replace nonresidential farm buildings damaged as a result of Hurricane Idalia
- Grants refunds of motor fuel taxes used for agricultural shipments and debris removal after Hurricane Idalia.
- Funds applications current as of October 15 for the My Safe Florida Home program and directs the Department of Financial Services to stop taking applications when available funding is exhausted.
- Authorizes the Division of Emergency Management (DEM) to enter into agreements with eligible local governments impacted by Hurricane Idalia to provide funds for the non-federal share of the FEMA reimbursement program.
- Authorizes the Department of Commerce to extend loans made under the Local Government Emergency Revolving Bridge Loan program from 24 months to 5 years.
- Directs the Florida Housing Finance Corporation to use appropriated funds for the Hurricane Housing Recovery Program within eligible counties impacted by Hurricane Idalia and provides the activities for which funds may be used.
- Directs the DEM to provide grants and loans for hurricane repair and recovery projects within certain counties designated under the FEMA disaster declaration for Hurricane Idalia.
- Directs the Department of Transportation to fund transportation projects within fiscally constrained counties designated under the FEMA disaster declaration for Hurricane Idalia.
- Extends the prohibition on burdensome or restrictive local building processes enacted in the 2023 session in response to Hurricanes Ian and Nicole to October 1, 2026, and specifies that such restrictions apply to certain counties and the municipalities therein.

- Directs the DEM to provide planning and design grants to fiscally constrained counties designated in the FEMA disaster declaration for Hurricane Idalia for new facilities for emergency operations.
- Authorizes the Department of Commerce to award grants to fiscally constrained counties impacted by Hurricane Idalia under the Rural Infrastructure Fund.
- Creates the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program within the Department of Agriculture and Consumer Services (DACS) to provide low-interest or interest-free loans to agricultural producers that have experienced damage or destruction from a declared natural disaster.
- Authorizes the DACS to award cost sharing grants to assist timber landowners with site preparation and tree replanting in counties impacted by Hurricane Idalia.

For the 2023-2024 fiscal year, the bill appropriates:

- \$176,170,000 in nonrecurring funds from the General Revenue Fund to the DFS provide mitigation grants under the My Florida Safe Home Program for applications submitted on or before October 15, 2023, and \$5,280,100 in nonrecurring funds from the General Revenue fund for administrative costs for implementation of the mitigation grants.
- \$30 million in nonrecurring funds from the General Revenue Fund to the DEM to provide the required matching funds for Federal Emergency Management Agency (FEMA) Public Assistance grants related to Hurricane Idalia.
- \$25 million in nonrecurring funds from the Local Government Housing Trust Fund to the Florida Housing Finance Corporation for hurricane recovery purposes related to Hurricane Idalia.
- \$50 million in nonrecurring funds from the General Revenue Fund to the DEM to provide grants or loans for hurricane repair and recovery projects related to Hurricane Idalia.
- \$10 million in nonrecurring funds from the State Transportation Trust Fund to the Department of Transportation for transportation projects under the Small County Outreach Program for projects related to related to Hurricane Idalia.
- \$3 million in nonrecurring funds from the General Revenue Fund to the DEM to provide planning and design grants for new emergency operations facilities in fiscally constrained counties impacted by Hurricane Idalia.
- \$5 million in nonrecurring funds from the General Revenue Fund to the Department of Commerce for the Rural Infrastructure Fund for projects in fiscally constrained counties impacted by Hurricane Idalia.
- \$75 million in nonrecurring funds from the General Inspection Trust Fund within the DACS as fixed capital outlay for the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program after the sum is transferred from the General Revenue Fund into the General Inspection Trust Fund.
- \$37.5 million in nonrecurring funds from the General Revenue Fund to the DACS as fixed capital outlay to administer a cost-sharing grant program to assist timber landowners in eligible counties impacted by Hurricane Idalia.

See Section V., Fiscal Impact Statement, for Revenue Estimating Conference analyses on individual components of the bill.

The bill takes effect upon becoming a law.

## II. Present Situation:

### Hurricane Idalia

Hurricane Idalia made landfall on August 30, 2023, along the Florida Big Bend coast at Keaton Beach as a category 3 hurricane with maximum wind speeds of 125 mph.<sup>1</sup> The system remained a hurricane as it impacted a large swath of north Florida before crossing into Georgia as a category 2 hurricane.<sup>2</sup> Idalia was only the third major hurricane on record to make landfall in the Big Bend region and the strongest to make landfall since the Cedar Key hurricane in 1896.<sup>3</sup> Hurricane Idalia brought significant storm surge and riverine flooding on Florida's west coast, including a peak storm surge level of 8 feet at Steinhatchee and a 6.9 foot storm surge that devastated Cedar Key.<sup>4</sup> Other areas generally experienced flooding of 3 to 4 feet. Preliminary insured losses in Florida are estimated to be at least \$9.6 billion.<sup>5</sup>

Prior to landfall, on August 26, 2023, Governor DeSantis issued Executive Order 23-171, declaring a state of emergency for several counties due to the continuing recovery efforts from Hurricanes Ian and Nicole and the dangers of Invest 93L, which was predicted to develop and organize into a tropical storm as it moved over the Caribbean Sea and Gulf of Mexico.<sup>6</sup> Governor DeSantis requested a major disaster declaration for Hurricane Idalia on August 30, 2023, which was approved on August 31, 2023, making federal disaster assistance available for impacted Florida counties.<sup>7</sup>

### *Agricultural Losses Related to Hurricane Idalia*

Hurricane Idalia also had a significant impact on the agricultural production in the region. More than 3.3 million acres of Florida's agricultural lands were affected, of which almost 74 percent was grazing land.<sup>8</sup> The commodity groups most affected by the hurricane were animals and animal products and field and row crops. The University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS) predicts that agricultural losses from Hurricane Idalia will likely be between \$78.8 million and \$370.9 million.<sup>9</sup> Although UF/IFAS has attempted to provide a rapid assessment of agricultural production losses in the state, it notes that other losses may have been incurred by impacted agricultural producers and are not included in its assessment, including:

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<sup>1</sup> Emily Powell, Florida Climate Center, *Hurricane Idalia Preliminary Post-Storm Summary*, Sept. 7, 2023, (last visited Oct. 26, 2023).

<sup>2</sup> Christa D. Court, Xiaohui Qiao, Mengming Li, Kelsey McDaid, Food and Resource Economics Department, University of Florida, Institute of Food and Agricultural Sciences (UF/IFAS), *Preliminary Assessment of Agricultural Losses and Damages*

<sup>3</sup> *Supra* note 1.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> State of Florida Executive Order 23-175, available at <https://www.flgov.com/wp-content/uploads/2023/08/EO-23-175-1.pdf> (last visited Oct. 26, 2023).

<sup>7</sup> Executive Office of the Governor, *Governor Ron DeSantis Announces Approval of Florida's Major Disaster Declaration*, Aug. 31, 2023, available at <https://www.flgov.com/2023/08/31/governor-ron-desantis-announces-approval-of-floridas-major-disaster-declaration-2/> (last visited on Oct. 26, 2023). *See also*, Federal Emergency Management Administration, *President Joseph R. Biden, Jr. Approves Major Disaster Declaration for Florida*, Aug. 31, 2023, available at <https://www.fema.gov/press-release/20230831/president-joseph-r-biden-jr-approves-major-disaster-declaration-florida> (last visited on Oct. 26, 2023).

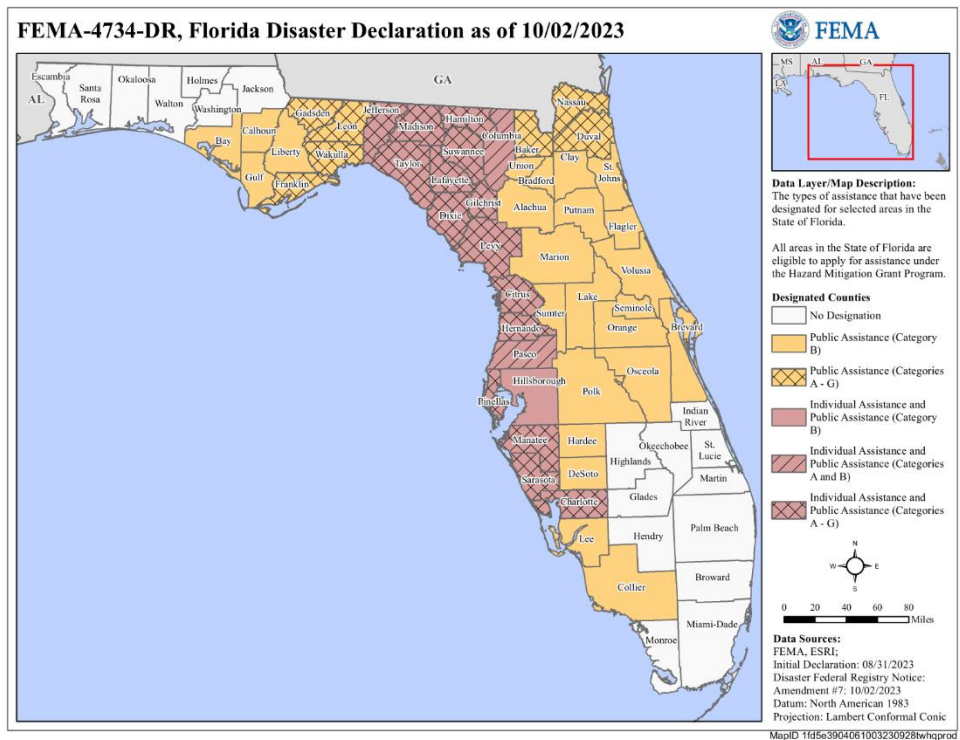
<sup>8</sup> *Supra* note 2.

<sup>9</sup> *Id.*

- Damage to agricultural-related infrastructure that will need to be repaired or replaced;
- Stored inputs, such as seeds and fertilizer, or stored harvested products that were damaged or destroyed;
- Expenses related to Hurricane Idalia-specific preparations ahead of the storm and clean-up after the storm;
- Production losses that may carry over to 2024 and beyond due to damages to infrastructure or other effects of the storm;
- Production losses for agricultural operations that specialize in post-harvest processing, packing, or distribution;
- Value of timber or forestry losses, which are being assessed by the Florida Forest Service; and
- Value of production losses to capture fisheries.

**Counties Designated for FEMA Assistance**

Below is the FEMA Florida Disaster Declaration map designating eligible counties for individual and public assistance.



The present situation for each issue in the bill is described below in Section III, Effect of Proposed Changes.

### III. Effect of Proposed Changes:

#### Present Situation:

##### **Taxation of Agricultural Property in Florida**

Counties, municipalities, school districts, and some special districts have the authority to levy ad valorem (“property”) taxes.<sup>10</sup> Property tax applies to real property and tangible personal property.

“Tangible personal property” means all goods, chattels, and other articles of value (not including vehicles) capable of manual possession and whose chief value is intrinsic to the article itself.<sup>11</sup> All tangible personal property is subject to ad valorem taxation unless expressly exempted.<sup>12</sup> Household goods and personal effects,<sup>13</sup> items of inventory,<sup>14</sup> and up to \$25,000 of assessed value for each tangible personal property tax return<sup>15</sup> are exempt from ad valorem taxation.

For purposes of ad valorem property taxation, agricultural equipment that is located on property classified as agricultural under s. 193.461, F.S., and is obsolete and no longer usable for its intended purpose is deemed to have a market value no greater than its value for salvage.<sup>16</sup>

#### Effect of Proposed Changes:

**Section 1** creates s. 193.4518, F.S., providing that tangible personal property owned and operated by a farm, farm operation, or agricultural processing facility in certain counties shall be deemed to have a market value no greater than its salvage value, provided the tangible personal property was unable to be used in the operation of the facility for at least 60 days due to the effects of Hurricane Idalia. This valuation will be effective only for the 2024 tax year and is limited to properties in Charlotte, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, Suwannee, or Taylor Counties.

The deadline to apply for this assessment is March 1, 2024. If the application is denied by the property appraiser, a petition may be filed with the value adjustment board to request the property be assessed according to this provision. The petition must be filed on or before the 25th day after the property appraiser mails the 2024 notice of assessment.

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<sup>10</sup> FLA. CONST. art VII, s. 9.

<sup>11</sup> Section 192.001(11)(d), F.S.

<sup>12</sup> Section 196.001(1), F.S.

<sup>13</sup> Section 196.181, F.S.

<sup>14</sup> Section 196.185, F.S.

<sup>15</sup> Section 196.183, F.S.

<sup>16</sup> Section 193.4615, F.S.

## **Present Situation:**

### **Sales Tax**

#### ***Florida Sales Tax***

Florida levies a 6 percent sales and use tax on the sale or rental of most tangible personal property,<sup>17</sup> admissions,<sup>18</sup> transient rentals,<sup>19</sup> and a limited number of services. In addition to the 6 percent sales tax, Florida law authorizes counties to levy discretionary sales surtaxes.<sup>20</sup> Sales tax is added to the price of the taxable good or service and collected from the purchaser at the time of sale. The sales and use tax accounted for approximately 75 percent of the state's General Revenue Fund in Fiscal Year 2022-2023.<sup>21</sup>

Chapter 212, F.S., contains provisions authorizing the levy and collection of Florida's sales and use tax, as well as the exemptions and credits applicable to certain items or uses under specified circumstances. There are currently more than 280 exemptions, exclusions, deduction, and credits from sales and use tax.<sup>22</sup>

#### ***Building Materials for Nonresidential Farm Buildings***

A "nonresidential farm building" is defined as any temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm under s. 553.73(10)(c), F.S., or that is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation or is classified as agricultural land under s. 193.461, F.S., and is not intended to be used as a residential dwelling.<sup>23</sup> The term includes barns, greenhouses, shade houses, farm offices, storage buildings, and poultry houses.

The sale of building materials used in the construction or repair of buildings and other projects is generally subject to the sales and use tax; however, a sale might be exempt depending upon how or where the materials are used or who makes the purchase.<sup>24</sup>

#### ***Fencing Materials used in Agriculture***

Current law exempts from the sales and use tax hog wire and barbed wire fencing, including gates and materials used to construct or repair such fencing, and materials used to construct or repair permanent or temporary fencing used to contain, confine, or process cattle, including gates and energized fencing systems if such fencing is used in agricultural operations on lands classified as agricultural lands under s. 193.461.<sup>25</sup> The purchaser or lessee must sign a certificate

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<sup>17</sup> Section 212.05(1)(a)1.a., F.S.

<sup>18</sup> Section 212.04(b), F.S.

<sup>19</sup> Section 212.03(1)(a), F.S.

<sup>20</sup> Section 212.055, F.S.

<sup>21</sup> Office of Economic and Demographic Research, *Revenue Estimating Conference Long-Term Revenue Analysis Volume 39*, Table 1.3, available at <http://edr.state.fl.us/Content/conferences/longtermrevenue/index.cfm/> (last visited Nov. 1, 2023).

<sup>22</sup> Office of Economic and Demographic Research, *Florida Tax Handbook (2023)*, at 171-176, available at <http://edr.state.fl.us/Content/revenues/reports/tax-handbook/taxhandbook2023.pdf> (last visited Nov. 1, 2023).

<sup>23</sup> Section 604.50(d), F.S.

<sup>24</sup> See s. 212.08, F.S..

<sup>25</sup> Section 212.08(5)(a), F.S.



stating that the item to be exempted is for the exclusive use which would qualify the purchaser for the exemption.

**Effect of Proposed Changes:**

**Section 2** exempts the purchase of fencing materials used in the repair or replacement of agricultural fencing that was damaged as a direct result of Hurricane Idalia from the sales and use tax. The exemption is available through a refund of previously paid taxes and applies to purchases made between August 30, 2023, and June 30, 2024.

The exempt fencing materials must be used to replace or repair fences located in Charlotte, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, Suwannee, or Taylor County that were damaged as a direct result of the impact of Hurricane Idalia.

To receive a refund, the owner of the fencing materials must apply to the Department of Revenue (DOR) by December 31, 2024, and include the following information:

- The name and address of the person claiming the refund;
- The address and assessment roll parcel number of the agricultural land where the fencing materials will be or were used;
- The sales invoice or other proof of purchase of the fencing materials, showing the amount of sales tax paid, the date of purchase, and the name and address of the dealer from whom the materials were purchased; and
- An affidavit executed by the owner of the fencing materials including a statement that the fencing materials were or will be used to repair fencing damaged as a direct result of the impact of Hurricane Idalia.

The bill provides for retroactivity to August 30, 2023, and authorizes the DOR to adopt emergency rules to implement this provision.

**Section 3** exempts the purchase of certain building materials<sup>26</sup> used to repair or replace nonresidential farm buildings that were damaged as a direct result of Hurricane Idalia from the sales and use tax. The exemption is available through a refund of previously paid taxes and applies to purchases made between August 30, 2023, and June 30, 2024. The exempt building materials are broadly defined as tangible personal property that becomes a component part of a nonresidential farm building.

The exempt building materials must be used to replace or repair nonresidential farm buildings in Charlotte, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, Suwannee, or Taylor County that were damaged as a direct result of the impact of Hurricane Idalia.

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<sup>26</sup> The bill defines “building materials” as tangible personal property that becomes a component part of a nonresidential farm building.

To receive a refund, the owner of the building materials must apply to the DOR by December 31, 2024, and include the following information:

- The name and address of the person claiming the refund;
- The address and assessment roll parcel number of the real property where the building materials will be or were used;
- The sales invoice or other proof of purchase of the building materials, showing the amount of sales tax paid, the date of purchase, and the name and address of the sales tax dealer from whom the materials were purchased; and
- An affidavit executed by the owner of the building materials including a statement that the building materials were or will be used to repair the nonresidential farm building damaged as a direct result of the impact of Hurricane Idalia.

The bill provides for retroactivity to August 30, 2023, and authorizes the DOR to adopt emergency rules to implement this provision.

### **Present Situation:**

#### **Refund of Fuel Taxes**

Motor fuel and diesel fuel are subject to state taxation pursuant to ch. 206, F.S. The tax rate is a combination of several state and local rates, and the revenue collected is distributed to various state trust funds and to local governments for revenue sharing purposes.<sup>27</sup> For 2021, the combined state tax rate is 26.5 cents per gallon.<sup>28</sup> In addition, diesel fuel may be subject to sales tax if such fuel is used in trade or business and not used upon the public highways of Florida.<sup>29</sup>

Current law exempts the sale or use of motor and diesel fuel for agricultural and aquacultural purposes;<sup>30</sup> however, agricultural and aquacultural purposes are generally defined to mean “used exclusively on a farm or for processing farm products on the farm,” and does not include fuel “used in any vehicle driven or equipment operated upon public highways of this state.”<sup>31</sup>

### **Effect of Proposed Changes:**

**Section 4** creates an exemption from state and local taxes imposed on motor fuel and diesel under parts I and II, ch. 206, F.S., for fuel that is used for the transportation of agricultural products from the farm or agricultural land to a facility used to process, package, or store the product; and for fuel that is used for hurricane debris removal. The exemption is limited to Charlotte, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, Suwannee, or Taylor counties.

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<sup>27</sup> Section 206.41, F.S.

<sup>28</sup> Revenue Estimating Conference, *Florida Tax Handbook (2023)*, pp. 131-136, available at: <http://edr.state.fl.us/Content/revenues/reports/tax-handbook/index.cfm>. (last visited Nov. 1, 2023).

<sup>29</sup> Section 212.0501, F.S.

<sup>30</sup> Sections 206.41(4)(c), 206.64, 206.874(2)-(3), and 212.0501, F.S.

<sup>31</sup> Section 206.41(4)(c)2. The restriction does not apply to fuel used on highways to move equipment from one farm to another. *Id.*

The exemption is available through a refund of previously paid taxes and applies to purchases made between August 30, 2023, and June 30, 2024. Excluded from this exemption are the “constitutional fuel tax” levied under s. 9(c), Art. XII of the 1968 State Constitution, and the 0.125 cents per gallon levied to defray expenses for motor fuel inspection, testing, and analysis by the Department of Agriculture and Consumer Services.<sup>32</sup>

To receive a refund, the fuel purchaser must apply to the DOR by December 31, 2024, and include the following information:

- The name and address of the person claiming the refund.
- The name and address of up to three owners of a farm or agricultural land whose agricultural product was shipped by the fuel purchaser.
- The sales invoice or other proof of purchase of the fuel, showing the number of gallons of fuel purchased, the type of fuel purchased, the date of purchase, and the name and place of business of the dealer from whom the fuel was purchased.
- The license number, or other identification number, of the motor vehicle that used the exempt fuel.
- An affidavit executed by the fuel purchaser including a statement that he or she purchased and used the fuel in a manner that qualifies for this exemption.

The bill provides for retroactivity to August 30, 2023, and authorizes the DOR to adopt emergency rules to implement this provision.

### **Present Situation:**

#### **My Safe Florida Home Program**

In 2006, the Legislature created the My Safe Florida Home (MSFH) Program within the Department of Financial Services (DFS), with the intent that the program provide trained and certified inspectors to perform inspections for owners of site-built, single-family, residential properties (mitigation inspections), and grants to eligible applicants, subject to funding availability.<sup>33</sup> The original appropriation in 2006 was \$250 million for a period not to exceed three years with any unused appropriated funds reverting to the state on June 30, 2009.<sup>34</sup> While the MSFH program was never repealed from law, additional funding was not appropriated until May 2022.<sup>35</sup>

During the 2022D Special Session, the Legislature passed a property insurance bill (SB 2-D),<sup>36</sup> in which it revised the program and renewed the funding for the MSFH program by appropriating \$150 million in nonrecurring funds from the General Revenue Fund to the DFS for the MSFH program for the 2022-2023 fiscal year.<sup>37</sup> The funds appropriated were allocated as follows:

- \$115 million for mitigation grants.

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<sup>32</sup> Sections 206.41(1)(a) and (h), F.S.

<sup>33</sup> S. 215.5586, F.S.

<sup>34</sup> Chapter 2006-12 L.O.F.

<sup>35</sup> Chapter 2022-268 L.O.F.

<sup>36</sup> Chapter 2022-271, L.O.F.

<sup>37</sup> *Id.*

- \$25 million for hurricane mitigation inspections.
- \$4 million for education and consumer awareness.
- \$1 million for public outreach for contractors and estate brokers and sales associates.
- \$5 million for administrative costs.

During the 2023 Regular Session, the Legislature extended the MSFH program to include homes insured up to \$700,000, increased the overall grant award for low-income recipients from \$5,000 to \$10,000, and removed geographic requirements that eligible homes be located in the wind-borne debris region, making it a statewide program.<sup>38</sup> The program is currently paused as applications have greatly exceeded the amount of funding available.<sup>39</sup> The 2023-2024 General Appropriations Act included an additional appropriation of \$100 million for the program.<sup>40</sup>

### **Effect of Proposed Changes:**

**Section 5** directs DFS to stop taking applications that exceed the amount of available funding.

**Section 6** appropriates \$176,170,000 in nonrecurring funds from the General Revenue Fund to the DFS for mitigation grants under the MSFH program for applications submitted on or before October 15, 2023. This section also appropriates \$5,285,100 in nonrecurring funds from the General Revenue Fund to the DFS for administrative costs related to the MSFH program.

### **Present Situation:**

#### **FEMA Public Assistance Grant Program**

The Federal Emergency Management Agency (FEMA) Public Assistance (PA) Grant Program provides funding to states, tribes, local governments and certain types of private nonprofit organizations to assist them in responding to and recovering from presidentially-declared major disasters or emergencies. PA is intended to supplement state and local resources when an incident exceeds their ability to respond and recover. PA is only available after the President declares an emergency or major disaster upon request by the governor of the affected state. Preliminary damage assessments by FEMA, in collaboration with state, local, and tribal governments, are used to determine if the estimated cost of assistance exceeds certain thresholds and whether PA should be authorized. In Florida, once PA is authorized, the Florida Division of Emergency Management (DEM) becomes the primary PA grant recipient. State, tribal, and local governments, as well as eligible nonprofit entities, may then apply for funding as “applicants.” Applicants must submit a request for grant funds to the DEM, which evaluates eligibility for PA with FEMA.<sup>41</sup>

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<sup>38</sup> Chapter 2023-176 L.O.F.

<sup>39</sup> Department of Financial Services, *My Safe Florida Home Program*, available at <https://mysafeflhome.com> (last visited Oct., 26, 2023).

<sup>40</sup> Specific Appropriation 2368A, ch. 2023-239, Laws of Fla.

<sup>41</sup> Congressional Research Service, *A Brief Overview of FEMA’s Public Assistance Program*, available at: <https://crsreports.congress.gov/product/pdf/IF/IF11529> (last visited Oct. 30, 2023).

PA funds are categorized broadly as either “emergency work” or “permanent work.” Within those two broad categories are separate sub-categories. Emergency work<sup>42</sup> (Categories A and B) may be authorized under an emergency or major disaster declaration. It includes efforts undertaken to save lives and protect property and public health and safety, or to lessen or avert an immediate threat of additional damage. Permanent work<sup>43</sup> (Categories C–G) may only be authorized under a major disaster declaration. It includes efforts to repair, restore, reconstruct, or replace disaster-damaged public and eligible private nonprofit facilities.<sup>44</sup>

### *PA Cost-Sharing*

PA funding is subject to a cost-share, of which the federal share may not be less than 75 percent of the eligible costs.<sup>45</sup> The federal cost share may be increased beyond 75 percent in limited circumstances, and for limited periods of time, if warranted.<sup>46</sup>

Florida Statutes provides that in cases where the state accepts federal assistance under the PA Program, and such assistance requires matching funds, the state will provide the full match requirement for state agencies and one-half of the required match for local governments.<sup>47</sup> However, eligible private non-profits are responsible for the entire required match.

In cases of hardship, local governments can apply to the Governor for a partial or complete waiver of the required match amount if the local government applies within the first 18 months a disaster is declared.<sup>48</sup>

In December 2022, the Legislature appropriated \$350 million to the DEM to provide the federal match requirement for FEMA PA grants for eligible local governments impacted by Hurricane Ian.<sup>49</sup>

For Hurricane Idalia, FEMA approved 100 percent reimbursement for 30 days for work in Category A (debris removal) from September 4 until October 3 and Category B (emergency protective measures) from August 27 until September 25. The DEM requested a 30-day extension for the coverage of the Category A (debris removal) expenditures that is current under consideration for approval by FEMA.<sup>50</sup>

<sup>42</sup> The performance period for emergency work is normally within 6 months after the presidential declaration, unless extended.

<sup>43</sup> The performance period for permanent work is normally within 18 months after the presidential declaration, unless extended.

<sup>44</sup> FEMA, *Public Assistance Program and Policy Guide*, Version 4, p. 140, available at:

[https://www.fema.gov/sites/default/files/documents/fema\\_pappg-v4-updated-links\\_policy\\_6-1-2020.pdf](https://www.fema.gov/sites/default/files/documents/fema_pappg-v4-updated-links_policy_6-1-2020.pdf) (last visited Oct. 30, 2023).

<sup>45</sup> *Supra* note 27 at p. 25.

<sup>46</sup> *Id.*

<sup>47</sup> Section 252.37(5)(a), F.S.

<sup>48</sup> Section 252.37(5)(b), F.S.

<sup>49</sup> Chapter 2022-272 Laws of Fla.

<sup>50</sup> FEMA letter to DEM, *Re: Florida Division of Emergency Management Request, Dated September 22, 2023, To Designate Timeframe of September 4, 2023, to October 3, 2023, In Accordance With the FEMA-4734-DR-FL Declaration*, (October 31, 2023). FEMA letter to DEM, *Re: Florida Division of Emergency Management Request, Dated September 20, 2023, To Designate Timeframe of August 27 to September 25, 2020, In Accordance With the FEMA-4734-DR-FL*

**Effect of Proposed Changes:**

**Section 7** creates s. 252.37(5)(d), F.S., to provide that subject to appropriation, the Legislature intends to provide the entire match requirement for FEMA Public Assistance to local governments within counties designated for eligible for individual assistance and public assistance (Categories A-G) under the disaster declaration for Hurricane Idalia on a first-come, first-served basis. To qualify, local governments must enter into agreements with the division to have their match requirements waived and must agree to use an equal amount of funds toward further disaster recovery or mitigation.

The DEM must report quarterly to the Governor and the chair of each legislative appropriations committee on the amount of match requirement waived, agreements entered into with local governments, and the amount of remaining funds available.

This provision expires June 30, 2028.

**Section 8** appropriates \$30 million in nonrecurring funds from the General Revenue Fund to the DEM to provide the federal match requirement for FEMA Public Assistance Program grants for local governments under s. 252.37(5)(d), F.S., as created in the bill. The balance of this appropriation which is not disbursed by June 30, 2024, may be carried forward for up to 5 years after the effective date of the bill.

**Present Situation:****Florida Emergency Management Assistance Foundation**

The Florida Emergency Management Assistance Foundation was created by the Legislature in December 2022 as a direct-support organization of the DEM.<sup>51</sup> The foundation is charged with providing assistance, funding, and support to DEM in its disaster response, recovery, and relief efforts for natural emergencies. The foundation is currently operating under the name “Florida Disaster Foundation.”<sup>52</sup> The foundation operates pursuant to a contract with the DEM.

The foundation is governed by a board of directors of five Florida citizen members appointed by the director of DEM for up to two terms of 3 years. A majority of members must be knowledgeable about emergency management activities and programs, and geographic representation must be considered in their selection. Currently the foundation has three board

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*Declaration*, (October 24, 2023). DEM letter to FEMA, *RE: Request for Cost Share Extension (Category A) DR-4734-FL Hurricane Idalia*, (October 11, 2023).

<sup>51</sup> Section 252.71, F.S. Chapter 2022-272, Laws of Fla. See also Document No. N23000006094 on the Department of State corporate filing website for more information, available at [sunbiz.org](https://sunbiz.org).

<sup>52</sup> See foundation website available at <https://www.floridadisasterfoundation.org/> (last visited Nov. 1, 2023).

members appointed in May 2023 as an initial board.<sup>53</sup> The first public meeting of the board of the foundation will be December 5, 2023.<sup>54</sup>

The authority for the foundation is repealed December 31, 2024, unless reviewed and saved from repeal by the Legislature.

### **Effect of Proposed Changes:**

**Section 9** extends the expiration date for the foundation to October 1, 2027.

### **Present Situation:**

#### **Local Government Emergency Revolving Bridge Loan Program**

During the 2023B legislative session, the Legislature created s. 288.066, F.S., to establish the Local Government Emergency Response Bridge Loan within the Department of Economic Opportunity (hereinafter Department of Commerce)<sup>55</sup> to provide financial assistance to local governments impacted by Hurricane Ian or Hurricane Nicole.<sup>56,57</sup> The purpose of the loan program is to assist these local governments in maintaining operations by bridging the gap between the time that the declared disaster occurred and the time that additional funding sources or revenues are secured to provide financial assistance.<sup>58</sup> The bill appropriated \$50 million to the department for the program.

During the 2023 legislative session, the Legislature amended s. 288.066, F.S., to require the Local Government Emergency Bridge Loan Program to become a revolving program and make funds available for local governments impacted by federally declared disasters until July 1, 2038. The program was also renamed the Local Government Emergency Revolving Bridge Loan Program.<sup>59</sup>

The Legislature also appropriated an additional \$50 million in nonrecurring funds from the General Revenue Fund to the Economic Development Trust Fund of the Department of Commerce for the bridge loan program.<sup>60</sup> Any funds from the original appropriation that had not been loaned to a local government pursuant to a loan agreement as of July 1, 2023, were

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<sup>53</sup> DEM, *Executive Director Kevin Guthrie Appoints Three to the Florida Emergency Management Assistance Foundation*, (May 5, 2023), available at <https://www.floridadisaster.org/news-media/news/20230505-executive-director-kevin-guthrie-appoints-three-to-the-florida-emergency-management-association-foundation/> (last visited Nov. 1, 2023).

<sup>54</sup> Notice of Meeting, Florida Emergency Assistance Foundation, available at <https://www.floridadisasterfoundation.org/globalassets/public-notice-for-femaf-board-meeting-20231205.pdf> (last visited Nov. 1, 2023).

<sup>55</sup> Department of Economic Opportunity was renamed Department of Commerce in 2023, *see* Chapter 2023-173 L.O.F.

<sup>56</sup> Chapter 2023-1 L.O.F.

<sup>57</sup> The following local governments have availed themselves of the Local Government Emergency Bridge Loan Program as of October, 2023: City of Sanibel; Lee County; City of Fort Myers Beach; City of Bonita Springs; and City of Crystal River. Department of Commerce, Press Release, Aug. 24, 2023, available at <https://www.floridajobs.org/news-center/DEO-Press/2023/08/24/deadline-approaching-for-hurricane-ian-and-nicole-impacted-communities-to-apply-for-funding-available-through-the-local-government-emergency-revolving-bridge-loan-program> (last visited Oct. 31, 2023).

<sup>58</sup> *Id.*

<sup>59</sup> Section 288.066, F.S.

<sup>60</sup> Chapter 2023-304 L.O.F.

transferred to the Economic Development Trust Fund to be used for the Local Government Emergency Revolving Bridge Loan Program. Lastly, all loans made pursuant to the existing Local Government Emergency Bridge Loan Program must be repaid into the Economic Development Trust Fund and be made available for loans under the revolving loan program.<sup>61</sup>

### **Effect of Proposed Changes:**

**Section 10** amends s. 288.066(3)(c), F.S., to extend the loan term to up to five years. Currently the term of the loan is 24 months. However, the department may extend the loan for up to 6 months based on the local government's financial condition.

**Section 11** authorizes the Department of Commerce to amend previously executed agreements to be allow for a loan term of five years from the original date of execution, upon request of the local government.

### **Present Situation:**

#### **State Housing Initiative Program for Hurricane Idalia Impacted Counties**

Following the 2004 hurricane season, a statewide Hurricane Housing Work Group was created to recommend how best to leverage funding recommended by the Governor for hurricane housing recovery needs. The work group recommended, and the Legislature subsequently funded, the Hurricane Housing Recovery Program (HHRP) and the Rental Recovery Loan Program (RRLP).<sup>62</sup>

SHIP dollars may be used to fund emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-downs, acquisition of property for affordable housing, matching dollars for federal housing grants and programs, and homeownership counseling. SHIP funds may be used to assist units that meet the standards of ch. 553, F.S.<sup>63</sup>

Additionally, related to recovery from emergencies, s. 420.9073(5), F.S., authorizes the FHFC to withhold up to \$5 million of the total amount distributed each fiscal year from the Local Government Housing Trust Fund to provide additional funding to counties and eligible municipalities where a state of emergency has been declared by the Governor. Following Hurricane Ian, the FHFC awarded the \$5 million set aside to local SHIP offices in areas hardest hit by Hurricane Ian to assist residents in several Southwest Florida counties to pay home insurance deductibles.<sup>64</sup>

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<sup>61</sup> Section 288.066, F.S.

<sup>62</sup> See FHFC, *2006 Annual Report*, p. 40 and 42, available at [https://www.floridahousing.org/docs/default-source/data-docs-and-reports/annual-reports/2006AR\\_SpreadsPDFweb.pdf](https://www.floridahousing.org/docs/default-source/data-docs-and-reports/annual-reports/2006AR_SpreadsPDFweb.pdf) (last visited Oct. 27, 2023).

<sup>63</sup> Florida Housing Finance Corporation, *State Housing Initiatives Partnership*, available at <https://www.floridahousing.org/programs/special-programs/ship---state-housing-initiatives-partnership-program> (last visited Oct. 31, 2023)

<sup>64</sup> Governor Ron DeSantis Announces Support for Ian-Impacted Homeowners Insurance Deductibles, *News Releases*, available at <https://www.flgov.com/2022/10/22/governor-ron-desantis-announces-support-for-ian-impacted-homeowners-insurance-deductibles/> (last visited Oct. 30, 2023).



**Effect of Proposed Changes:**

**Section 12** appropriates \$25 million from the Local Government Housing Trust Fund to the Florida Housing Finance Corporation for hurricane recovery purposes through the Hurricane Housing Recovery program. The funds shall be administered to eligible counties and municipalities based on Hurricane Idalia FEMA damage assessment data and population.

Hurricane recovery purposes includes, but is not limited to:

- Site preparation, demolition, repair, and replacement of housing;
- Repair, replacement and relocation assistance for manufactured homes;
- Acquisition of building materials for home repair and construction;
- Assistance to homeowners to pay insurance deductibles;
- Down payment assistance; and
- Housing reentry assistance, such as security deposits, utility deposits, and temporary storage of household furnishings.

The Florida Housing Finance Corporation is directed to coordinate with the DEM to ensure benefits are not duplicated.

**Present Situation:****DEM Hurricane Recovery Grant Program**

The Division of Emergency Management coordinates with the federal government, state agencies, local governments, and private entities to respond to and recovery from a declared disaster.<sup>65</sup> In this coordination, including as discussed above reviewing local governments' Public Assistance requests to FEMA, the DEM has a broad perspective of the activities undertaken in relation to an event.

In the 2019-2020 General Appropriations Act, the Legislature appropriated \$25 million from general revenue to the DEM to administer a hurricane recovery grant program to assist local governments with mitigation, repair, and other recovery activities related to Hurricane Michael. In addition to project funding appropriated within the General Appropriations Act and local government reimbursement and grant requests to FEMA, the DEM was authorized to provide grants using this funding for projects where there were insufficient federal funds, private funds, or insurance proceeds available to conduct the project.<sup>66</sup> A similar program was funded in the 2023-2024 General Appropriations Act for grants for recovery work related to Hurricanes Ian and Nicole.<sup>67</sup>

**Effect of Proposed Changes:**

**Section 13** appropriates \$50 million in nonrecurring funds from the General Revenue Fund for the 2023-2024 fiscal year to the DEM to provide grants or loans for hurricane repair or recovery projects within counties designated for individual assistance and public assistance (Categories A-G) in the FEMA disaster declaration for Hurricane Idalia.

<sup>65</sup> Section 252.35, F.S.

<sup>66</sup> Specific Appropriation 2645A, ch. 2019-115, Laws of Fla.

<sup>67</sup> Specific Appropriation 2676A, ch. 2023-239, Laws of Fla.

The DEM is authorized to provide funding to local governments, independent special districts and school boards, including charter schools, to fund gaps in:

- Mitigation of local and county revenue losses and operating deficits;
- Infrastructure repair and replacement, including road, sewer and water facilities;
- Beach renourishment;
- Debris removal; and
- Dredging of public waterways.

Except for projects in fiscally constrained counties, local governments requesting funding for infrastructure repair, dredging of public waterways, or beach renourishment projects must secure matching funds of at least 50 percent of the project cost. Additionally, applicants must certify to the DEM in the application that the funding is necessary to maintain services or infrastructure essential to support health, safety, and welfare functions; funding is necessary to reimburse the applicant for unanticipated expenses related to the respond to Hurricane Idalia; and insufficient funds are available to the applicant to do the projects and should funds become available the applicant would reimburse the state.

The DEM is directed to coordinate with other state agencies to ensure there is no duplication of benefits between these funds and other sources. The DEM is authorized to provide grants to projects which are ineligible under other state and federal programs. Approved applications for projects which are eligible for funding from other services, must be provided as loans which must be repaid up to the amount of the other funding received. The applicant must reimburse the state if other funds subsequently become available to meet the need of the original application. Any funds reimbursed to the state must be deposited in the General Revenue Fund.

### **Present Situation:**

#### **Small County Outreach Program**

The Small County Outreach Program under the Department of Transportation (DOT) assists small county governments in repairing or rehabilitating county bridges, paving unpaved roads, addressing road-related draining improvements, resurfacing or reconstructing county roads, or constructing capacity or safety improvements to county roads.<sup>68</sup> Under the program, the DOT funds 75 percent of the cost of eligible projects.<sup>69</sup>

### **Effect of Proposed Changes:**

**Section 14** appropriates \$10 million in nonrecurring funds from the State Transportation Trust Fund to the DOT for transportation projects under the Small County Outreach program within counties designated for individual assistance and public assistance (Categories A-G) in the FEMA disaster declaration for Hurricane Idalia.

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<sup>68</sup> Section 339.2812, F.S.

<sup>69</sup> Section 339.2812(4)(a), F.S.

## **Present Situation:**

### **Community Planning**

The Community Planning Act provides counties and municipalities with the power to plan for future development by adopting comprehensive plans.<sup>70</sup> Each county and municipality must maintain a comprehensive plan to guide future development.<sup>71</sup>

All development, both public and private, and all development orders approved by local governments must be consistent with the local government's comprehensive plan.<sup>72</sup> A comprehensive plan is intended to provide for the future use of land, which contemplates a gradual and ordered growth, and establishes a long-range maximum limit on the possible intensity of land use.

A locality's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments. A comprehensive plan is made up of 10 required elements, each laying out regulations for a different facet of development.<sup>73</sup>

A comprehensive plan is implemented through the adoption of land development regulations<sup>74</sup> that are consistent with the plan, and which contain specific and detailed provisions necessary to implement the plan.<sup>75</sup> Such regulations must, among other prescriptions, regulate the subdivision of land and the use of land for the land use categories in the land use element of the comprehensive plan.<sup>76</sup> Substantially affected persons have the right to maintain administrative actions which assure that land development regulations implement and are consistent with the comprehensive plan.<sup>77</sup>

Development that does not conform to the comprehensive plan may not be approved by a local government unless the local government amends its comprehensive plan first. State law requires a proposed comprehensive plan amendment to receive two public hearings, the first held by the local planning board, and subsequently by the governing board.<sup>78</sup>

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<sup>70</sup> Section 163.3167(1), F.S.

<sup>71</sup> Section 163.3167(2), F.S.

<sup>72</sup> Section 163.3194(3), F.S.

<sup>73</sup> Section 163.3177(6), F.S. The 10 required elements include capital improvements; future land use plan; transportation; general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge; conservation; recreation and open space; housing; coastal management; intergovernmental coordination; and property rights. Throughout statutes exist plans and programs that may be added as optional elements.

<sup>74</sup> "Land development regulations" means ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land, except that this definition does not apply in s. 163.3213, F.S. See s. 163.3164(26), F.S.

<sup>75</sup> Section 163.3202, F.S.

<sup>76</sup> *Id.*

<sup>77</sup> Section 163.3213, F.S.

<sup>78</sup> Sections 163.3174(4)(a) and 163.3184, F.S.

### ***Development Permits and Orders***

The Community Planning Act defines "development" as "the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels."<sup>79</sup> When a party wishes to engage in development activity, they must seek a development permit from the appropriate local government having jurisdiction. Under the Community Planning Act, a development permit includes "any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land."<sup>80</sup> Once a local government has officially granted or denied a development permit, the official action constitutes a development order.<sup>81</sup> A development order vests certain rights related to the land.<sup>82</sup>

### ***Restrictions on Local Building Restrictions Following Hurricanes Ian and Nicole***

Following the 2022 hurricane season, the Legislature passed a hurricane resiliency bill (SB 250)<sup>83</sup> that, in part, provided that a local government, located within 100 miles of where Hurricane Ian or Hurricane Nicole made landfall, shall not adopt more restrictive or burdensome procedures to its comprehensive plan or land development regulations concerning the review, approval or issuance of a site plan, development permit, or development order, or propose any such adoption of amendment before October 1, 2024.

### **Effect of Proposed Changes:**

**Section 15** of the bill extends the prohibition on building restrictions enacted in ch. 2023-304, Laws of Florida, to October 1, 2026. The 100 mile radius restriction is removed and the bill subjects the following counties and municipalities located therein to the prohibition of the adoption of more restrictive or burdensome procedures to comprehensive plan or land development regulations: Charlotte, Collier, Desoto, Glades, Hardee, Hendry, Highlands, Lee, Manatee, and Sarasota.

### **Present Situation:**

#### **Funding for New Emergency Operations Centers**

Section 252.38, F.S., charges counties and applicable municipalities with "establish[ing] and maintain[ing] such an emergency management agency and develop[ing] a county emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program."<sup>84</sup> Additionally, among other related authority, political subdivisions are directed to establish emergency operating centers to provide continuity of government and direction and control of emergency operations.<sup>85</sup>

<sup>79</sup> Section 163.3164(14), F.S.

<sup>80</sup> *Id.* at (16).

<sup>81</sup> *See id.* at (15).

<sup>82</sup> *See s.* 163.3167(3), F.S.

<sup>83</sup> Section 14, ch. 23-304, Laws of Fla.

<sup>84</sup> Section 252.38(1)(a), (2), F.S.

<sup>85</sup> Section 252.38(3)(a)(3), F.S.

**Effect of Proposed Changes:**

**Section 16** appropriates \$3 million in fixed capital outlay from general revenue to the DEM for facility planning and design grants for the following fiscally constrained counties impacted by Hurricane Idalia: Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Suwannee, and Taylor.<sup>86</sup> Eligible counties may apply for a grant to be used for engineering, planning, and design services. The DEM must prioritize applications for grants that will fund public safety complexes, combining emergency operations, fire or police services, emergency medical services, or dispatch in one facility. Lastly, the DEM must grant awards based on greatest need and conduct assessments, considering:

- The current condition of the structures;
- Whether the current structures are aged or appropriately hurricane rated for the geographic location or proposed site;
- The need for a consolidated and updated facility; and
- The ability to expand the facility in the future based on need.

**Present Situation:****Rural Infrastructure Fund for Impacted Counties**

The Rural Infrastructure Fund is a grant program created to facilitate the planning, preparing, and financing of infrastructure projects in rural communities.<sup>87</sup> The program funds infrastructure project grants, infrastructure feasibility grants, and preclearance review grants.

The Department of Commerce may award grants for up to 75 percent of the total infrastructure project costs or up to 100 percent of the total infrastructure project cost for a project located in a rural community that is also located in a fiscally constrained county or rural area of opportunity.<sup>88</sup> Additionally, projects may include improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth or reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities.

Eligible uses of funds include improvements to public infrastructure for industrial or commercial sites, upgrades to or development of public tourism infrastructure, infrastructure feasibility studies, or surveys and other activities related to the identification and preclearance review of land for infrastructure projects. Infrastructure can include public or public-private partnership facilities, like stormwater systems, telecommunication, roads, and nature-based tourism.<sup>89</sup>

A total of \$25 million in funding was made through the Rural Infrastructure Fund for Fiscal Year 2023-2024. Twenty million was available for eligible rural communities statewide and an additional \$5 million was available specifically for inland Florida Panhandle counties.<sup>90</sup>

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<sup>86</sup> Hurricane Idalia impacted ten fiscally constrained counties: Columbia; Dixie; Gilchrist; Hamilton; Jefferson; Lafayette; Levy; Madison; Suwannee; and Taylor.

<sup>87</sup> See s. 288.0655, F.S.

<sup>88</sup> See also s. 288.0656, F.S., for the definition of rural community and rural area of opportunity.

<sup>89</sup> *Id.*

<sup>90</sup> Specific Appropriation 2324, ch. 2023-239, Laws of Fla.

**Effect of Proposed Situation:**

**Section 17** amends s. 288.0655, F.S., to authorize the Department of Commerce to award grants to fiscally constrained counties impacted by Hurricane Idalia for the purpose of planning, preparing, and financing infrastructure projects.<sup>91</sup> Such eligible projects include:

- Roads other remedies to transportation impediments;
- Stormwater systems;
- Water or wastewater facilities; and
- Telecommunications.

Under the bill, these changes expire July 1, 2024.

**Section 18** appropriates \$5 million in Fixed Capital Outlay from the General Revenue Fund to the Department of Commerce to fund the Rural Infrastructure Fund projects for fiscally constrained counties impacted by Hurricane Idalia.

**Present Situation:****Agricultural Economic Development Program**

In 2000 the Legislature created the Agricultural Economic Development Program,<sup>92</sup> which provides loans to farmers who experienced losses due to natural disasters or socioeconomic events or conditions.<sup>93</sup> Loan funds may be used to restore or replace essential physical property or remove debris from essential physical property, pay all or part of production costs associated with the disaster year, pay essential family living expenses, and restructure farm debts.<sup>94</sup>

To be eligible for the program, agricultural producers must have a parcel or parcels of land not exceeding 300 acres<sup>95</sup> and funds may be issued as direct loans or as loan guarantees for up to 90 percent of the total loan, in amounts between \$30,000 and \$300,000.<sup>96</sup> Applicants must provide at least 10 percent equity.<sup>97</sup>

The following crops are eligible for the emergency loan program:<sup>98</sup>

- Crops grown for human consumption;
- Crops planted and grown for livestock consumption, including, but not limited to, grain, seed, and forage crops;
- Crops grown for fiber, except for trees; and
- Specialty crops, such as seafood and aquaculture.<sup>99</sup>

<sup>91</sup> The fiscally constrained counties are Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Suwannee, and Taylor.

<sup>92</sup> Ch. 2000-308, s. 26, Laws of Fla. (creating s. 570.249, F.S., effective June 16, 2000).

<sup>93</sup> Section 570.82(1)(a), F.S.

<sup>94</sup> *Id.*

<sup>95</sup> Section 570.82(1)(b), F.S.

<sup>96</sup> Section 570.82(1)(c), F.S.

<sup>97</sup> *Id.*

<sup>98</sup> Section 570.82(2), F.S.

<sup>99</sup> *Id.*

In order to qualify for a loan the applicant must:

- Submit an application to the Department of Agriculture and Consumer Services (DACS) within 90 days after the date of the natural disaster or socioeconomic condition or event occurs or the crop damage becomes apparent;
- Be a citizen of the United States and a bona fide resident of the state;
- Demonstrate the need for economic assistance; and
- Demonstrate that he or she has the ability to repay the loan.<sup>100</sup>

All loans must be secured and a first lien is required on all property acquired, produced, or refinanced with loan funds.<sup>101</sup> The specific type of collateral required may vary depending upon the loan purpose, repayment ability, and the particular circumstances of the applicant.<sup>102</sup>

The term of the loans for crops, livestock, and non-real-estate losses are up to 7 years, or, in special circumstances, up to 20 years, and loans for physical losses to real estate building have a term of up to 30 years.<sup>103</sup> The program requires borrowers to return to conventional credit sources when they are financially able.<sup>104</sup>

The statute also authorizes DACS to establish a grant program to provide aid to agribusinesses to assist in market development. The statute, including the loan program, has never been funded by the Legislature and no loans have been made.

### **Effect of the Proposed Changes:**

#### ***Agricultural Economic Development Program***

**Section 19** repeals s. 570.82, F.S., relating to the Agricultural Economic Development Program.

#### ***Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program***

**Section 20** creates s. 570.822, F.S., to establish the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program as a revolving loan program with the DACS to provide financial assistance to agriculture and aquaculture producers that have experienced damage or destruction from a declared natural disaster.

Under the program, the DACS will make low-interest or interest-free loans of up to \$500,000 to eligible applicants. An approved applicant may receive no more than one loan per declared disaster, two loans per year in disaster loans, and five loans within any 3-year period. The term of each loan is 10 years.

The bill authorizes loan funds to be used for the restoration, repair, or replacement of essential physical property or the removal vegetative debris from essential physical property. If loan

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<sup>100</sup> Section 570.82(4), F.S.

<sup>101</sup> Section 570.82(5), F.S.

<sup>102</sup> *Id.*

<sup>103</sup> Section 570.82(6), F.S.

<sup>104</sup> *Id.*

funds are used to construct a building or structure, it must comply with the storm-hardening standards for nonresidential farm buildings<sup>105</sup> as adopted by the DACS by rule.<sup>106</sup>

To be eligible, an applicant must own or lease a bona fide farm operation that is located in a county named in a declared natural emergency and that was damaged or destroyed as a result of such declared natural emergency. The bill defines a “bona fide farm operation” to mean a farm operation engaged in the a good faith commercial agricultural use of land on land classified as agricultural pursuant to s. 193.461, F.S., or on sovereign submerged land that is leased to the applicant by the DACS pursuant to s. 597.010, F.S., and that produces agricultural products within the definition of agriculture under s. 570.02, F.S.<sup>107</sup>

The eligible applicant must also:

- Maintain complete and acceptable farm records, pursuant to criteria published by the DACS, and present them as proof of the production levels and bona fide farm operations;
- Demonstrate a need for financial assistance; and
- Demonstrate an ability to repay the loan or meet a standard credit rating, as determined by the DACS.

When a natural disaster is declared pursuant to s. 252.36, F.S., the DACS shall determine if funds are available to make loans, whether from a specific appropriation or availability of funds due to repayments. The DACS will notice an application period for the loan program within 60 days after the date of a declared natural disaster. The application period runs for up to one year or until all available loan funds are exhausted, whichever occurs first.

The bill requires the DACS to enter into a written agreement with an approved applicant which details the terms and conditions of the loan, including a condition that the loan is due upon the sale of the property or if other collateral for the property is sold. The bill provides that a loan issued under the loan program is not assumable. An approved applicant must also agree to stay in production for the duration of the loan term. The DACS may periodically review an approved applicant to confirm whether the applicant is in compliance with the conditions and terms of the loan agreement. If it is found that the applicant is no longer in production or has violated the terms of the loan agreement, the DACS may seek the repayment of the entire loan, including any interests or costs, and excluding any applied or anticipated reduction of the original principal balance.

The bill requires all loans to be secured by a first lien on the property or other collateral as provided in the loan agreement, which the DACS must record in the public records in the county

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<sup>105</sup> As defined in s. 604.50(2), F.S.

<sup>106</sup> Section 640.50(2)(d), F.S., defines a “nonresidential farm building” as a temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm under s. 553.73(10)(c), F.S., or that is used primarily for agricultural purposes, is located on land that is an integral part of a farm operation or is classified as agricultural land under s. 193.461, F.S., and is not intended to be used as a residential dwelling. The term may include, but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.

<sup>107</sup> The definition means the science and art of production of plants and animals useful to humans, including to a variable extent the preparation of these products for human use and their disposal by marketing or otherwise, and includes aquaculture, horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production.



where the property is located and, in the case of personal property, must perfect the security interest by filing appropriate uniform commercial code forms with the Florida Secured Transaction Registry as required pursuant to ch. 697, F.S. The type of collateral required by the loan may vary based on the purpose of the loan, the ability to repay, and the particular circumstances of the applicant.

The bill provides that a loan is due and payable in accordance with the terms of the written agreement. The bill requires the DACS to defer payments for the first 3 years of the loan. After that initial deferral of payments, the DACS must reduce the original principal balance in a manner that will result in a reduction of the principal balance by 30 percent by the end of the loan term. An approved applicant may make payments on the loan at any time without penalty and early repayment is encouraged. If the principal balance is repaid prior to the end of the loan term, the DACS may not require an approved applicant to pay more than 70 percent of original principal balance.

The bill requires all repayments of principal and interest received by the DACS in a fiscal year to be returned to the loan fund so that it may be available to other applicants in the next application period. Funds appropriated for the loan program are not subject to reversion. The bill requires the DACS to create and maintain a separate account in the General Inspection Trust Fund as a fund for the program. DACS must manage the loan fund, establishing loan practices that include, but are not limited to:

- Procedures for establishing loan interest rates;
- Uses of funding;
- Application procedures; and
- Application review procedures.

The bill authorizes the DACS to contract with a third-party administrator to administer the loan program and manage the loan fund. Such contract must require the third-party administrator to maintain the loan fund to ensure that the loan program may operate in a revolving manner.

The DACS must coordinate with other state agencies and other entities to ensure that agriculture and aquaculture producers have access to the maximum financial assistance available after a natural disaster. Such coordination must attempt to ensure that there is no duplication of financial assistance between the loan program and other state and federal programs, such as FEMA or U.S. Department of Agriculture assistance, which could render the approved applicant ineligible for other financial assistance.

The bill requires the DACS to adopt rules to implement the loan program.

By December 1, 2024, and each December 1, thereafter, the bill requires the DACS to submit a report to the Legislature detailing its activities of the previous fiscal year, including:

- Information on noticed application periods;
- The number and value of loans awarded under the program for each application period;
- The number and value of loans outstanding;
- The number and value of any loan repayments received; and
- An anticipated repayment schedule for all loans.

The loan program expires on July 1, 2043, unless reviewed and saved from repeal by the Legislature.

**Section 21** amends s. 201.25, F.S., to exempt loans made under the loan program from the documentary stamp tax. Currently, Florida levies a documentary stamp tax on certain documents, such as promissory notes.<sup>108</sup> Certain transactions are exempt from the documentary stamp tax. Any loan made by the Small Business Emergency Bridge Loan Program in response to a disaster for which the Governor declares a state of emergency, any federal loan that is related to a declared state of emergency, and any loan made by the Agricultural Economic Development Program pursuant to s. 570.82, F.S., are currently exempt.<sup>109</sup>

**Section 22** grants the DACS emergency rulemaking authority to implement the loan program, and provides that such emergency rules are effective for six months after adoption and may be renewed while the DACS undergoes the procedures to adopt permanent rules.

**Section 23** directs the CFO to transfer \$75 million in nonrecurring funds from the General Revenue Fund to the General Inspection Trust Fund of the DACS. The bill appropriates \$75 million in nonrecurring funds from the General Inspection Trust Fund in fixed capital outlay to the DACS for the loan program. The bill authorizes the DACS to use up to 5 percent of the appropriated funds for administrative costs to implement the program.

### **Present Situation:**

#### **Florida's Future Forests Program**

Florida's Future Forests Program is designed to help increase the acreage of healthy forests in Florida by assisting Florida landowners in making the long-term investment required to establish and/or maintain this valuable ecosystem. The program offers landowners cost-share payments for conducting certain approved forest management practices that establish new forest stands. This program is administered by the DACS' Florida Forest Service and is funded by the state.

The Florida Forest Service will focus the use of funds providing cost-share payments to landowners to encourage implementation of approved tree-establishment practices, including site preparation, seedling purchase and planting.<sup>110,111</sup>

### **Effect of Proposed Changes:**

**Section 24** appropriates \$37.5 million in nonrecurring funds from the General Revenue Fund in fixed capital outlay to the DACS for the 2023-2024 fiscal year, to administer a cost-sharing grant program to assist timber landowners in Charlotte, Citrus Columbia, Dixie, Gilchrist, Hamilton,

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<sup>108</sup> See ss. 201.02(1)(a), 201.07, and 201.08(1)(a), F.S.

<sup>109</sup> Section 201.25, F.S.

<sup>110</sup> Florida Department of Agriculture and Consumer Services, *Florida's Future Forest Program*, available at <https://www.fdacs.gov/Forest-Wildfire/For-Landowners/Grants/Florida-s-Future-Forests-Program> (last visited Oct. 31, 2023).

<sup>111</sup> The Legislature appropriated \$4 million in Fiscal Year 2023-2024; however, the Governor vetoed the line item. Specific Appropriation 1473A, ch. 2023-239, Laws of Fla.. Letter to Cord Byrd, Secretary of State from Ron DeSantis, Governor, (June 15, 2023), available at <https://www.flgov.com/wp-content/uploads/2023/06/veto-letter.pdf> (last visited Oct. 31, 2023).

Hernando, Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, Suwannee, or Taylor counties whose timber land was damaged by Hurricane Idalia. Grants may be up to 75 percent of the costs for site preparation and tree planting on agricultural lands. Site preparation work may include removal of downed trees by a variety of methods, including mechanical harvesting or prescribed burns authorized by Florida Forest Service. The maximum grant award is \$250,000. The DACS may use up to \$1 million of the appropriation to implement the program. The bill grants the DACS emergency rulemaking authority to implement the grant program.

The bill requires the DACS to coordinate with other state agencies and other entities to ensure that timber landowners have access to the maximum financial assistance available following Hurricane Idalia. Such coordination must attempt to ensure that there is no duplication of financial assistance between the grant program and other state and federal programs, such as FEMA or U.S. Department of Agriculture assistance, which could render the approved applicant ineligible for other financial assistance.

**Section 25** provides that the bill takes effect upon becoming a law.

#### IV. Constitutional Issues:

##### A. Municipality/County Mandates Restrictions:

Article VII, s. 18(b) of the Florida Constitution provides that, except upon the approval of each house of the Legislature by a two-thirds vote of the membership, the Legislature may not enact, amend, or repeal any general law if the anticipated effect of doing so would be to reduce the authority that municipalities or counties have to raise revenue in the aggregate, as such authority existed on February 1, 1989. However, the mandates requirements do not apply to laws having an insignificant impact,<sup>112</sup> which is \$2.3 million or less for Fiscal Year 2024-2025.<sup>113</sup>

The bill will reduce the authority of local governments to raise revenue from local option sales taxes, property taxes, and local option fuel taxes by \$1.8 million. Therefore, this bill may not be a mandate subject to Article VII, s. 18 of the Florida Constitution.

##### B. Public Records/Open Meetings Issues:

None.

##### C. Trust Funds Restrictions:

None.

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<sup>112</sup> FLA. CONST. art. VII, s. 18(d). An insignificant fiscal impact is the amount not greater than the average statewide population for the applicable fiscal year multiplied by \$0.10. See FLA. SENATE COMM. ON CMTY. AFFAIRS, *Interim Report 2012-115: Insignificant Impact*, (September 2011), available at <http://www.flsenate.gov/PublishedContent/Session/2012/InterimReports/2012-115ca.pdf> (last visited Nov. 3, 2023).

<sup>113</sup> Based on the Demographic Estimating Conference's estimated population adopted on July 11, 2023. The conference packet is available at <http://www.edr.state.fl.us/Content/conferences/population/ConferenceResults.pdf> (last visited Nov. 3, 2023).

**D. State Tax or Fee Increases:**

Section 19 of Article VII, Florida Constitution, requires increased taxes or fees to be passed in a separate bill and by two-thirds vote of the membership of each house of the Legislature. This bill does not increase any taxes or fees, and thus the increased tax or fee requirements do not apply.

**E. Other Constitutional Issues:**

None.

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

The Revenue Estimating Conference determined that the bill will reduce General Revenue Fund receipts by \$0.2 million, trusts funds by \$0.3 million, and local government revenue by \$1.8 million in Fiscal Year 2024-2025.

The Revenue Estimating Conference adopted estimates of the following provisions:

- The sales and use tax refunds for nonresidential building materials and fences on agricultural lands will reduce General Revenue Fund receipts by \$0.2 million in Fiscal Year 2024-2025. Local government revenues are estimated to be reduced by an amount less than \$0.1 million.
- The motor fuel tax refunds for the shipment of agricultural products and debris removal will reduce the State Transportation Trust Fund by \$0.3 million in Fiscal Year 2024-2025. Local government revenue will be reduced by \$0.1 million.
- The assessment limitation for tangible personal property that is unable to be used as a result of Hurricane Idalia will reduce local property tax collections by \$1.7 million in Fiscal Year 2024-2025. Of this amount, property tax collections for school purposes will be reduced by \$0.6 million.

The Revenue Estimating Conference has not yet adopted an estimate for the repeal of the documentary stamp tax exemption for loans made by the Agricultural Economic Development Program and the exemption authorized by the bill for loans made by the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program. Staff estimates the combined effect of these changes to be indeterminate but likely negative.

**B. Private Sector Impact:**

The bill:

- Provides low-interest or interest-free loans to agricultural producers that experienced damage or destruction to certain types of tangible agricultural property from Hurricane Idalia.
- Creates a cost sharing grant program to assist timber landowners whose timber was damaged within counties in the disaster declaration, granting up to 75 percent of the total cost for certain timber related activities, with a maximum of \$250,000 per grant.

- Provides tax relief to agricultural producers affected by Hurricane Idalia through assessment of tangible personal property deemed unusable for 60 days as a direct result of Hurricane Idalia at salvage value, refund of sales tax for fencing materials purchased for use on agricultural lands due to Hurricane Idalia damage and building materials used to replace or repair nonresidential farm buildings damaged by Hurricane Idalia, and refund of taxes on fuel used for agricultural shipment or hurricane debris removal after Hurricane Idalia.
- Provides funding for the Hurricane Housing Recovery Program that will be used to help eligible local governments assist individual citizens to recover from Hurricane Idalia.

C. Government Sector Impact:

The bill makes the following appropriations for the 2023-2024 fiscal year:

- \$176,170,000 in nonrecurring funds from the General Revenue Fund to the Department of Financial Services to provide mitigation grants under the My Safe Florida Home Program;
- \$5,285,100 in nonrecurring funds from the General Revenue Fund to the Department of Financial Services for administrative costs related to implementation of mitigation grants under the My Safe Florida Home Program;
- \$30 million in nonrecurring funds from the General Revenue Fund to the DEM to provide the match requirement for Public Assistance Program grants for counties designated for individual assistance and public assistance (Categories A-G) in the FEMA disaster declaration for Hurricane Idalia. The balance of the appropriation not disbursed by June 30, 2024, may be carried forward for 5 years after the effective date of the bill;
- \$50 million in nonrecurring funds from the General Revenue Fund to the DEM to provide grants or loans for hurricane repair and recovery projects within counties designated for individual assistance and public assistance (Categories A-G) in the FEMA disaster declaration for Hurricane Idalia;
- \$3 million in nonrecurring funds from the General Revenue Fund to the DEM as fixed capital outlay to provide planning and design grants to the 10 fiscally constrained counties designated in the FEMA disaster declaration for Hurricane Idalia for new facilities for emergency operations;
- \$5 million in nonrecurring funds from the General Revenue Fund to the Department of Commerce as fixed capital outlay for grants awarded under the Rural Infrastructure Fund for the 10 fiscally constrained counties designated in the FEMA disaster declaration for Hurricane Idalia;
- \$75 million in nonrecurring funds from the General Inspection Trust Fund within the DACS as fixed capital outlay for the Agriculture and Aquaculture Producers Natural Disaster Recovery Loan Program after the sum is transferred from the General Revenue Fund into the General Inspection Trust Fund. The DACS may use up to 5 percent of the appropriated funds to administer the program.
- \$37.5 million in nonrecurring funds from the General Revenue Fund to the DACS as fixed capital outlay to administer a cost-sharing grant program to assist timber landowners in eligible counties impacted by Hurricane Idalia. Of that amount, the

DACS is authorized to use up to \$1 million of the funds for administration of the program.

- \$25 million in nonrecurring funds from the Local Government Housing Trust Fund in the Affordable Housing for Hurricane Recovery appropriation category to the Florida Housing Finance Corporation to use for the Hurricane Housing Recovery Program in counties designated in the FEMA disaster declaration for Hurricane Idalia; and
- \$10 million in nonrecurring funds from the State Transportation Trust Fund to the Department of Transportation for transportation projects under the Small County Outreach Program within counties designated for individual assistance and public assistance (categories A-G) in the FEMA disaster declaration for Hurricane Idalia.

The Department of Commerce has approximately \$40 million remaining from previous appropriations to the Local Government Emergency Revolving Bridge Loan Program.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 201.25, 215.5586, 252.37, 252.71, 288.066, and 288.0655.

This bill creates the following sections of the Florida Statutes: 193.4518 and 570.822.

This bill repeals the following sections of the Florida Statutes: 570.82.

This bill creates several undesignated sections of Florida Law. This bill amends section 14 of chapter 2023-304, Laws of Florida.

**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 Senator Simon

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1                                   A bill to be entitled  
 2       An act relating to disaster relief; creating s.  
 3       193.4518, F.S.; defining terms; providing a tangible  
 4       personal property assessment limitation, during a  
 5       certain timeframe and in certain counties, for certain  
 6       agricultural equipment rendered unable to be used due  
 7       to Hurricane Idalia; specifying conditions for  
 8       applying for and receiving the assessment limitation;  
 9       providing procedures for petitioning the value  
 10      adjustment board if an application is denied;  
 11      providing applicability; providing a sales tax  
 12      exemption for the purchase, within a certain timeframe  
 13      and in certain counties, of certain fencing materials  
 14      used to replace or repair fences damaged by Hurricane  
 15      Idalia on agricultural lands; specifying that the  
 16      exemption is available only through a refund by the  
 17      Department of Revenue of previously paid taxes;  
 18      specifying requirements for applying for the refund;  
 19      providing criminal penalties for furnishing a false  
 20      affidavit; providing construction and retroactive  
 21      applicability; authorizing the department to adopt  
 22      emergency rules; providing a sales tax exemption for  
 23      the purchase, within a certain timeframe and in  
 24      certain counties, of building materials used to  
 25      replace or repair nonresidential farm buildings  
 26      damaged by Hurricane Idalia; specifying that the  
 27      exemption is available only through a refund by the  
 28      department of previously paid taxes; defining the  
 29      terms "building materials" and "nonresidential farm

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30       building"; specifying requirements for applying for  
 31       the refund; providing criminal penalties for  
 32       furnishing a false affidavit; providing construction  
 33       and retroactive applicability; authorizing the  
 34       department to adopt emergency rules; providing an  
 35       exemption from certain fuel taxes for fuel purchased,  
 36       within a certain timeframe, for use for agricultural  
 37       shipment or hurricane debris removal after Hurricane  
 38       Idalia; specifying that the exemption is available  
 39       only through a refund by the department; defining  
 40       terms; specifying requirements for applying for the  
 41       refund; providing criminal penalties for furnishing a  
 42       false affidavit; providing applicability and  
 43       construction; providing for retroactive operation;  
 44       authorizing the department to adopt emergency rules;  
 45       amending s. 215.5586, F.S.; revising legislative  
 46       intent; specifying a requirement for the Department of  
 47       Financial Services in implementing the My Safe Florida  
 48       Home Program; authorizing the department to accept  
 49       applications for the program up to the amount of  
 50       available funds; providing an appropriation for  
 51       certain applications for the program; prohibiting the  
 52       department from continuing to accept certain  
 53       applications or creating a waiting list in  
 54       anticipation of additional funding in the absence of  
 55       express authority from the Legislature to do so;  
 56       providing an appropriation for administration of the  
 57       My Safe program; amending s. 252.37, F.S.; providing  
 58       legislative intent; requiring the Division of

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59 Emergency Management and local governments to enter  
 60 into certain agreements to receive specified funds;  
 61 providing requirements for such agreements; providing  
 62 for availability of funds; requiring the division to  
 63 report progress on a certain timetable to specified  
 64 parties; providing for expiration; providing an  
 65 appropriation for the Public Assistance Program;  
 66 providing requirements for appropriated funds;  
 67 authorizing the undisbursed appropriation to carry  
 68 forward to a certain date; amending s. 252.71, F.S.;  
 69 extending the date for future review and repeal of  
 70 provisions related to the Florida Emergency Management  
 71 Assistance Foundation; amending s. 288.066, F.S.;  
 72 revising the maximum length of a loan term under the  
 73 Local Government Emergency Revolving Bridge Loan  
 74 Program; authorizing the Department of Commerce to  
 75 amend certain previously executed loan agreements  
 76 under certain circumstances; providing an  
 77 appropriation for the Hurricane Housing Recovery  
 78 Program; requiring such appropriations to be used for  
 79 specified purposes; requiring the Florida Housing  
 80 Finance Corporation to coordinate with the division  
 81 and the Department of Commerce for a specified  
 82 purpose; providing an appropriation for hurricane  
 83 repair and recovery projects within counties with a  
 84 certain Federal Emergency Management Agency disaster  
 85 designation; authorizing certain entities to apply for  
 86 such appropriated funds; requiring such entities  
 87 requesting funding for certain purposes to secure

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88 certain matching funds by the time of making the  
 89 application; requiring certain certifications for  
 90 applications for appropriated funds; authorizing the  
 91 division to request budget amendments up to a  
 92 specified amount to fund gaps in certain projects;  
 93 requiring the division and certain entities to  
 94 coordinate for a specified purpose; specifying  
 95 criteria for providing appropriated funds as grants or  
 96 loans; requiring reimbursed funds to be deposited into  
 97 the General Revenue Fund; providing for appropriations  
 98 for the Small County Outreach Program for certain  
 99 counties; amending chapter 2023-304, Laws of Florida;  
 100 revising a prohibition on counties and municipalities  
 101 proposing or adopting certain amendments to their  
 102 comprehensive plans or land development regulations;  
 103 revising the expiration date of such prohibition;  
 104 providing an appropriation for certain planning and  
 105 design grants; authorizing certain fiscally  
 106 constrained counties to apply for appropriated funds;  
 107 requiring the division to prioritize certain  
 108 applications; requiring the division to conduct a  
 109 certain assessment and consider certain information;  
 110 amending s. 288.0655, F.S.; authorizing the Department  
 111 of Commerce to award certain grants to certain  
 112 fiscally constrained counties; providing a purpose and  
 113 eligible uses for such grants; providing for  
 114 expiration; providing an appropriation for the grants;  
 115 repealing s. 570.82, F.S., relating to Agricultural  
 116 Economic Development Program disaster loans and grants

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117 and aid; creating s. 570.822, F.S.; defining terms;  
 118 establishing the Agriculture and Aquaculture Producers  
 119 Natural Disaster Recovery Loan Program within the  
 120 Department of Agriculture and Consumer Services;  
 121 providing the purpose of the program; establishing the  
 122 authorized use of the loans; requiring that structures  
 123 or buildings constructed with loan funds meet certain  
 124 standards; requiring the department to adopt such  
 125 standards by rule; requiring that the loans be low-  
 126 interest or interest-free; providing loan limits;  
 127 establishing eligibility requirements for loans;  
 128 establishing application periods; setting the terms of  
 129 repayment; providing for a reduction in the principal  
 130 balance by a certain amount each year; restricting the  
 131 amount the department may use for deferred loans;  
 132 requiring repayment upon the sale of the property  
 133 within a certain timeframe; specifying requirements  
 134 for the department in administering the program;  
 135 requiring the department to create and maintain a  
 136 separate account in the General Inspection Trust Fund  
 137 for the program; requiring that loan payments be  
 138 returned to the loan program; providing that  
 139 appropriated funds are not subject to reversion;  
 140 requiring the department, or a specified third-party  
 141 administrator, to manage the loan fund; requiring the  
 142 department to coordinate with certain entities;  
 143 requiring the department to adopt rules; requiring the  
 144 department to provide an annual report to the  
 145 Legislature by a specified date; specifying

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146 requirements for the report; providing for the  
 147 expiration of the program on a specified date, unless  
 148 reviewed and saved from repeal by the Legislature;  
 149 amending s. 201.25, F.S.; exempting loans made by the  
 150 Agriculture and Aquaculture Producers Natural Disaster  
 151 Recovery Loan Program from certain taxes; requiring  
 152 the department to adopt emergency rules to implement  
 153 the program; providing for the expiration of such  
 154 authority; requiring the Chief Financial Officer to  
 155 transfer a specified amount from the General Revenue  
 156 Fund to the General Inspection Trust Fund within the  
 157 department within a specified timeframe; providing  
 158 appropriations for the program and a cost-sharing  
 159 grant program for timber landowners in specified  
 160 counties; limiting the amount the department may use  
 161 to administer the programs; authorizing the department  
 162 to adopt emergency rules to implement the cost-sharing  
 163 grant program; requiring the department to coordinate  
 164 with certain entities; providing an effective date.

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

167  
 168 Section 1. Section 193.4518, Florida Statutes, is created  
 169 to read:

170 193.4518 Assessment of agricultural equipment rendered  
 171 unable to be used due to Hurricane Idalia.—

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

173 (a) "Farm" has the same meaning as provided in s.

174 823.14(3).

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175 (b) "Farm operation" has the same meaning as provided in s.  
176 823.14(3).

177 (c) "Unable to be used" means the tangible personal  
178 property was damaged, or the farm, farm operation, or  
179 agricultural processing facility was affected, to such a degree  
180 that the tangible personal property could not be used for its  
181 intended purpose.

182 (2) For purposes of ad valorem taxation and applying to the  
183 2024 tax roll only, tangible personal property owned and  
184 operated by a farm, a farm operation, or an agriculture  
185 processing facility located in Charlotte, Citrus, Columbia,  
186 Dixie, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette,  
187 Levy, Madison, Manatee, Pasco, Pinellas, Sarasota, Suwannee, or  
188 Taylor County is deemed to have a market value no greater than  
189 its value for salvage if the tangible personal property was  
190 unable to be used for at least 60 days due to the effects of  
191 Hurricane Idalia.

192 (3) The deadline for an applicant to file an application  
193 with the property appraiser for assessment pursuant to this  
194 section is March 1, 2024.

195 (4) If the property appraiser denies an application, the  
196 applicant may file, pursuant to s. 194.011(3), a petition with  
197 the value adjustment board which requests that the tangible  
198 personal property be assessed pursuant to this section. Such  
199 petition must be filed on or before the 25th day after the  
200 mailing by the property appraiser during the 2024 calendar year  
201 of the notice required under s. 194.011(1).

202 (5) This section applies to tax rolls beginning January 1,  
203 2024.

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204 Section 2. Fencing materials purchased for use on  
205 agricultural lands due to Hurricane Idalia damage.

206 (1) The purchase of fencing materials used to replace or  
207 repair farm fences on land classified as agricultural under s.  
208 193.461, Florida Statutes, is exempt from the tax imposed under  
209 chapter 212, Florida Statutes, during the period from August 30,  
210 2023, through June 30, 2024, if the fencing materials will be or  
211 were used to replace or repair fences located in Charlotte,  
212 Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando,  
213 Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas,  
214 Sarasota, Suwannee, or Taylor County that were damaged as a  
215 direct result of the impact of Hurricane Idalia. The exemption  
216 provided by this section is available only through a refund from  
217 the Department of Revenue of previously paid taxes.

218 (2) To receive a refund pursuant to this section, the owner  
219 of the fencing materials or the real property into which the  
220 fencing materials were incorporated must apply to the Department  
221 of Revenue by December 31, 2024. The refund application must  
222 include the following information:

223 (a) The name and address of the person claiming the refund.

224 (b) The address and assessment roll parcel number of the  
225 agricultural land on which the fencing materials were or will be  
226 used.

227 (c) The sales invoice or other proof of purchase of the  
228 fencing materials which shows the amount of sales tax paid, the  
229 date of purchase, and the name and address of the dealer from  
230 whom the materials were purchased.

231 (d) An affidavit executed by the owner of the fencing  
232 materials or the real property into which the fencing materials

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233 were or will be incorporated, including a statement that the  
 234 fencing materials were or will be used to replace or repair  
 235 fencing damaged as a direct result of the impact of Hurricane  
 236 Idalia.

237 (3) A person furnishing a false affidavit to the Department  
 238 of Revenue pursuant to subsection (2) is subject to the  
 239 penalties set forth in s. 212.085, Florida Statutes, and as  
 240 otherwise authorized by law.

241 (4) This section is deemed a revenue law for the purposes  
 242 of ss. 213.05 and 213.06, Florida Statutes, and s. 72.011,  
 243 Florida Statutes, applies to this section.

244 (5) This section operates retroactively to August 30, 2023.

245 (6) The Department of Revenue is authorized, and all  
 246 conditions are deemed met, to adopt emergency rules pursuant to  
 247 s. 120.54(4), Florida Statutes, for the purpose of implementing  
 248 this section. Notwithstanding any other provision of law,  
 249 emergency rules adopted pursuant to this subsection are  
 250 effective until December 31, 2024, and may be renewed during the  
 251 pendency of procedures to adopt permanent rules addressing the  
 252 subject of the emergency rules.

253 Section 3. Building materials used to replace or repair  
 254 nonresidential farm buildings damaged by Hurricane Idalia.—

255 (1) Building materials used to replace or repair a  
 256 nonresidential farm building located in Charlotte, Citrus,  
 257 Columbia, Dixie, Gilchrist, Hamilton, Hernando, Jefferson,  
 258 Lafayette, Levy, Madison, Manatee, Pasco, Pinellas, Sarasota,  
 259 Suwannee, or Taylor County that was damaged as a direct result  
 260 of the impact of Hurricane Idalia and purchased during the  
 261 period from August 30, 2023, through June 30, 2024, are exempt

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262 from the tax imposed under chapter 212, Florida Statutes. The  
 263 exemption provided by this section is available only through a  
 264 refund from the Department of Revenue of previously paid taxes.

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

266 (a) "Building materials" means tangible personal property  
 267 that becomes a component part of a nonresidential farm building.

268 (b) "Nonresidential farm building" has the same meaning as  
 269 provided in s. 604.50(2), Florida Statutes.

270 (3) To receive a refund pursuant to this section, the owner  
 271 of the building materials or of the real property into which the  
 272 building materials will be or were incorporated must apply to  
 273 the Department of Revenue by December 31, 2024. The refund  
 274 application must include all of the following information:

275 (a) The name and address of the person claiming the refund.

276 (b) The address and assessment roll parcel number of the  
 277 real property where the building materials were or will be used.

278 (c) The sales invoice or other proof of purchase of the  
 279 building materials which shows the amount of sales tax paid, the  
 280 date of purchase, and the name and address of the dealer from  
 281 whom the materials were purchased.

282 (d) An affidavit executed by the owner of the building  
 283 materials or the real property into which the building materials  
 284 will be or were incorporated, including a statement that the  
 285 building materials were or will be used to replace or repair the  
 286 nonresidential farm building damaged as a direct result of the  
 287 impact of Hurricane Idalia.

288 (4) A person furnishing a false affidavit to the Department  
 289 of Revenue pursuant to subsection (3) is subject to the  
 290 penalties set forth in s. 212.085, Florida Statutes, and as

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291 otherwise provided by law.

292 (5) This section is deemed a revenue law for the purposes  
 293 of ss. 213.05 and 213.06, Florida Statutes, and s. 72.011,  
 294 Florida Statutes, applies to this section.

295 (6) This section operates retroactively to August 30, 2023.

296 (7) The Department of Revenue is authorized, and all  
 297 conditions are deemed met, to adopt emergency rules pursuant to  
 298 s. 120.54(4), Florida Statutes, for the purpose of implementing  
 299 this section. Notwithstanding any other provision of law,  
 300 emergency rules adopted pursuant to this subsection are  
 301 effective until December 31, 2024, and may be renewed during the  
 302 pendency of procedures to adopt permanent rules addressing the  
 303 subject of the emergency rules.

304 Section 4. Refund of taxes on fuel used for agricultural  
 305 shipment or hurricane debris removal after Hurricane Idalia.-

306 (1) Fuel purchased and used in this state during the period  
 307 from August 30, 2023, through June 30, 2024, which is or was  
 308 used in any motor vehicle driven or operated upon the public  
 309 highways of this state for agricultural shipment or hurricane  
 310 debris removal is exempt from all state and county taxes  
 311 authorized or imposed under parts I and II of chapter 206,  
 312 Florida Statutes, excluding the taxes imposed under s.  
 313 206.41(1)(a) and (h), Florida Statutes. The exemption provided  
 314 by this section is available to the fuel purchaser in an amount  
 315 equal to the fuel tax imposed on fuel that was purchased for  
 316 agricultural shipment or hurricane debris removal during the  
 317 period from August 30, 2023, through June 30, 2024. The  
 318 exemption provided by this section is only available through a  
 319 refund from the Department of Revenue.

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

321 (a) "Agricultural processing or storage facility" means  
 322 property used or useful in separating, cleaning, processing,  
 323 converting, packaging, handling, storing, and other activities  
 324 necessary to prepare crops, livestock, related products, and  
 325 other products of agriculture, and includes nonfarm facilities  
 326 that produce agricultural products, in whole or in part, through  
 327 natural processes, animal husbandry, and apiaries.

328 (b) "Agricultural product" means the natural products of a  
 329 farm, nursery, forest, grove, orchard, vineyard, garden, or  
 330 apiary, including livestock as defined in s. 585.01, Florida  
 331 Statutes.

332 (c) "Agricultural shipment" means the transport of any  
 333 agricultural product from a farm, nursery, forest, grove,  
 334 orchard, vineyard, garden, or apiary located in Charlotte,  
 335 Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando,  
 336 Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas,  
 337 Sarasota, Suwannee, or Taylor County to an agricultural  
 338 processing or storage facility.

339 (d) "Fuel" means motor fuel or diesel fuel, as those terms  
 340 are defined in ss. 206.01(9) and 206.86(1), Florida Statutes,  
 341 respectively.

342 (e) "Fuel tax" means all state and county taxes authorized  
 343 or imposed on fuel under chapter 206, Florida Statutes.

344 (f) "Hurricane debris removal" means the transport of  
 345 Hurricane Idalia debris from a farm, nursery, forest, grove,  
 346 orchard, vineyard, garden, or apiary located in Charlotte,  
 347 Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando,  
 348 Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas,

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349 Sarasota, Suwannee, or Taylor County.

350 (g) "Motor vehicle" has the same meaning as provided in s.  
 351 206.01(23), Florida Statutes.

352 (h) "Public highways" has the same meaning as provided in  
 353 s. 206.01(11), Florida Statutes.

354 (3) To receive a refund pursuant to this section, the fuel  
 355 purchaser must apply to the Department of Revenue by December  
 356 31, 2024. The refund application must include all of the  
 357 following information:

358 (a) The name and address of the person claiming the refund.

359 (b) The names and addresses of up to three owners of farms,  
 360 nurseries, forests, groves, orchards, vineyards, gardens, or  
 361 apiaries whose agricultural products were shipped or hurricane  
 362 debris was removed by the person seeking the refund pursuant to  
 363 this section.

364 (c) The sales invoice or other proof of purchase of the  
 365 fuel which shows the number of gallons of fuel purchased, the  
 366 type of fuel purchased, the date of purchase, and the name and  
 367 place of business of the dealer from whom the fuel was  
 368 purchased.

369 (d) The license number or other identification number of  
 370 the motor vehicle that used the exempt fuel.

371 (e) An affidavit executed by the person seeking the refund  
 372 pursuant to this section, including a statement that he or she  
 373 purchased and used the fuel for which the refund is being  
 374 claimed during the period from August 30, 2023, through June 30,  
 375 2024, for an agricultural shipment or hurricane debris removal.

376 (4) A person furnishing a false affidavit to the Department  
 377 of Revenue pursuant to subsection (3) is subject to the

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378 penalties set forth in s. 206.11, Florida Statutes, and as  
 379 otherwise provided by law.

380 (5) The tax imposed under s. 212.0501, Florida Statutes,  
 381 does not apply to fuel that is exempt under this section and for  
 382 which a fuel purchaser received a refund under this section.

383 (6) This section is deemed a revenue law for the purposes  
 384 of ss. 213.05 and 213.06, Florida Statutes, and s. 72.011,  
 385 Florida Statutes, applies to this section.

386 (7) This section operates retroactively to August 30, 2023.

387 (8) The Department of Revenue is authorized, and all  
 388 conditions are deemed met, to adopt emergency rules pursuant to  
 389 s. 120.54(4), Florida Statutes, for the purpose of implementing  
 390 this section. Notwithstanding any other provision of law,  
 391 emergency rules adopted pursuant to this subsection are  
 392 effective until December 31, 2024, and may be renewed during the  
 393 pendency of procedures to adopt permanent rules addressing the  
 394 subject of the emergency rules.

395 Section 5. Section 215.5586, Florida Statutes, is amended  
 396 to read:

397 215.5586 My Safe Florida Home Program.—There is established  
 398 within the Department of Financial Services the My Safe Florida  
 399 Home Program. The department shall provide fiscal  
 400 accountability, contract management, and strategic leadership  
 401 for the program, consistent with this section. This section does  
 402 not create an entitlement for property owners or obligate the  
 403 state in any way to fund the inspection or retrofitting of  
 404 residential property in this state. Implementation of this  
 405 program is subject to annual legislative appropriations. It is  
 406 the intent of the Legislature that, subject to the availability

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407 of funds, the My Safe Florida Home Program provide licensed  
 408 inspectors to perform inspections for owners of site-built,  
 409 single-family, residential properties and grants to eligible  
 410 applicants ~~as funding allows~~. The department shall implement the  
 411 program in such a manner that the total amount of funding  
 412 requested by accepted applications, whether for inspections,  
 413 grants, or other services or assistance, does not exceed the  
 414 total amount of available funds. If, after applications are  
 415 processed and approved, funds remain available, the department  
 416 may accept applications up to the available amount. The program  
 417 shall develop and implement a comprehensive and coordinated  
 418 approach for hurricane damage mitigation that may include the  
 419 following:

420 (1) HURRICANE MITIGATION INSPECTIONS.—

421 (a) Licensed inspectors are to provide home inspections of  
 422 site-built, single-family, residential properties for which a  
 423 homestead exemption has been granted, to determine what  
 424 mitigation measures are needed, what insurance premium discounts  
 425 may be available, and what improvements to existing residential  
 426 properties are needed to reduce the property's vulnerability to  
 427 hurricane damage. An inspector may inspect a townhouse as  
 428 defined in s. 481.203 to determine if opening protection  
 429 mitigation as listed in paragraph (2) (e) would provide  
 430 improvements to mitigate hurricane damage.

431 (b) The Department of Financial Services shall contract  
 432 with wind certification entities to provide hurricane mitigation  
 433 inspections. The inspections provided to homeowners, at a  
 434 minimum, must include:

- 435 1. A home inspection and report that summarizes the results

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436 and identifies recommended improvements a homeowner may take to  
 437 mitigate hurricane damage.

438 2. A range of cost estimates regarding the recommended  
 439 mitigation improvements.

440 3. Information regarding estimated premium discounts,  
 441 correlated to the current mitigation features and the  
 442 recommended mitigation improvements identified by the  
 443 inspection.

444 (c) To qualify for selection by the department as a wind  
 445 certification entity to provide hurricane mitigation  
 446 inspections, the entity must, at a minimum, meet the following  
 447 requirements:

448 1. Use hurricane mitigation inspectors who are licensed or  
 449 certified as:

450 a. A building inspector under s. 468.607;

451 b. A general, building, or residential contractor under s.  
 452 489.111;

453 c. A professional engineer under s. 471.015;

454 d. A professional architect under s. 481.213; or

455 e. A home inspector under s. 468.8314 and who have  
 456 completed at least 3 hours of hurricane mitigation training  
 457 approved by the Construction Industry Licensing Board, which  
 458 training must include hurricane mitigation techniques,  
 459 compliance with the uniform mitigation verification form, and  
 460 completion of a proficiency exam.

461 2. Use hurricane mitigation inspectors who also have  
 462 undergone drug testing and a background screening. The  
 463 department may conduct criminal record checks of inspectors used  
 464 by wind certification entities. Inspectors must submit a set of

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465 fingerprints to the department for state and national criminal  
 466 history checks and must pay the fingerprint processing fee set  
 467 forth in s. 624.501. The fingerprints must be sent by the  
 468 department to the Department of Law Enforcement and forwarded to  
 469 the Federal Bureau of Investigation for processing. The results  
 470 must be returned to the department for screening. The  
 471 fingerprints must be taken by a law enforcement agency,  
 472 designated examination center, or other department-approved  
 473 entity.

474 3. Provide a quality assurance program including a  
 475 reinspection component.

476 (d) An application for an inspection must contain a signed  
 477 or electronically verified statement made under penalty of  
 478 perjury that the applicant has submitted only a single  
 479 application for that home.

480 (e) The owner of a site-built, single-family, residential  
 481 property or townhouse as defined in s. 481.203, for which a  
 482 homestead exemption has been granted, may apply for and receive  
 483 an inspection without also applying for a grant pursuant to  
 484 subsection (2) and without meeting the requirements of paragraph  
 485 (2) (a).

486 (2) MITIGATION GRANTS.—Financial grants shall be used to  
 487 encourage single-family, site-built, owner-occupied, residential  
 488 property owners to retrofit their properties to make them less  
 489 vulnerable to hurricane damage.

490 (a) For a homeowner to be eligible for a grant, the  
 491 following criteria must be met:

492 1. The homeowner must have been granted a homestead  
 493 exemption on the home under chapter 196.

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494 2. The home must be a dwelling with an insured value of  
 495 \$700,000 or less. Homeowners who are low-income persons, as  
 496 defined in s. 420.0004(11), are exempt from this requirement.

497 3. The home must undergo an acceptable hurricane mitigation  
 498 inspection as provided in subsection (1).

499 4. The building permit application for initial construction  
 500 of the home must have been made before January 1, 2008.

501 5. The homeowner must agree to make his or her home  
 502 available for inspection once a mitigation project is completed.

503  
 504 An application for a grant must contain a signed or  
 505 electronically verified statement made under penalty of perjury  
 506 that the applicant has submitted only a single application and  
 507 must have attached documents demonstrating the applicant meets  
 508 the requirements of this paragraph.

509 (b) All grants must be matched on the basis of \$1 provided  
 510 by the applicant for \$2 provided by the state up to a maximum  
 511 state contribution of \$10,000 toward the actual cost of the  
 512 mitigation project.

513 (c) The program shall create a process in which contractors  
 514 agree to participate and homeowners select from a list of  
 515 participating contractors. All mitigation must be based upon the  
 516 securing of all required local permits and inspections and must  
 517 be performed by properly licensed contractors. Hurricane  
 518 mitigation inspectors qualifying for the program may also  
 519 participate as mitigation contractors as long as the inspectors  
 520 meet the department's qualifications and certification  
 521 requirements for mitigation contractors.

522 (d) Matching fund grants shall also be made available to

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523 local governments and nonprofit entities for projects that will  
 524 reduce hurricane damage to single-family, site-built, owner-  
 525 occupied, residential property. The department shall liberally  
 526 construe those requirements in favor of availing the state of  
 527 the opportunity to leverage funding for the My Safe Florida Home  
 528 Program with other sources of funding.

529 (e) When recommended by a hurricane mitigation inspection,  
 530 grants for eligible homes may be used for the following  
 531 improvements:

- 532 1. Opening protection.
- 533 2. Exterior doors, including garage doors.
- 534 3. Reinforcing roof-to-wall connections.
- 535 4. Improving the strength of roof-deck attachments.
- 536 5. Secondary water barrier for roof.

537 (f) When recommended by a hurricane mitigation inspection,  
 538 grants for townhouses, as defined in s. 481.203, may only be  
 539 used for opening protection.

540  
 541 The department may require that improvements be made to all  
 542 openings, including exterior doors and garage doors, as a  
 543 condition of reimbursing a homeowner approved for a grant. The  
 544 department may adopt, by rule, the maximum grant allowances for  
 545 any improvement allowable under paragraph (e) or this paragraph.

546 (g) Grants may be used on a previously inspected existing  
 547 structure or on a rebuild. A rebuild is defined as a site-built,  
 548 single-family dwelling under construction to replace a home that  
 549 was destroyed or significantly damaged by a hurricane and deemed  
 550 unlivable by a regulatory authority. The homeowner must be a  
 551 low-income homeowner as defined in paragraph (h), must have had

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552 a homestead exemption for that home before the hurricane, and  
 553 must be intending to rebuild the home as that homeowner's  
 554 homestead.

555 (h) Low-income homeowners, as defined in s. 420.0004(11),  
 556 who otherwise meet the requirements of paragraphs (a), (c), (e),  
 557 and (g) are eligible for a grant of up to \$10,000 and are not  
 558 required to provide a matching amount to receive the grant. The  
 559 program may accept a certification directly from a low-income  
 560 homeowner that the homeowner meets the requirements of s.  
 561 420.0004(11) if the homeowner provides such certification in a  
 562 signed or electronically verified statement made under penalty  
 563 of perjury.

564 (i) The department shall develop a process that ensures the  
 565 most efficient means to collect and verify grant applications to  
 566 determine eligibility and may direct hurricane mitigation  
 567 inspectors to collect and verify grant application information  
 568 or use the Internet or other electronic means to collect  
 569 information and determine eligibility.

570 (3) EDUCATION, CONSUMER AWARENESS, AND OUTREACH.—

571 (a) The department may undertake a statewide multimedia  
 572 public outreach and advertising campaign to inform consumers of  
 573 the availability and benefits of hurricane inspections and of  
 574 the safety and financial benefits of residential hurricane  
 575 damage mitigation. The department may seek out and use local,  
 576 state, federal, and private funds to support the campaign.

577 (b) The program may develop brochures for distribution to  
 578 Citizens Property Insurance Corporation, general contractors,  
 579 roofing contractors, and real estate brokers and sales  
 580 associates who are licensed under part I of chapter 475 which



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581 provide information on the benefits to homeowners of residential  
 582 hurricane damage mitigation. Citizens Property Insurance  
 583 Corporation is encouraged to distribute the brochure to  
 584 policyholders of the corporation. Contractors are encouraged to  
 585 distribute the brochures to homeowners at the first meeting with  
 586 a homeowner who is considering contracting for home or roof  
 587 repair or contracting for the construction of a new home. Real  
 588 estate brokers and sales associates are encouraged to distribute  
 589 the brochure to clients before the purchase of a home. The  
 590 brochures may be made available electronically.

591 (4) FUNDING.—The department may seek out and leverage  
 592 local, state, federal, or private funds to enhance the financial  
 593 resources of the program.

594 (5) RULES.—The Department of Financial Services shall adopt  
 595 rules pursuant to ss. 120.536(1) and 120.54 to govern the  
 596 program; implement the provisions of this section; including  
 597 rules governing hurricane mitigation inspections and grants,  
 598 mitigation contractors, and training of inspectors and  
 599 contractors; and carry out the duties of the department under  
 600 this section.

601 (6) HURRICANE MITIGATION INSPECTOR LIST.—The department  
 602 shall develop and maintain as a public record a current list of  
 603 hurricane mitigation inspectors authorized to conduct hurricane  
 604 mitigation inspections pursuant to this section.

605 (7) CONTRACT MANAGEMENT.—

606 (a) The department may contract with third parties for  
 607 grants management, inspection services, contractor services for  
 608 low-income homeowners, information technology, educational  
 609 outreach, and auditing services. Such contracts are considered

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610 direct costs of the program and are not subject to  
 611 administrative cost limits. The department shall contract with  
 612 providers that have a demonstrated record of successful business  
 613 operations in areas directly related to the services to be  
 614 provided and shall ensure the highest accountability for use of  
 615 state funds, consistent with this section.

616 (b) The department shall implement a quality assurance and  
 617 reinspection program that determines whether initial inspections  
 618 and home improvements are completed in a manner consistent with  
 619 the intent of the program. The department may use valid random  
 620 sampling in order to perform the quality assurance portion of  
 621 the program.

622 (8) INTENT.—It is the intent of the Legislature that grants  
 623 made to residential property owners under this section shall be  
 624 considered disaster-relief assistance within the meaning of s.  
 625 139 of the Internal Revenue Code of 1986, as amended.

626 (9) REPORTS.—The department shall make an annual report on  
 627 the activities of the program that shall account for the use of  
 628 state funds and indicate the number of inspections requested,  
 629 the number of inspections performed, the number of grant  
 630 applications received, the number and value of grants approved,  
 631 and the estimated average annual amount of insurance premium  
 632 discounts and total estimated annual amount of insurance premium  
 633 discounts homeowners received from insurers as a result of  
 634 mitigation funded through the program. The report must be  
 635 delivered to the President of the Senate and the Speaker of the  
 636 House of Representatives by February 1 of each year.

637 Section 6. (1) For the 2023-2024 fiscal year, the sum of  
 638 \$176,170,000 in nonrecurring funds is appropriated from the

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639 General Revenue Fund to the Department of Financial Services to  
 640 provide mitigation grants pursuant to s. 215.5586(2), Florida  
 641 Statutes, under the My Safe Florida Home Program. Funds must be  
 642 used for applications submitted on or before October 15, 2023.  
 643 The department may not continue to accept applications or to  
 644 create a waiting list in anticipation of additional funding  
 645 unless the Legislature provides express authority to implement  
 646 such actions.

647 (2) For the 2023-2024 fiscal year, the sum of \$5,285,100 in  
 648 nonrecurring funds is appropriated from the General Revenue Fund  
 649 to the Department of Financial Services for administrative costs  
 650 related to implementation of mitigation grants pursuant to s.  
 651 215.5586(2), Florida Statutes, under the My Safe Florida Home  
 652 Program.

653 Section 7. Paragraph (d) is added to subsection (5) of  
 654 section 252.37, Florida Statutes, to read:

655 252.37 Financing.—

656 (5) Unless otherwise specified in the General  
 657 Appropriations Act:

658 (d) Subject to appropriation, and notwithstanding paragraph  
 659 (a), the Legislature intends to provide the entire match  
 660 requirement for Public Assistance Program grants to local  
 661 governments within a county designated for individual assistance  
 662 and public assistance (categories A-G) in the Federal Emergency  
 663 Management Agency disaster declaration for Hurricane Idalia.  
 664 Such local governments must enter into agreements with the  
 665 division to have their portions of the match requirements waived  
 666 and must agree to use an equal amount of funds toward further  
 667 disaster recovery or mitigation. Funds shall be allocated on a

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668 first-come, first-served basis. Notwithstanding paragraph (a), a  
 669 local government in an agreement with the division under this  
 670 paragraph is not required to provide one-half of the required  
 671 match before it receives Public Assistance Program financial  
 672 assistance. The division shall report quarterly to the Executive  
 673 Office of the Governor and the chair of each legislative  
 674 appropriations committee on the amount of match requirements  
 675 waived, agreements entered into with local governments, and the  
 676 amount of remaining appropriated funds. This paragraph expires  
 677 June 30, 2028.

678 Section 8. For the 2023-2024 fiscal year, the nonrecurring  
 679 sum of \$30 million from the General Revenue Fund is appropriated  
 680 to the Division of Emergency Management within the Executive  
 681 Office of the Governor to provide the match requirement for  
 682 Public Assistance Program grants pursuant to s. 252.37(5)(d),  
 683 Florida Statutes, as created by this act. Appropriated funds may  
 684 only be used to meet federal match requirements as provided in  
 685 s. 252.37(5)(d), Florida Statutes, as created by this act.  
 686 Notwithstanding s. 216.301, Florida Statutes, and pursuant to s.  
 687 216.351, Florida Statutes, the balance of this appropriation  
 688 which is not disbursed by June 30, 2024, may be carried forward  
 689 for up to 5 years after the effective date of this act.

690 Section 9. Subsection (8) of section 252.71, Florida  
 691 Statutes, is amended to read:

692 252.71 Florida Emergency Management Assistance Foundation.—

693 (8) This section is repealed October 1, 2027 ~~December 31,~~  
 694 ~~2024~~, unless reviewed and saved from repeal by the Legislature.

695 Section 10. Paragraph (c) of subsection (3) of section  
 696 288.066, Florida Statutes, is amended to read:

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697 288.066 Local Government Emergency Revolving Bridge Loan  
698 Program.—

699 (3) LOAN TERMS.—

700 (c) The term of the loan is up to 5 years ~~24 months~~.

701 ~~However, the department may extend loan terms for up to 6 months~~  
702 ~~based on the local government's financial condition.~~

703 Section 11. The Department of Commerce is authorized to  
704 amend a loan agreement executed before November 1, 2023, and  
705 made pursuant to s. 288.066, Florida Statutes, in order to  
706 increase the loan term to a total of 5 years from the original  
707 date of execution, as authorized by this act, upon request of  
708 the local government and as determined by the department to be  
709 in the best interests of the state.

710 Section 12. (1) For the 2023-2024 fiscal year, the  
711 nonrecurring sum of \$25 million from the Local Government  
712 Housing Trust Fund is appropriated in the Affordable Housing for  
713 Hurricane Recovery appropriation category to the Florida Housing  
714 Finance Corporation. The corporation shall use these funds for  
715 hurricane recovery purposes through the Hurricane Housing  
716 Recovery Program, to be administered in accordance with part VII  
717 of chapter 420, Florida Statutes, for eligible counties and  
718 municipalities based on Hurricane Idalia Federal Emergency  
719 Management Agency damage assessment data and population.  
720 Hurricane recovery purposes may include, but are not limited to,  
721 any of the following:

722 (a) Site preparation, demolition, repair, and replacement  
723 of housing.

724 (b) Repair, replacement, and relocation assistance for  
725 manufactured homes.

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726 (c) Acquisition of building materials for home repair and  
727 construction.

728 (d) Assistance to homeowners to pay insurance deductibles.

729 (e) Down payment assistance.

730 (f) Housing reentry assistance, such as security deposits,  
731 utility deposits, and temporary storage of household  
732 furnishings.

733 (2) The Florida Housing Finance Corporation shall  
734 coordinate with the Division of Emergency Management within the  
735 Executive Office of the Governor and the Department of Commerce  
736 to prevent duplication of benefits related to other state or  
737 federal programs for recipients of funds appropriated under this  
738 section.

739 Section 13. (1) For the 2023-2024 fiscal year, the  
740 nonrecurring sum of \$50 million from the General Revenue Fund is  
741 appropriated to the Division of Emergency Management within the  
742 Executive Office of the Governor to provide grants or loans for  
743 hurricane repair and recovery projects within counties  
744 designated for individual assistance and public assistance  
745 (categories A-G) in the Federal Emergency Management Agency  
746 disaster declaration for Hurricane Idalia. Local governments,  
747 independent special districts, and school boards, including  
748 charter schools, may apply to the division for the appropriated  
749 funds in a manner designated by the division. At the time of the  
750 application, a local government, an independent special  
751 district, or a school board requesting funding for  
752 infrastructure repair projects, beach renourishment projects, or  
753 dredging of public waterway projects must have secured matching  
754 funds of at least 50 percent of the project costs. The matching

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755 requirement for a project within a fiscally constrained county  
 756 may be waived.

757 (2) Applications to the division must contain a  
 758 certification that includes, but is not limited to, both of the  
 759 following statements:

760 (a) That the funding requested is necessary to maintain  
 761 services or infrastructure essential to support health, safety,  
 762 and welfare functions, and to reimburse the local government,  
 763 independent special district, or school board for unanticipated  
 764 expenses related to responding to Hurricane Idalia or for the  
 765 loss of revenues related to the impact of Hurricane Idalia.

766 (b) That insufficient state funds, federal funds, private  
 767 funds, or insurance proceeds are available and that should  
 768 sufficient funds subsequently become available to meet the need  
 769 of the original application, the local government or entity will  
 770 reimburse the state in the amount of such funds subsequently  
 771 received.

772 (3) The division is authorized to request budget amendments  
 773 up to \$50 million which request the release of funds pursuant to  
 774 chapter 216, Florida Statutes, to provide resources to fund gaps  
 775 in the following projects:

776 (a) Mitigation of local and county revenue losses and  
 777 operating deficits.

778 (b) Infrastructure repair and replacement, including road,  
 779 sewer, and water facilities.

780 (c) Beach renourishment.

781 (d) Debris removal.

782 (e) Dredging of public waterways.

783 (4) The division shall coordinate with other state agencies

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784 and the local government, independent special district, or  
 785 school board to ensure there is no duplication of benefits  
 786 between these funds and other funding sources, such as insurance  
 787 proceeds and any other federal or state programs, including  
 788 Public Assistance Program requests to the Federal Emergency  
 789 Management Agency and Community Development Block Grant Disaster  
 790 Recovery grants. Applications approved by the division for  
 791 funding which are for projects ineligible for any other funding  
 792 sources, whether federal or state programs, may be provided as  
 793 grants. Funding for requests approved by the division, which  
 794 requests are for projects eligible for other funding sources,  
 795 must be provided as loans that must be repayable up to the  
 796 amount of other funding sources subsequently received. Any funds  
 797 reimbursed to the state must be deposited in the General Revenue  
 798 Fund.

799 Section 14. For the 2023-2024 fiscal year, the nonrecurring  
 800 sum of \$10 million from the State Transportation Trust Fund is  
 801 appropriated to the Department of Transportation for  
 802 transportation projects under the Small County Outreach Program  
 803 under s. 339.2818, Florida Statutes, within counties designated  
 804 for individual assistance and public assistance (categories A-G)  
 805 in the Federal Emergency Management Agency disaster declaration  
 806 for Hurricane Idalia.

807 Section 15. Section 14 of chapter 2023-304, Laws of  
 808 Florida, is amended to read:

809 Section 14. (1) Due to the impacts of Hurricane Ian,  
 810 Charlotte, Collier, Desoto, Glades, Hardee, Hendry, Highlands,  
 811 Lee, Manatee, and Sarasota Counties, and any ~~a county or~~  
 812 municipality located within one of those counties, may entirely

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813 ~~or partially within 100 miles of where either Hurricane Ian or~~  
 814 ~~Hurricane Nicole made landfall shall not propose or adopt any~~  
 815 moratorium on construction, reconstruction, or redevelopment of  
 816 any property damaged by Hurricane Ian ~~or Hurricane Nicole~~;  
 817 propose or adopt more restrictive or burdensome amendments to  
 818 its comprehensive plan or land development regulations; or  
 819 propose or adopt more restrictive or burdensome procedures  
 820 concerning review, approval, or issuance of a site plan,  
 821 development permit, or development order, to the extent that  
 822 those terms are defined by s. 163.3164, Florida Statutes, before  
 823 October 1, ~~2026~~ 2024, and any such moratorium or restrictive or  
 824 burdensome comprehensive plan amendment, land development  
 825 regulation, or procedure shall be null and void ab initio. This  
 826 subsection applies retroactively to September 28, 2022.

827 (2) Notwithstanding subsection (1), any comprehensive plan  
 828 amendment, land development regulation amendment, site plan,  
 829 development permit, or development order approved or adopted by  
 830 a county or municipality before or after the effective date of  
 831 this section may be enforced if:

832 (a) The associated application is initiated by a private  
 833 party other than the county or municipality.

834 (b) The property that is the subject of the application is  
 835 owned by the initiating private party.

836 (3) This section shall ~~take effect upon becoming a law and~~  
 837 expire June 30, ~~2027~~ 2025.

838 Section 16. (1) For the 2023-2024 fiscal year, the  
 839 nonrecurring sum of \$3 million in Fixed Capital Outlay from the  
 840 General Revenue Fund is appropriated to the Division of  
 841 Emergency Management within the Executive Office of the Governor

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20232C\_\_

842 to provide planning and design grants for new facilities for  
 843 emergency operations to the following fiscally constrained  
 844 counties impacted by Hurricane Idalia: Columbia, Dixie,  
 845 Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison,  
 846 Suwannee, and Taylor counties.

847 (2) Such fiscally constrained counties may apply to the  
 848 division in a manner designated by the division for a grant to  
 849 be used for engineering, planning, and design services. The  
 850 division shall prioritize applications for grants that will fund  
 851 public safety complexes, combining emergency operations, fire  
 852 services, police services, emergency medical services, or  
 853 dispatch in one facility.

854 (3) The division must also conduct an assessment of need of  
 855 the applicants and award grants based on the greatest need. The  
 856 division, in awarding a grant, shall consider all of the  
 857 following information:

858 (a) Whether current structures are damaged or unsafe.

859 (b) Whether current structures are aged or appropriately  
 860 hurricane rated for the geographic location or proposed site.

861 (c) The need for a consolidated and updated facility.

862 (d) Whether the proposed facility can be expanded in the  
 863 future as population increases or needs of the locality change.

864 Section 17. Subsection (7) is added to section 288.0655,  
 865 Florida Statutes, to read:

866 288.0655 Rural Infrastructure Fund.—

867 (7) For the 2023-2024 fiscal year, the Department of  
 868 Commerce may award grants for the following fiscally constrained  
 869 counties impacted by Hurricane Idalia: Columbia, Dixie,  
 870 Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison,

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871 Suwannee, and Taylor. The purpose of the grants is to facilitate  
 872 the planning, preparing, and financing of infrastructure  
 873 projects. Eligible uses of the grants include roads or other  
 874 remedies to transportation impediments, stormwater systems,  
 875 water or wastewater facilities, and telecommunications  
 876 facilities. This subsection expires July 1, 2024.

877 Section 18. For the 2023-2024 fiscal year, the nonrecurring  
 878 sum of \$5 million in Fixed Capital Outlay from the General  
 879 Revenue Fund is appropriated to the Department of Commerce for  
 880 grants awarded pursuant to s. 288.0655(7), Florida Statutes.

881 Section 19. Section 570.82, Florida Statutes, is repealed.

882 Section 20. Section 570.822, Florida Statutes, is created  
 883 to read:

884 570.822 Agriculture and Aquaculture Producers Natural  
 885 Disaster Recovery Loan Program.—

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

887 (a) "Bona fide farm operation" means a farm operation  
 888 engaged in a good faith commercial agricultural use of land on  
 889 land classified as agricultural pursuant to s. 193.461 or on  
 890 sovereign submerged land that is leased to the applicant by the  
 891 department pursuant to s. 597.010 and that produces agricultural  
 892 products within the definition of agriculture under s. 570.02.

893 (b) "Declared natural disaster" means a natural disaster  
 894 for which a state of emergency is declared pursuant to s.  
 895 252.36.

896 (c) "Department" means the Department of Agriculture and  
 897 Consumer Services.

898 (d) "Essential physical property" means fences, equipment,  
 899 structural production facilities, such as shade houses and

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900 greenhouses, or other agriculture or aquaculture facilities or  
 901 infrastructure.

902 (e) "Program" means the Agriculture and Aquaculture  
 903 Producers Natural Disaster Recovery Loan Program.

904 (2) USE OF LOAN FUNDS; LOAN TERMS.—

905 (a) The program is established within the department to  
 906 make loans to agriculture and aquaculture producers that have  
 907 experienced damage or destruction from a declared natural  
 908 disaster. Loan funds may be used to restore, repair, or replace  
 909 essential physical property or remove vegetative debris from  
 910 essential physical property. A structure or building constructed  
 911 using loan proceeds must comply with storm-hardening standards  
 912 for nonresidential farm buildings as defined in s. 604.50(2).  
 913 The department shall adopt such standards by rule.

914 (b) The department may make a low-interest or interest-free  
 915 loan to an eligible applicant. The maximum amount that an  
 916 applicant may receive during the application period for a loan  
 917 is \$500,000. An applicant may not receive more than one loan per  
 918 application period and no more than two loans per year or no  
 919 more than five loans in any 3-year period. A loan term is 10  
 920 years.

921 (3) ELIGIBLE APPLICANTS.—To be eligible for the program, an  
 922 applicant must:

923 (a) Own or lease a bona fide farm operation that is located  
 924 in a county named in a declared natural disaster and that was  
 925 damaged or destroyed as a result of such declared natural  
 926 disaster.

927 (b) Maintain complete and acceptable farm records, pursuant  
 928 to criteria published by the department, and present them as

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929 proof of production levels and bona fide farm operations.  
 930 (4) LOAN APPLICATION AND AGREEMENT.—  
 931 (a) Requests for loans must be made by application to the  
 932 department. Upon a determination that funding for loans is  
 933 available, the department shall publicly notice an application  
 934 period for the declared natural disaster, beginning within 60  
 935 days after the date of the declared natural disaster and running  
 936 up to 1 year after the date of the declared natural disaster or  
 937 until all available loan funds are exhausted, whichever occurs  
 938 first.  
 939 (b) An applicant must demonstrate the need for financial  
 940 assistance and an ability to repay or meet a standard credit  
 941 rating determined by the department.  
 942 (c) Loans must be made pursuant to written agreements  
 943 specifying the terms and conditions agreed to by the approved  
 944 applicant and the department. The loan agreement must specify  
 945 that the loan is due upon sale if the property or other  
 946 collateral for the loan is sold.  
 947 (d) An approved applicant must agree to stay in production  
 948 for the duration of the loan. A loan is not assumable.  
 949 (5) LOAN SECURITY REQUIREMENTS.—All loans must be secured  
 950 by a first lien on property or other collateral as set forth in  
 951 the loan agreement. The specific type of collateral required may  
 952 vary depending upon the loan purpose, repayment ability, and the  
 953 particular circumstances of the applicant. The department shall  
 954 record the lien in public records in the county where the  
 955 property is located and, in the case of personal property,  
 956 perfect the security interest by filing appropriate Uniform  
 957 Commercial Code forms with the Florida Secured Transaction

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958 Registry as required pursuant to chapter 679.  
 959 (6) LOAN REPAYMENT.—  
 960 (a) A loan is due and payable in accordance with the terms  
 961 of the loan agreement.  
 962 (b) The department shall defer payments for the first 3  
 963 years of the loan. After 3 years, the department shall reduce  
 964 the principal balance annually through the end of the loan term  
 965 such that the original principal balance is reduced by 30  
 966 percent. If the principal balance is repaid before the end of  
 967 the 10th year, the applicant may not be required to pay more  
 968 than 70 percent of the original principal balance. The approved  
 969 applicant must continue to be actively engaged in production in  
 970 order to receive the original principal balance reductions and  
 971 must continue to meet the loan agreement terms to the  
 972 satisfaction of the department.  
 973 (c) An approved applicant may make payments on the loan at  
 974 any time without penalty. Early repayment is encouraged as other  
 975 funding sources or revenues become available to the approved  
 976 applicant.  
 977 (d) All repayments of principal and interest, if  
 978 applicable, received by the department in a fiscal year must be  
 979 returned to the loan fund and made available for loans to other  
 980 applicants in the next application period.  
 981 (e) The department may periodically review an approved  
 982 applicant to determine whether he or she continues to be in  
 983 compliance with the terms of the loan agreement. If the  
 984 department finds that an applicant is no longer in production or  
 985 has otherwise violated the loan agreement, the department may  
 986 seek repayment of the full original principal balance

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987 outstanding, including any interest or costs, as applicable, and  
 988 excluding any applied or anticipated original principal balance  
 989 reductions.

990 (7) ADMINISTRATION.—

991 (a) The department shall create and maintain a separate  
 992 account in the General Inspection Trust Fund as a fund for the  
 993 program. All repayments must be returned to the loan fund and  
 994 made available as provided in this section. Notwithstanding s.  
 995 216.301, funds appropriated for the loan program are not subject  
 996 to reversion. The department shall manage the fund, establishing  
 997 loan practices that must include, but are not limited to,  
 998 procedures for establishing loan interest rates, uses of  
 999 funding, application procedures, and application review  
 1000 procedures. The department is authorized to contract with a  
 1001 third-party administrator to administer the program and manage  
 1002 the loan fund. A contract for a third-party administrator that  
 1003 includes management of the loan fund must, at a minimum, require  
 1004 maintenance of the loan fund to ensure that the program may  
 1005 operate in a revolving manner.

1006 (b) The department shall coordinate with other state  
 1007 agencies and other entities to ensure to the greatest extent  
 1008 possible that agriculture and aquaculture producers in this  
 1009 state have access to the maximum financial assistance available  
 1010 following a natural disaster. The coordination must endeavor to  
 1011 ensure that there is no duplication of financial assistance  
 1012 between the loan program and other funding sources, such as any  
 1013 federal or other state programs, including public assistance  
 1014 requests to the Federal Emergency Management Agency or financial  
 1015 assistance from the United States Department of Agriculture,

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1016 which could render the approved applicant ineligible for other  
 1017 financial assistance.

1018 (8) RULES.—The department shall adopt rules to implement  
 1019 this section.

1020 (9) REPORTS.—By December 1, 2024, and each December 1  
 1021 thereafter, the department shall provide a report on program  
 1022 activities during the previous fiscal year to the President of  
 1023 the Senate and the Speaker of the House of Representatives. The  
 1024 report must include information on noticed application periods,  
 1025 the number and value of loans awarded under the program for each  
 1026 application period, the number and value of loans outstanding,  
 1027 the number and value of any loan repayments received, and an  
 1028 anticipated repayment schedule for all loans.

1029 (10) SUNSET.—This section expires July 1, 2043, unless  
 1030 reviewed and saved from repeal through reenactment by the  
 1031 Legislature.

1032 Section 21. Subsection (3) of section 201.25, Florida  
 1033 Statutes, is amended to read:

1034 201.25 Tax exemptions for certain loans.—There shall be  
 1035 exempt from all taxes imposed by this chapter:

1036 (3) Any loan made by the Agriculture and Aquaculture  
 1037 Producers Natural Disaster Recovery Loan Program pursuant to s.  
 1038 570.822 ~~Agricultural Economic Development Program pursuant to s.~~  
 1039 570.82.

1040 Section 22. The Department of Agriculture and Consumer  
 1041 Services shall, and all conditions are deemed met to, adopt  
 1042 emergency rules pursuant to s. 120.54(4), Florida Statutes, for  
 1043 the purpose of implementing s. 570.822, Florida Statutes.  
 1044 Notwithstanding any other law, emergency rules adopted pursuant



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1045 to this section are effective for 6 months after adoption and  
 1046 may be renewed during the pendency of the procedure to adopt  
 1047 permanent rules addressing the subject of the emergency rules.

1048 Section 23. Within 30 days after this act becomes a law,  
 1049 the Chief Financial Officer shall transfer \$75 million in  
 1050 nonrecurring funds from the General Revenue Fund to the General  
 1051 Inspection Trust Fund within the Department of Agriculture and  
 1052 Consumer Services. For the 2023-2024 fiscal year, the sum of \$75  
 1053 million in nonrecurring funds from the General Inspection Trust  
 1054 Fund is appropriated in fixed capital outlay to the Department  
 1055 of Agriculture and Consumer Services for the Agriculture and  
 1056 Aquaculture Producers Natural Disaster Recovery Loan Program  
 1057 established pursuant to s. 570.822, Florida Statutes. The  
 1058 department is authorized to use up to 5 percent of the  
 1059 appropriated funds for administrative costs to implement the  
 1060 program. Notwithstanding s. 570.822(4)(a), Florida Statutes, as  
 1061 created by this act, in order for the department to adopt  
 1062 emergency rules and establish the administration of the program,  
 1063 the department is authorized to publicly notice the opening of  
 1064 the application period for Hurricane Idalia no later than 60  
 1065 days after this act becomes a law.

1066 Section 24. (1) For the 2023-2024 fiscal year, the sum of  
 1067 \$37.5 million in nonrecurring funds from the General Revenue  
 1068 Fund in fixed capital outlay is appropriated to the Department  
 1069 of Agriculture and Consumer Services to administer a cost-  
 1070 sharing grant program to assist timber landowners in Charlotte,  
 1071 Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando,  
 1072 Jefferson, Lafayette, Levy, Madison, Manatee, Pasco, Pinellas,  
 1073 Sarasota, Suwannee, and Taylor Counties whose timber land was

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1074 damaged as a result of Hurricane Idalia. Grants made to eligible  
 1075 timber landowners must be for up to 75 percent of the costs for  
 1076 site preparation and tree replanting on lands classified as  
 1077 agricultural lands under s. 193.461, Florida Statutes. The  
 1078 maximum grant award is \$250,000. Site preparation work may  
 1079 include downed tree removal by a variety of methods, including  
 1080 mechanical harvesting or prescribed burns authorized by the  
 1081 Florida Forest Service pursuant to s. 590.125, Florida Statutes.  
 1082 The department may use up to \$1 million of the appropriated  
 1083 funds for administrative costs to implement the grant program.

1084 (2) The department is authorized, and all conditions are  
 1085 deemed met, to adopt emergency rules pursuant to s. 120.54(4),  
 1086 Florida Statutes, for the purpose of implementing this section.  
 1087 Notwithstanding any other provision of law, emergency rules  
 1088 adopted pursuant to this subsection are effective for 6 months  
 1089 after adoption and may be renewed during the pendency of  
 1090 procedures to adopt permanent rules addressing the subject of  
 1091 the emergency rules.

1092 (3) The department shall coordinate with other state  
 1093 agencies and other entities to ensure to the greatest extent  
 1094 possible that timber landowners have access to the maximum  
 1095 financial assistance available following Hurricane Idalia. The  
 1096 coordination must endeavor to ensure that there is no  
 1097 duplication of financial assistance between these funds and  
 1098 other funding sources, such as any federal or other state  
 1099 programs, including public assistance requests to the Federal  
 1100 Emergency Management Agency or financial assistance from the  
 1101 United States Department of Agriculture, which could render the  
 1102 approved applicant ineligible for other financial assistance.

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1103 Section 25. This act shall take effect upon becoming a law.  
1104

11/6/23

# The Florida Senate APPEARANCE RECORD

SB 2C

Meeting Date

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Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name MARK Jeffries

Phone 407-836-5909

Address 201 S. Roseland

Email MARK.jeffries@ocfl.net

Street

Orlando, Florida

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: Orange County

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

APPEARANCE RECORD

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11/6/23

Meeting Date

Fiscal Policy

Committee

002C

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jim SPKATT

Phone 850-228-1296

Address PO Box 10011

Street

Email jim@magnoliastrategiesllc.com

TCLH

City

FL

State

32302

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 Nursery Growers & LANDSCAPE Association

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  
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4/6

2-C

Meeting Date

FISCAL POLICY

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name AUSTIN STOWERS

Phone 850/413/5939

Address 200 E GAINES  
Street

Email austin.stowers@myfloridacfo.com

TALL  
City

FL  
State

32309  
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:

DEPARTMENT OF FINANCIAL SERVICES

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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SB 2-C

Bill Number or Topic

11/06/2023

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Michael Boardsley

Phone 904-845-7135

Address PO Box 187

Email MBOARDSLEY@SWPA.ORG

Street

Tallahassee FL 32302-0187

City

State

Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [X] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[X] I am a registered lobbyist, representing:

South eastern wood Producers Association

[ ] 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

APPEARANCE RECORD

SB 2C

Bill Number or Topic

Amendment Barcode (if applicable)

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11/6/23

Meeting Date

fiscal Policy

Committee

Name

Andrew Wamsley

Phone

202-430-0188

Address

310 W College Ave.

Email

andrew.wamsley@ffbf.org

Street

Tallahassee

FL

32001

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 Farm Bureau Federation

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

APPEARANCE RECORD

SB 2C

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Bill Number or Topic

11/16/2023

Meeting Date

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Murphy Kennedy

Phone (407) 232-3820

Address 200 S Mance St

Email murphykg@flndarealtors.org

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 Realtors

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)



11/6/2023

# The Florida Senate APPEARANCE RECORD

SB 2-C

Meeting Date

Bill Number or Topic

Fiscal Policy

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Committee

Amendment Barcode (if applicable)

Name

Tripp Hunter

Phone

850-408-6092

Address

201 S Monroe St

Email

Tripp.Hunter@FFVA.com

Street

Tallahassee

FL

32303

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 Fruit & Vegetable Assn.

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)

11/6/23

The Florida Senate  
**APPEARANCE RECORD**

Ag Loan 2C  
Program

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Meeting Date  
Fiscal Policy

Bill Number or Topic

Committee  
Name  
Kathy Mears

Amendment Barcode (if applicable)

Phone  
850 251 4466

Address  
The Capitol

Email  
kathy.mears@  
FDACS.GOV

Street  
tall FL 32303  
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:

FDACS

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)

11/06/2023

# The Florida Senate APPEARANCE RECORD

SB 2-C

Meeting Date  
Fiscal Policy

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Bill Number or Topic

Committee  
Name Jennifer Ashton

Amendment Barcode (if applicable)  
Phone 941-773-2112

Address P.O Box 950205

Email Jennifer@Ashton-Advocacy.com

Street  
Lake Mary Florida 32795  
City State Zip

**Reset Form**

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 Association of Building Inspectors

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)

# APPEARANCE RECORD

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SB 2-C

Bill Number or Topic

11/6/23

Meeting Date

S Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Jared Grigas

Phone (850) 322-0229

Address 100 S Monroe St, Tallahassee, FL

Email jgrigas@fl-counties.com

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:

Fl. Association of Counties

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 \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

The Florida Senate

APPEARANCE RECORD

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Bill Number or Topic

Amendment Barcode (if applicable)

11-6-23

Meeting Date

FP

Committee

Name Richard W. Schwab

Phone 870-83 86178

Address 200 Cheryl Dr

Email richard@marigoni.com

Street

Perry

City

FL

State

32347

Zip

Speaking: [X] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] 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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SB 2-C Disaster Relief

Bill Number or Topic

11/6/23

Meeting Date

FISCAL

Committee

Amendment Barcode (if applicable)

Name ROD LAND

Phone 386-330-4234

Address 1801 NE Hewitt Land Rd  
Street

Email landbaris@windstream.net

Mayo  
City

FL  
State

32066  
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)

The Florida Senate

APPEARANCE RECORD

11/6/23

Meeting Date

2C

Bill Number or Topic

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

Community Affairs  
Committee

Amendment Barcode (if applicable)

Name

Joseph Cannon, Cedar Key Avocado Association

Phone

352 949 7151

Address

Street

Cedar Key,

City

FL

State

Zip

Email

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)

The Florida Senate

APPEARANCE RECORD

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

11-6-23

Meeting Date

20

Bill Number or Topic

FP

Committee

Amendment Barcode (if applicable)

Name DAVID CULLEN

Phone 941-323-2404

Address 9230 ELM ST

Email cullenasa@gmail.com

City Ok

State MO

Zip 31842

Speaking: [ ] For [x] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[x] 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:

SIERRA CLUB FLORIDA

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)



11/6/23

# The Florida Senate APPEARANCE RECORD

2B-C

Meeting Date

Deliver both copies of this form to  
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Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Paul Owens

Phone

Address 309 N. Monroe St.

Email

powers@1000fof.org

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:

1000 Friends of 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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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

11/6/2023

Meeting Date

2C

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Bob McKee

Phone (850) 766-1952

Address 100 S Monroe

Email bmkkee@fl-counties.com

Street

Tallahassee FL 32308

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 Assoc of Counties

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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11-6-23

Meeting Date

SB 20

Bill Number or Topic

FP

Committee

Amendment Barcode (if applicable)

Name

Ernest Fulford

Phone

850-545-1501

Address

2798 Fulford Rd

Email

FulfordFarms@centurylink.net

Street

Monticello

City

FL

State

32344

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)

The Florida Senate

APPEARANCE RECORD

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11-6-23

Meeting Date

2C

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name

Chris Doolin

Phone

850-508-5492

Address

1018 THOMASVILLE Rd St 102B

Email

cdoolin@doolinassoc.com

Street

TALLA

F

32308

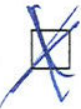
City

State

Zip

SMALL COUNTY COALITION

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)

11/6/23

Meeting Date

# The Florida Senate APPEARANCE RECORD

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SB 2C

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Jimmy Patronis, CFO

Phone

Address

Street

Email

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)

11/6/2023

Meeting Date

# The Florida Senate APPEARANCE RECORD

SB 2-C

Bill Number or Topic

Fiscal Policy

Deliver both copies of this form to  
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Committee

Amendment Barcode (if applicable)

Name Jason Chandler

Phone 3865906288

Address 342 SE CR 405

Email JChandler@Grimmway.com

Street

Mayo

City

FL

State

32066

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)

**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.)

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Prepared By: The Professional Staff of the Committee on Fiscal Policy

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BILL: SB 4-C

INTRODUCER: Senator Collins

SUBJECT: Family Empowerment Scholarship Program

DATE: November 2, 2023

REVISED: \_\_\_\_\_

---

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Siples	Yeatman	FP	<b>Favorable</b>

---

**I. Summary:**

SB 4-C modifies the number of students served under the Family Empowerment Scholarship Program for students with disabilities (FES-UA). The bill revises the maximum number of students served for the 2023-2024 school year to be the number determined by the Department of Education and the scholarship funding organizations. Beginning with the 2024-2025 school year, the maximum number of students will increase annually by three percent of the exceptional student education full-time equivalent student membership, not including gifted students.

The change made by the bill does not require an additional appropriation as any additional students will be absorbed by the current Florida Education Finance Program (FEFP) appropriation for the 2023-2024 fiscal year, which includes the \$350 million appropriated for the Educational Enrollment Stabilization Program created pursuant to section 1011.62(18), F.S.

The bill is effective upon becoming a law.

**II. Present Situation:**

The Family Empowerment Scholarship (FES) program provides children of families in Florida with educational options to achieve success in their education, including children of families with limited financial resources.<sup>1</sup> The scholarship program includes two types of scholarship awards. One award assists eligible students to pay for the tuition and fees associated with attendance at a private school or for transportation to another public school (FES-EO).<sup>2</sup> The award for students with disabilities (FES-UA) provides access to additional education options for a student with a disability by covering the cost of a variety of approved items, including: contracted services, curriculum, instructional materials, tutoring, specified education programs,

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<sup>1</sup> Section 1002.394, F.S.

<sup>2</sup> Section 1002.394(3)(a), F.S.

and specialized services.<sup>3</sup> Each scholarship award has student eligibility requirements, program requirements and responsibilities, award calculation methodologies, and allowable expenditures.<sup>4</sup>

### ***Student Eligibility***

A parent of a student may apply for and receive from the state an FES-EO scholarship if the student is a Florida resident and is eligible to enroll in kindergarten through grade 12 in a public school in this state. Priority is given first to students whose household income level does not exceed 185 percent of the federal poverty level or who are in foster care or out-of-home care, then to students whose household income level exceeds 185 percent of the federal poverty level, but does not exceed 400 percent.<sup>5</sup>

For an FES-UA scholarship, an eligible student must be 3 or 4 years old, or eligible to enroll in kindergarten through 12th grade in a public school in Florida, and the subject of an Individualized Education Plan (IEP) or have a diagnosis of a disability from a licensed physician or psychologist. “Disability” means, for a student age 3 through grade 12: autism spectrum disorder; cerebral palsy; Down syndrome; an intellectual disability; Prader-Willi syndrome; Phelan-McDermid syndrome; spina bifida; Williams syndrome; muscular dystrophy; a rare disease; anaphylaxis; hearing impaired; visually impaired; dual sensory impaired; traumatic brain injury; speech, language, orthopedic or other health impairment; emotional-behavioral or specific learning disability; hospital homebound for more than six months; or for a student in kindergarten, being a high-risk child.<sup>6</sup>

### ***Authorized Uses***

An FES-EO scholarship for an eligible student may be used for the following expenses:

- Tuition and fees at an eligible private school.
- Transportation to a Florida public school in which the student is enrolled when different from the school the student was assigned.
- Instructional materials, including digital materials and internet resources.
- Curriculum.
- Tuition and fees for full- or part-time enrollment in an eligible postsecondary educational institution, an approved preapprenticeship program, an authorized private tutoring program, a virtual program by an approved online provider, Florida Virtual School as a private paying student, or an approved online course.
- Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations and certain assessments.
- Contracted services provided by a public school or school district.
- Tuition and fees for part-time tutoring services.<sup>7</sup>

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<sup>3</sup> Section 1002.394(3)(b), F.S.

<sup>4</sup> Section 1002.394, F.S.

<sup>5</sup> Florida Department of Education, *Family Empowerment Scholarship-Educational Options (FES-EO) FAQs*, <https://www.fldoe.org/core/fileparse.php/18766/urlt/FES-EO-FAQs.pdf> (last visited October 31, 2023).

<sup>6</sup> Florida Department of Education, *Family Empowerment Scholarship-Unique Abilities (FES UA) FAQs*, <https://www.fldoe.org/core/fileparse.php/18766/urlt/FES-UA-FAQs.pdf> (last visited October 31, 2023).

<sup>7</sup> Section 1002.394(4)(a), F.S.



FES-EO scholarship funds awarded to students enrolled full-time in a private school must be used for tuition and fees at the private school prior to any other authorized uses. Parents are responsible for all eligible expenses in excess of the amount of the scholarship.<sup>8</sup>

An FES-UA scholarship for an eligible student with a disability may be used to cover the following expenses:

- Instructional materials, including digital devices, digital periphery devices, and assistive technology devices that allow a student to access instruction or instructional content and training on the use of and maintenance agreements for these devices.
- A complete course of study for a particular content area or grade level, including any required supplemental materials and associated online instruction.
- Specialized services<sup>9</sup> by approved providers or by a hospital in this state which are selected by the parent.
- Tuition or fees associated with full-time or part-time enrollment in a home education program, an eligible private school, an eligible postsecondary educational institution or a program offered by the postsecondary educational institution, an approved apprenticeship program, an authorized private tutoring program, a virtual program offered by an approved private online provider, the Florida Virtual School as a private paying student, or an approved online course.
- Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement Examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.
- Contributions to the Stanley G. Tate Florida Prepaid College Program or the Florida College Savings Program for the benefit of the eligible student.
- Contracted services provided by a public school or school district, including classes.
- Tuition and fees for part-time tutoring services.
- Fees for specialized summer education programs or specialized after-school education programs.
- Transition services provided by job coaches.
- Fees for a home education student's annual evaluation of educational progress by a state-certified teacher.
- Tuition and fees associated with a Voluntary Prekindergarten (VPK) or school readiness program.
- Fees for services provided at a center that is a member of the Professional Association of Therapeutic Horsemanship International.
- Fees for services provided by a therapist who is certified by the Certification Board for Music Therapists or credentialed by the Art Therapy Credentials Board, Inc.<sup>10</sup>

---

<sup>8</sup> Florida House of Representatives, *Legislative Bill Analysis for CS/CS/CS/CS/HB1* (May 17, 2023) available at <https://www.flsenate.gov/Session/Bill/2023/1/Analyses/h0001z1.CIS.PDF> (last visited October 31, 2023).

<sup>9</sup> Specialized services may include, but are not limited to, applied behavior analysis services, services provided by speech-language pathologists, occupational therapy services, services provided by physical therapists, or services provided by listening and spoken language specialists.

<sup>10</sup> Section 1002.394(4)(b), F.S.

### ***Student Scholarship Award***

The maximum FES-EO scholarship amount for each student is based upon his or her grade level and county of residence calculated in the Florida Education Finance Program. In the 2022-2023 school year, the average award amount was \$7,700.<sup>11</sup> Similarly, the amount of a student's FES-UA scholarship is dependent on a number of different factors, including grade level, county of residence, and a student's individual level of need. The average scholarship in the 2022-2023 school year was approximately \$9,700.<sup>12</sup>

### ***Program Capacity***

As a result of legislative changes in 2023, the cap for the number of FES-EO students who could be served was removed beginning with the 2023-2024 school year. Therefore, all students who applied by the established deadlines and who met the specified eligibility criteria were eligible to receive an FES-EO scholarship award.<sup>13</sup>

For the 2022-2023 school year, the maximum number of FES-UA scholarships was established at 26,500 students. Beginning with the 2023-2024 school year, and annually thereafter, the maximum number of students participating in the scholarship program annually increases by three percent of the state's total exceptional student education (ESE) FTE student membership, not including gifted students.<sup>14</sup> As adopted at the April 2023 Enrollment Estimating Conference, the maximum number of students for the 2023-2024 school year was set at 40,913.<sup>15</sup>

The maximum program capacity for FES-UA does not include the following students:

- Students who received specialized instructional services under the Voluntary Prekindergarten Education Program (VPK) during the previous school year;
- Students who are a dependent child of a law enforcement officer or a member of the United States Armed Forces, a foster child, or an adopted child; or

Students who spent the prior school year in attendance at a Florida public school or received a McKay Scholarship in the 2021-2022 school year.<sup>16</sup>

### **III. Effect of Proposed Changes:**

The bill modifies the number of students served under the Family Empowerment Scholarship Program for students with disabilities (FES-UA). The bill revises the maximum number of students served for the 2023-2024 school year to be the number determined by the Department of Education and the scholarship funding organizations. Beginning with the 2024-2025 school year, the maximum number of students will increase annually by three percent of the exceptional student education full-time equivalent student membership, not including gifted students.

<sup>11</sup> Florida Department of Education, *Family Empowerment Scholarship-Educational Options (FES-EO) FAQs*, <https://www.fldoe.org/core/fileparse.php/18766/urlt/FES-EO-FAQs.pdf> (last visited October 31, 2023).

<sup>12</sup> Florida Department of Education, *Family Empowerment Scholarship-Unique Abilities (FES UA) FAQs*, <https://www.fldoe.org/core/fileparse.php/18766/urlt/FES-UA-FAQs.pdf> (last visited October 31, 2023).

<sup>13</sup> Section 5, ch. 2023-16, Laws of Florida.

<sup>14</sup> Section 1002.394(12), F.S.

<sup>15</sup> Three percent of the 480,421 2022-2023 ESE population added 14,413 students to the cap of 26,500 that was set for the 2022-2023 school year. *Education Estimating Conference for PreK-12 Enrollment* (<http://edr.state.fl.us/Content/conferences/publicschools/archives/230414publicschools.pdf>) @ 4<sup>th</sup> Calc Prlm on page 1 and page 5 (last visited October 31, 2023).

<sup>16</sup> Section 1002.394(12)(b), F.S.

The bill is effective upon becoming a law.

**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 change made by the bill does not require an additional appropriation as any additional students will be absorbed by the current Florida Education Finance Program (FEFP) appropriation for the 2023-2024 fiscal year, which includes the \$350 million appropriated for the Educational Enrollment Stabilization Program created pursuant to s. 1011.62(18), F.S.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 1002.394 of the Florida Statutes.

**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.

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

---

By Senator Collins

14-00005-23C

20234C\_\_

A bill to be entitled

An act relating to the Family Empowerment Scholarship Program; amending s. 1002.394, F.S.; revising the number of certain students eligible to participate in the Family Empowerment Scholarship Program; providing an effective date.

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

Section 1. Paragraph (b) of subsection (12) of section 1002.394, Florida Statutes, is amended to read:

1002.394 The Family Empowerment Scholarship Program.—

(12) SCHOLARSHIP FUNDING AND PAYMENT.—

(b)1. For the 2023-2024 school year, the maximum number of students participating in the scholarship program under paragraph (3) (b) shall be the number of Scholarships for students the organization and the department determined eligible pursuant to this section paragraph (3) (b) are established for up to 26,500 students annually beginning in the 2022-2023 school year. Beginning in the 2024-2025 ~~2023-2024~~ school year, the maximum number of students participating in the scholarship program under paragraph (3) (b) ~~this section~~ shall annually increase by 3.0 percent of the state's total exceptional student education full-time equivalent student membership, not including gifted students. An eligible student who meets any of the following requirements shall be excluded from the maximum number of students if the student:

a. Received specialized instructional services under the Voluntary Prekindergarten Education Program pursuant to s.

Page 1 of 4

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

14-00005-23C

20234C\_\_

1002.66 during the previous school year and the student has a current IEP developed by the district school board in accordance with rules of the State Board of Education;

b. Is a dependent child of a law enforcement officer or a member of the United States Armed Forces, a foster child, or an adopted child; or

c. Spent the prior school year in attendance at a Florida public school or the Florida School for the Deaf and the Blind. For purposes of this subparagraph, the term "prior school year in attendance" means that the student was enrolled and reported by:

(I) A school district for funding during either the preceding October or February full-time equivalent student membership surveys in kindergarten through grade 12, which includes time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program;

(II) The Florida School for the Deaf and the Blind during the preceding October or February full-time equivalent student membership surveys in kindergarten through grade 12;

(III) A school district for funding during the preceding October or February full-time equivalent student membership surveys, was at least 4 years of age when enrolled and reported, and was eligible for services under s. 1003.21(1)(e); or

(IV) Received a John M. McKay Scholarship for Students with Disabilities in the 2021-2022 school year.

2. For a student who has a Level I to Level III matrix of services or a diagnosis by a physician or psychologist, the calculated scholarship amount for a student participating in the

Page 2 of 4

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

14-00005-23C

20234C\_\_

59 program must be based upon the grade level and school district  
60 in which the student would have been enrolled as the total funds  
61 per unweighted full-time equivalent in the Florida Education  
62 Finance Program for a student in the basic exceptional student  
63 education program pursuant to s. 1011.62(1)(c) and (d), plus a  
64 per full-time equivalent share of funds for the categorical  
65 programs established in s. 1011.62(5), (7)(a), (8), and (16), as  
66 funded in the General Appropriations Act. For the categorical  
67 program established in s. 1011.62(8), the funds must be  
68 allocated based on the school district's average exceptional  
69 student education guaranteed allocation funds per exceptional  
70 student education full-time equivalent student.

71 3. For a student with a Level IV or Level V matrix of  
72 services, the calculated scholarship amount must be based upon  
73 the school district to which the student would have been  
74 assigned as the total funds per full-time equivalent for the  
75 Level IV or Level V exceptional student education program  
76 pursuant to s. 1011.62(1)(c)2.a. or b., plus a per-full time  
77 equivalent share of funds for the categorical programs  
78 established in s. 1011.62(5), (7)(a), and (16), as funded in the  
79 General Appropriations Act.

80 4. For a student who received a Gardiner Scholarship  
81 pursuant to former s. 1002.385 in the 2020-2021 school year, the  
82 amount shall be the greater of the amount calculated pursuant to  
83 subparagraph 2. or the amount the student received for the 2020-  
84 2021 school year.

85 5. For a student who received a John M. McKay Scholarship  
86 pursuant to former s. 1002.39 in the 2020-2021 school year, the  
87 amount shall be the greater of the amount calculated pursuant to

14-00005-23C

20234C\_\_

88 subparagraph 2. or the amount the student received for the 2020-  
89 2021 school year.

90 6. The organization must provide the department with the  
91 documentation necessary to verify the student's participation.

92 7. Upon receiving the documentation, the department shall  
93 release, from state funds only, the student's scholarship funds  
94 to the organization, to be deposited into the student's account  
95 in four equal amounts no later than September 1, November 1,  
96 February 1, and April 1 of each school year in which the  
97 scholarship is in force.

98 8. Accrued interest in the student's account is in addition  
99 to, and not part of, the awarded funds. Program funds include  
100 both the awarded funds and accrued interest.

101 9. The organization may develop a system for payment of  
102 benefits by funds transfer, including, but not limited to, debit  
103 cards, electronic payment cards, or any other means of payment  
104 which the department deems to be commercially viable or cost-  
105 effective. A student's scholarship award may not be reduced for  
106 debit card or electronic payment fees. Commodities or services  
107 related to the development of such a system must be procured by  
108 competitive solicitation unless they are purchased from a state  
109 term contract pursuant to s. 287.056.

110 10. An organization may not transfer any funds to an  
111 account of a student determined to be eligible pursuant to  
112 paragraph (3)(b) which has a balance in excess of \$50,000.

113 11. Moneys received pursuant to this section do not  
114 constitute taxable income to the qualified student or the parent  
115 of the qualified student.

116 Section 2. This act shall take effect upon becoming a law.

11 / 6 / 23

Meeting Date

# The Florida Senate APPEARANCE RECORD

4C

Bill Number or Topic

Fiscal Policy

Committee

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

Amendment Barcode (if applicable)

Name Sarah Massey

Phone 850 · 545 · 0543

Address 136 S. Bronough St

Email smassey@flchamber.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:

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

Florida Chamber of Commerce

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 \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

11-6-23

Meeting Date

# The Florida Senate APPEARANCE RECORD

SB-4C

Bill Number or Topic

Fiscal Policy  
Committee

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

Amendment Barcode (if applicable)

Name Nathan Hoffman

Phone 217-503-7368

Address 215 E Monroe  
Street

Email Nathan@afloridapromise.org

Tallahassee FL 32302  
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:

Fdn for FL Future

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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The Florida Senate

APPEARANCE RECORD

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11.6.23 Meeting Date

40 Bill Number or Topic

Fiscal Policy Committee

Amendment Barcode (if applicable)

Name Damaris Allen Phone 813.843.6210

Address 4909 Elizabeth Anne Cir Email damaris@strongflschools.com

Tampa FL 33611 City State Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [x] Against

PLEASE CHECK ONE OF THE FOLLOWING:

- [x] 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)

11/6/23

# The Florida Senate APPEARANCE RECORD

4E

Meeting Date

Bill Number or Topic

Fiscal Policy

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

Committee

Amendment Barcode (if applicable)

Name Ed Hegler

Phone 516 316 1250

Address 5140 N 36 Ct

Email E.Hegler@browns.com

Street

Hollywood

FL

33021

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)

The Florida Senate

APPEARANCE RECORD

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

06 November 2023 Meeting Date

SB-4-C Bill Number or Topic

Fiscal Policy Committee

Amendment Barcode (if applicable)

Name Eduardo Kornworret Phone 813 410 6273

Address 3614 W Bay to Bay Blvd Street Email eduardokornworret@hotmail.com

Tampa City FL State 33629 Zip

Speaking: [ ] For [ ] Against [ ] Information OR Waive Speaking: [x] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[ ] I am appearing without compensation or sponsorship.

[ ] I am a registered lobbyist, representing:

[x] 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

# APPEARANCE RECORD

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

11/6/23

Meeting Date

Fiscal Policy

Committee

412

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Ben JACOBSON

Phone

773-960-3960

Address

9540 Collins Way

Email

benjacobson@gmail.com

Street

Suwannee

FL

33184

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)

The Florida Senate

# APPEARANCE RECORD

SB 4C

Meeting Date

11/6  
Fiscal Policy

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

HARAYL ASK072KY

Phone

9179747515

Address

7230 San Sebastian

Email

HASK072KY

Street

Boca Raton

State

FL

33433

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)

The Florida Senate

# APPEARANCE RECORD

SB 4C

Bill Number or Topic

Amendment Barcode (if applicable)

11/6/23

Meeting Date

Fiscal policy

Committee

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

Name Avraham Liban

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Address 7650 Solimar Cir  
Street

Email libanars@gmail.com

Boca Raton

FL

33433

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)

The Florida Senate

APPEARANCE RECORD

HC

NOV 6, 2023

Meeting Date

Fiscal Policy

Committee

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

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Nancy Lawther, Ph.D.

Phone

407 855-7604

Address

1747 Orlando Central Aprox

Email

legulation@floridapta.org

Street

Orlando FL 32809

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:

Florida PTA

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

APPEARANCE RECORD

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4 FES family empowerment scholarship  
Bill Number of Topic

11/16/2023

Meeting Date

Committee

Amendment Barcode (if applicable)

Name

Amy Michaelis

Phone

386-689-5262

Address

6815 Plumjack Ct  
Street

Email

Port Orange FL  
City State

32128  
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)



The Florida Senate

APPEARANCE RECORD

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

11-6-2023

Meeting Date

4C

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Mary Josephine Walsh

Phone 561-932-3938

Address 1340 Kenwood Road

Street

Email MaryJo@MSA-INC.ORG

West Palm Beach FL 33401

City

State

Zip

Speaking: [X] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

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

**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 Committee on Fiscal Policy

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BILL: SB 6-C

INTRODUCER: Senator Calatayud

SUBJECT: Security Grants

DATE: November 2, 2023

REVISED: \_\_\_\_\_

---

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Nobles	Yeatman	FP	<b>Favorable</b>

---

**I. Summary:**

In 2023, the Florida Legislature created the Nonprofit Security Grant Program (Program) within the Division of Emergency Management (division). The Program’s purpose is to award grants to increase security and safety for nonprofit entities at high risk for violent attacks and hate crimes and that were deemed eligible for, but did not receive, funding from the federal Nonprofit Security Grant Program within the federal fiscal year.

The bill amends provisions governing the Program to:

- Clarify that schools and museums can apply for a grant;
- Clarify that grants can be used to purchase and install *materials* for door hardening;
- Remove the prohibition on receiving both a state and federal grant;
- Direct the division to establish eligibility criteria based on the federal grant program;
- Prioritize applications for houses of worship or facilities that are frequented by children or students on a daily basis;
- Require the division to provide an annual list each June 1 to the Legislature of grants awarded; and
- Require the division to adopt rules to administer the Program by December 31, 2023, and authorize the division to adopt emergency rules to implement the Program.

The bill appropriates \$10 million in nonrecurring funds from the General Revenue Fund to the division for the purpose of implementing the program.

The bill appropriates \$5 million in nonrecurring funds from the General Revenue Fund to the Department of Education as fixed capital outlay to provide grants to full-time Jewish day schools and Jewish preschools for hardening security measures.

The bill appropriates \$20 million in nonrecurring funds from the General Revenue Fund to the Department of Education to provide grants to full-time Jewish day schools and Jewish preschools for nonhardening security measures.

The bill is effective upon becoming a law.

## II. Present Situation:

### Federal Nonprofit Security Grant Program

The Federal Emergency Management Agency (FEMA) under the United States Department of Homeland Security (DHS) administers the Nonprofit Security Grant Program (NSGP), a program implemented to allow the DHS and the FEMA to help strengthen the nation's communities against extremist attacks.<sup>1</sup>

The NSGP also provides funding support for target hardening and physical security enhancements to nonprofit organizations that are at high risk of terrorist attack. The intent of the NSGP is to integrate nonprofit preparedness activities with the broader state and local efforts and to promote preparedness activities among state and local governments and agencies, emphasizing coordination with public and private community representatives.<sup>2</sup>

Funding allocated under the NSGP is further broken down by two categories: Urban Area (UA) and State (NSGP-S). Funds allocated to UA are awarded to nonprofit organizations located within one of the Urban Area Security Initiative designated high-risk urban areas. The NSGP-S funding is for nonprofit organizations located outside of the high-risk urban areas.<sup>3</sup>

The designated State Administrative Agency (SAA) is the only entity eligible to apply for the NSGP funds. The SAA applies to the FEMA for available funding on behalf of the eligible nonprofit organizations and provides funds to the nonprofit organizations as subrecipients. For federal fiscal year 2023, the DHS is provided \$305 million for the NSGP. Florida's allocation is \$3.4 million for the NSGP-S grants and \$11.5 million for the UA grants. Up to 5 percent of the grants may be used for administration.<sup>4</sup>

### Florida Division of Emergency Management

The Division of Emergency Management (division) is responsible for "maintaining a comprehensive statewide program of emergency management."<sup>5</sup> Among its duties, the division is responsible for preparing a state comprehensive emergency management plan that is integrated with the emergency plans and programs of the Federal Government and cooperating with various partners in emergency management.<sup>6</sup> The division is the designated SAA for Florida for the federal NSGP.

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<sup>1</sup> FEMA, *Nonprofit Security Grant Program*, available at <https://www.fema.gov/grants/preparedness/nonprofit-security> (last visited October 26, 2023). FEMA, *FY 2023 Nonprofit Security Grant Program Fact Sheet*, February 7, 2023, available at <https://www.fema.gov/grants/preparedness/nonprofit-security/fy-23-fact-sheet> (last visited October 31, 2023).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Section 252.35(1), F.S.

<sup>6</sup> Section 252.35, F.S.

The division regularly publishes an application guide for organizations to use for a variety of federal emergency grants, including the NSGP.<sup>7</sup> The application guide provides important program information, including identification of key differences from the prior year's application, deadlines, funding restrictions, and permitted grant activities.<sup>8</sup>

For the federal fiscal year 2023 application, the DHS has identified the protection of soft targets or crowded places as a national priority with three second-tier priorities of:

- Effective planning;
- Training and awareness campaigns; and
- Exercises.<sup>9</sup>

More specific needs and goals are detailed within each of the priorities. Eligible nonprofit organizations, as defined by the NSGP, apply through an application released by the division.<sup>10</sup>

### **Florida Nonprofit Security Grant Program**

In 2023, the Florida Legislature created the Nonprofit Security Grant Program (Program) within the division.<sup>11</sup> The Program provides grant awards to eligible nonprofit organizations, including houses of worship and community centers, which are at high risk for violent attacks or hate crimes who were deemed eligible for, but did not receive, funding from the federal NSGP within the federal fiscal year.<sup>12</sup>

The grants may be used to increase safety and security, including, but not limited to, the purchase and installation of:

- Security infrastructure;
- Perimeter lighting;
- Door hardening;
- Security camera systems;
- Perimeter fencing;
- Barriers and bollards;<sup>13</sup>
- Blast-resistant film; and

---

<sup>7</sup> Florida Division of Emergency Management, available at <https://www.floridadisaster.org/dem/preparedness/grants-unit/> (last visited October 26, 2023). The division website includes information about the FY 2023 application process, identification of key changes in the process, a list of frequently asked questions, an application guide, and self-assessment guide.

<sup>8</sup> Florida Division of Emergency Management, Preparedness Bureau, *Nonprofit Security Grant Program – FY 2023 Application Guide (March 2023)*, pg. 5, available at <https://portal.floridadisaster.org/preparedness/External/Grants-Unit/Nonprofit%20Security%20Grant%20Program/FY23/2023%20Florida%20NSGP%20Application%20Guide%2003.03.23%20-%20FINAL.pdf> (last visited October 26, 2023).

<sup>9</sup> *Id.*

<sup>10</sup> *Supra* note 20 at 6-7. Eligible entities are those entities who are described under section 502(c)(3) of the Internal Revenue Code and exempt from tax under section 501(a) of that same code; can demonstrate through the application that the organization is at high risk of a terrorist or other extremist attack; and is located within one of the Urban Area Security Initiative designated areas. For FY 2023, those areas are Jacksonville, Tampa, Orlando, and Miami/Fort Lauderdale.

<sup>11</sup> Chapter 2023-180, Laws of Florida.

<sup>12</sup> Section 252.3712(2), F.S.

<sup>13</sup> A bollard is a short sturdy post that is often used to protect the perimeter of a store and ensure the safety of the patrons. *See* Julia Donigian, *What are bollards and why do we need them?*, available at <https://www.mccue.com/blog/what-is-a-safety-bollard> (last visited October 30, 2023).

- Shatter-resistant glass for windows.<sup>14</sup>

Grant funds may also be used to hire security personnel and train security personnel and staff on threat awareness, emergency procedures, and first aid.

The minimum grant that may be awarded is \$10,000 and the maximum grant award is \$150,000; however, the total amount available in any given year is contingent upon the funding appropriated to the Program.<sup>15</sup> The Program was not funded in Fiscal Year 2023-2024. The division must adopt rules to administer the Program, including providing criteria for awarding grant funds to:

- An owner of a facility for hardening security measures;
- An owner or renter of a facility for nonhardening security measures; and
- An owner or renter of a facility that has been operational for a period of at least 6 months or that has received a number of threats based on need.<sup>16</sup>

The division has not yet publicly noticed rulemaking for the program. The division is authorized to use up to 3 percent of any appropriation for the administration of the Program.<sup>17</sup>

The Program will be automatically repealed on January 1, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.<sup>18</sup>

### III. Effect of Proposed Changes:

**Section 1** amends the provisions governing the Nonprofit Security Grant Program in s. 252.3712, F.S., to:

- Add schools and museums to the list of eligible nonprofit organizations;
- Clarify that materials for door hardening are an acceptable use of awarded funds;
- Change the eligibility requirement to provide that an applicant must only meet the federal NSGP eligibility criteria rather than requiring the applicant to meet the federal NSGP eligibility requirements, but not receive federal NSGP funding within the federal fiscal year;
- Prioritize applicants that are houses of worship or whose facilities are frequented by children or students on a daily basis; and
- Require the division to submit a list of grants awarded to the President of the Senate and Speaker of the House by June 1, 2024, and annually thereafter.

**Section 2** requires the division to adopt administrative rules to administer the Program by December 31, 2023, and authorizes the division to adopt emergency rules to implement the Program.

**Section 3** appropriates \$10 million in nonrecurring funds from the General Revenue Fund for the 2023-2024 fiscal year to the division to implement the Program. The grants must be awarded no

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<sup>14</sup> Section 252.3712(1), F.S.

<sup>15</sup> Section 252.3712(3), F.S.

<sup>16</sup> Section 252.3712(5), F.S.

<sup>17</sup> Section 252.3712(4), F.S.

<sup>18</sup> Section 252.3712(6), F.S.

later than March 1, 2024, and the unexpended balance at the end of the fiscal year reverts and is appropriated for the same purpose for the 2024-2025 fiscal year.

**Section 4** appropriates \$5 million in nonrecurring funds from the General Revenue Fund for the 2023-2024 fiscal year to the Department of Education as fixed capital outlay to provide grants to full-time Jewish day schools and Jewish preschools for hardening security measures. The grants must be awarded no later than March 1, 2024. Hardening security measures include the purchase and installation of security infrastructure, perimeter lighting, materials for door hardening, security camera systems, perimeter fencing, barriers and bollards, and blast-resistant film and shatter-resistant glass for windows.

**Section 5** appropriates \$20 million in nonrecurring funds from the General Revenue Fund for the 2023-2024 fiscal year to the Department of Education to provide grants to full-time Jewish day schools and Jewish preschools for nonhardening security measures. The grants must be awarded no later than March 1, 2024, and the unexpended balance at the end of the fiscal year reverts and is appropriated for the same purpose for the 2024-2025 fiscal year. Nonhardening security measures include hiring security personnel and providing training for security personnel and staff on threat awareness, emergency procedures, and first aid.

**Section 6** provides that the bill takes effect upon becoming a law.

#### **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:**

Nonprofit organizations, including schools and museums, at high risk for violent attacks or hate crimes, Jewish day schools, and Jewish preschools will be able to apply for funding for the purchase and installation of security infrastructure or the addition or training of security personnel or staff. Nonprofit organizations that receive a federal NSGP grant may also be eligible to apply for and receive state funding for a similar grant.

**C. Government Sector Impact:**

The bill appropriates:

- \$10 million in nonrecurring funds from the General Revenue Fund for the 2023-2024 fiscal year to the division to implement the Program; the unexpended balance at the end of the fiscal year reverts and is appropriated for the same purpose for the 2024-2025 fiscal year;
- \$5 million in nonrecurring funds from the General Revenue Fund for the 2023-2024 fiscal year to the Department of Education as fixed capital outlay to provide grants to full-time Jewish day schools and Jewish preschools for hardening security measures; and
- \$20 million in nonrecurring funds from the General Revenue Fund for the 2023-2024 fiscal year to the Department of Education to provide grants to full-time Jewish day schools and Jewish preschools for nonhardening security measures; the unexpended balance at the end of the fiscal year reverts and is appropriated for the same purpose for the 2024-2025 fiscal year.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 252.3712 of the Florida Statutes.

**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.

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

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By Senator Calatayud

38-00003-23C

20236C\_\_

1 A bill to be entitled  
 2 An act relating to security grants; amending s.  
 3 252.3712, F.S.; expanding the Nonprofit Security Grant  
 4 Program to include additional organizations;  
 5 specifying that grants may be used for certain  
 6 materials; revising eligibility criteria to be awarded  
 7 a grant; requiring that certain rules be adopted by  
 8 the Division of Emergency Management; requiring the  
 9 division to provide certain information to the  
 10 Legislature annually by a specified date; requiring  
 11 the division to adopt emergency rules by a specified  
 12 date; providing appropriations; requiring reversion of  
 13 unexpended funds; providing for future appropriations;  
 14 providing an effective date.

15  
 16 Be It Enacted by the Legislature of the State of Florida:

17  
 18 Section 1. Present subsection (6) of section 252.3712,  
 19 Florida Statutes, is renumbered as subsection (7), subsections  
 20 (1) and (2) are amended, paragraph (d) is added to subsection  
 21 (5), and a new subsection (6) is added to that section, to read:  
 22 252.3712 Nonprofit Security Grant Program.—

23 (1) The division shall establish a Nonprofit Security Grant  
 24 Program that shall consist of funds appropriated by the  
 25 Legislature to nonprofit organizations, including houses of  
 26 worship, schools, museums, and community centers, that are at  
 27 high risk for violent attacks or hate crimes. The grants may be  
 28 used to increase security and safety, including, but not limited  
 29 to:

Page 1 of 4

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

38-00003-23C

20236C\_\_

30 (a) The purchase and installation of security  
 31 infrastructure, perimeter lighting, materials for door  
 32 hardening, security camera systems, perimeter fencing, barriers  
 33 and bollards, and blast-resistant film and shatter-resistant  
 34 glass for windows.  
 35 (b) Hiring security personnel.  
 36 (c) Training for security personnel and staff on threat  
 37 awareness, emergency procedures, and first aid.  
 38 (2) The division shall award grants to applicants that meet  
 39 eligibility criteria for ~~who were deemed eligible for but did~~  
 40 ~~not receive funding from~~ the United States Department of  
 41 Homeland Security's Nonprofit Security Grant Program within the  
 42 federal fiscal year.  
 43 (5) The division shall adopt rules to administer this  
 44 section, including rules providing criteria for all of the  
 45 following:  
 46 (d) Prioritizing applicants that are houses of worship or  
 47 whose facilities are frequented by children or students on a  
 48 daily basis.  
 49 (6) By June 1, 2024, and annually thereafter, the division  
 50 shall provide a list of grants awarded during that fiscal year  
 51 to the President of the Senate and the Speaker of the House of  
 52 Representatives.  
 53 Section 2. No later than December 31, 2023, the Division of  
 54 Emergency Management must adopt rules to administer the  
 55 Nonprofit Security Grant Program. The division is authorized,  
 56 and all conditions are deemed met, to adopt emergency rules  
 57 under s. 120.54(4), Florida Statutes, for the purpose of  
 58 implementing the Nonprofit Security Grant Program.

Page 2 of 4

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

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59 Section 3. For the 2023-2024 fiscal year, the nonrecurring  
 60 sum of \$10,000,000 from the General Revenue Fund is appropriated  
 61 to the Division of Emergency Management within the Executive  
 62 Office of the Governor for the purpose of implementing the  
 63 Nonprofit Security Grant Program. Grants must be awarded no  
 64 later than March 1, 2024. The unexpended balance of funds  
 65 appropriated to the division as of June 30, 2024, shall revert  
 66 and is appropriated to the division for the same purpose for the  
 67 2024-2025 fiscal year.

68 Section 4. For the 2023-2024 fiscal year, the nonrecurring  
 69 sum of \$5,000,000 from the General Revenue Fund is appropriated  
 70 to the Department of Education as fixed capital outlay to  
 71 provide grants to full-time Jewish day schools and Jewish  
 72 preschools for hardening security measures, including the  
 73 purchase and installation of security infrastructure, perimeter  
 74 lighting, materials for door hardening, security camera systems,  
 75 perimeter fencing, barriers and bollards, and blast-resistant  
 76 film and shatter-resistant glass for windows. Grants must be  
 77 awarded no later than March 1, 2024.

78 Section 5. For the 2023-2024 fiscal year, the nonrecurring  
 79 sum of \$20,000,000 from the General Revenue Fund is appropriated  
 80 to the Department of Education to provide grants to full-time  
 81 Jewish day schools and Jewish preschools for nonhardening  
 82 security measures, including hiring security personnel and  
 83 training for security personnel and staff on threat awareness,  
 84 emergency procedures, and first aid. Grants must be awarded no  
 85 later than March 1, 2024. The unexpended balance of funds  
 86 appropriated to the department as of June 30, 2024, shall revert  
 87 and is appropriated to the department for the same purpose for

Page 3 of 4

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

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88 the 2024-2025 fiscal year.

89 Section 6. This act shall take effect upon becoming a law.

Page 4 of 4

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

The Florida Senate

APPEARANCE RECORD

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

NOV 6, 2023

Meeting Date

Fiscal Policy

Committee

6C

Bill Number or Topic

Amendment Barcode (if applicable)

Name Nancy Lawther, PhD

Phone 407 855-7604

Address 1747 Orlando Central Hwy

Email legislation@floridapts.org

Street

Orlando FL 32809

City

State

Zip

Speaking: [X] 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:

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

Florida PTA

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)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

11/6/23

Meeting Date

Fiscal Policy

Committee

00

Bill Number or Topic

Amendment Barcode (if applicable)

Name Rabbi Yossi Harlig

Phone 305-775-7252

Address 9700 S. Dixie Highway

Email reb.yossi@chabad.org

miami FL 33176

City

State

Zip

Speaking: [X] For [ ] Against [ ] Information OR Waive Speaking: [ ] In Support [ ] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[X] 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)

The Florida Senate

**APPEARANCE RECORD**

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

11/6/23

Meeting Date

6C

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name David Schacter

Phone 305-775-7252

Address 101 E College Ave, #502

Email N/A

Tallahassee

FL

33131

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)

The Florida Senate

# APPEARANCE RECORD

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

6C

Bill Number or Topic

11/6/23

Meeting Date

Finance Policy

Committee

Amendment Barcode (if applicable)

Name

Ben Jacobson

Phone

773-960-3060

Address

9540 Collins Ave

Email

benjacobson@gmail.com

Street

SURFSIDE

FL

33154

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)

The Florida Senate

# APPEARANCE RECORD

SB 6C

11/6/23  
Meeting Date

Bill Number or Topic

fiscal policy  
Committee

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

Amendment Barcode (if applicable)

Name Avraham Luban

Phone 347.623.7984

Address 7650 Solimar Cir  
Street

Email lubanars@gmail.com

Boca Raton FL 33433  
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

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

11/6/23

Meeting Date

GC

Bill Number or Topic

~~Agenda Fiscal Policy~~

Committee

Amendment Barcode (if applicable)

Name

ELI HAGLER

Phone

516 316 1250

Address

5140 N 36 Ct

Email

E.HAGLER@BRAUNSERV.COM

Street

Hollywood

City

FL

State

33021

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)



The Florida Senate

APPEARANCE RECORD

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

6 November 2023

Meeting Date

SB-6-C

Bill Number or Topic

Fiscal Policy

Committee

Amendment Barcode (if applicable)

Name Eduardo Lamworcel Phone 813-410-6273

Address 3614 W Bay to Bay Blvd Street Email eduardolamworcel@hotmail.com

Tampa City FL State 33629 Zip

Speaking: [X] 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: [X] 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)

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

The Florida Senate

# APPEARANCE RECORD

SB 6C

11/6

Meeting Date

Fiscal Policy

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

HARAYL ASKUTZKY

Phone

917 974-7515

Address

7230 San Sebastian Dr.

Email

HASKUTZKY@YFCFL.org

Street

Boca

Raton

FL

33433

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

S-001 (08/10/2021)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Fiscal Policy  
Governmental Oversight and Accountability  
Health Policy  
Judiciary

### SELECT COMMITTEE:

Select Committee on Resiliency, *Chair*

### JOINT COMMITTEE:

Joint Legislative Budget Commission

### SENATOR BEN ALBRITTON

*Majority Leader*  
27th District

November 6, 2023

Senator Hutson,

I humbly request to be excused for Fiscal Policy on Monday, November 6<sup>th</sup>. Your consideration is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Albritton".

#### REPLY TO:

- 150 North Central Avenue, Bartow, Florida 33830 (863) 534-0073
- 410 Taylor Street, Suite 106, Punta Gorda, Florida 33950 (941) 575-5717
- 318 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5027

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**KATHLEEN PASSIDOMO**  
President of the Senate

**DENNIS BAXLEY**  
President Pro Tempore



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Environment and Natural Resources, *Chair*  
Finance and Tax, *Vice Chair*  
Appropriations Committee on Agriculture, Environment,  
and General Government  
Commerce and Tourism  
Fiscal Policy  
Governmental Oversight and Accountability  
Rules

### SENATOR ANA MARIA RODRIGUEZ

40th District

October 18, 2023

The Florida Senate  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Dear Mr. Chairman,

I would like to request an excused absence for committee meetings and other legislative business during the week of November 6<sup>th</sup>. I will remain in my district that week for personal matters.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ana Maria Rodriguez".

**Sen. Ana Maria Rodriguez**  
The Florida Senate, District 40

#### REPLY TO:

- Miami-Dade College, West Campus Suite 1112, 3800 NW 115th Avenue, Doral, Florida 33178 (305) 470-2552
- 309 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5040

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**KATHLEEN PASSIDOMO**  
President of the Senate

**DENNIS BAXLEY**  
President Pro Tempore

# CourtSmart Tag Report

Room: KB 412

Case No.: -

Type:

Caption: Senate Fiscal Policy Committee

Judge:

Started: 11/6/2023 11:30:21 AM

Ends: 11/6/2023 1:24:34 PM

Length: 01:54:14

11:30:19 AM Meeting called to order, roll call  
11:30:50 AM Quorum is present  
11:30:59 AM Chair Hudson excuses absent Senators  
11:31:02 AM Pledge of Allegiance led by Senator Mayfield  
11:31:22 AM Chair Hudson makes opening remarks  
11:31:37 AM Tab 3, SB 6-C by Senator Calatayud, Security Grants  
11:31:46 AM Chair Hudson recognizes Senator Calatayud  
11:31:48 AM Senator Calatayud explains the bill  
11:34:10 AM Chair recognizes public testimony:  
11:34:23 AM Senator Calatayud introduces David Schacter  
11:34:45 AM David Schacter  
11:41:55 AM Rabbi Yossi Harlip  
11:45:30 AM Nancy Lawther, Florida PTA  
11:46:32 AM Debate:  
11:46:35 AM Senator Thompson  
11:47:01 AM Chair Hudson recognizes public testimony:  
11:47:17 AM Harayc Askotsky  
11:48:10 AM Ben Jacobson  
11:48:21 AM Eduardo Uornworrel  
11:50:36 AM Eli Hagler  
11:52:57 AM Avraham Luben  
11:55:27 AM Ben Jacobson  
11:58:38 AM Debate:  
11:58:40 AM Senator Thompson  
12:00:29 PM Senator Stewart  
12:01:07 PM Senator Wright  
12:01:45 PM Senator Jones  
12:02:59 PM Senator Osgood  
12:04:54 PM Senator Berman  
12:06:03 PM Senator Torres  
12:08:27 PM Senator Calatayud closes on the bill  
12:09:01 PM Roll call on SB6C  
12:09:28 PM Chair Hudson reports the bill  
12:09:35 PM Tab 1, SB2C- by Senator Simon, Disaster Relief  
12:09:39 PM Chair Hudson recognizes Senator Simon  
12:09:43 PM Senator Simon explains the bill  
12:13:20 PM Questions:  
12:13:26 PM Senator Berman  
12:13:39 PM Senator Simon  
12:13:47 PM Senator Berman  
12:13:57 PM Senator Simon  
12:14:04 PM Senator Berman  
12:14:25 PM Senator Simon  
12:15:16 PM Senator Berman  
12:15:28 PM Senator Simon  
12:15:40 PM Senator Berman  
12:15:53 PM Senator Simon  
12:16:04 PM Senator Torres  
12:16:32 PM Senator Simon  
12:18:00 PM Chair Hudson reads appearance cards waiving  
12:18:52 PM Chair Hudson recognizes public testimony:  
12:19:00 PM Jason Chandler

12:23:23 PM Jimmy Patronis, CFO  
12:27:58 PM Chris Doolin, Small County Coalition  
12:30:41 PM Ernest Fulford  
12:32:53 PM Bob Mckee, Florida Association of Counties  
12:34:10 PM Paul Owens, 1000 Friends of Florida  
12:37:05 PM David Cullen, Sierra Club Florida  
12:38:02 PM Joseph Cannam, Aquaculture Association  
12:42:11 PM Rod Land  
12:44:58 PM Richard Schwab  
12:48:36 PM Debate:  
12:48:39 PM Senator Boyd  
12:50:09 PM Senator Stewart  
12:52:32 PM Senator Collins  
12:53:51 PM Senator Berman  
12:55:05 PM Senator Simon closes on the bill  
12:59:28 PM Roll call on SB 2C  
12:59:59 PM Chair Hudson reports the bill  
1:00:04 PM Tab 2, SB4C- Family Empowerment Scholarship Program by Senator Collins  
1:00:13 PM Chair Hudson recognizes Senator Collins  
1:00:17 PM Senator Collins explains the bill  
1:01:55 PM Questions:  
1:01:56 PM Senator Jones  
1:02:14 PM Senator Collins  
1:02:33 PM Senator Jones  
1:02:50 PM Senator Collins  
1:03:09 PM Senator Jones  
1:03:35 PM Senator Collins  
1:03:45 PM Senator Jones  
1:03:51 PM Senator Collins  
1:04:11 PM Senator Stewart  
1:04:26 PM Senator Collins  
1:04:29 PM Senator Stewart  
1:04:56 PM Senator Collins  
1:05:29 PM Senator Stewart  
1:05:43 PM Senator Torres  
1:05:55 PM Chair Hudson reads appearance cards waiving  
1:06:26 PM Chair Hudson recognizes public testimony:  
1:06:36 PM Mary Josephine Walsh  
1:10:21 PM Senator Berman  
1:10:39 PM Mary Josephine Walsh  
1:11:25 PM Senator Berman  
1:11:30 PM Mary Josephine Walsh  
1:12:20 PM Senator Torres  
1:12:34 PM Mary Josephine Walsh  
1:12:50 PM Amy Michaelis  
1:14:12 PM Nancy Lawther, Florida PTA  
1:15:46 PM Avraham Luban  
1:17:54 PM Debate:  
1:17:56 PM Senator Jones  
1:19:23 PM Senator Wright  
1:20:27 PM Senator Simon  
1:21:01 PM Senator Hudson  
1:21:14 PM Senator Collins closes on the bill  
1:23:33 PM Roll call on SB4C  
1:23:59 PM Chair Hudson reports the bill  
1:24:24 PM Meeting adjourned