

HB 1023

2006  
CS

CHAMBER ACTION

1 The Local Government Council recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to playgrounds; amending s. 375.075, F.S.;  
7 requiring the Department of Environmental Protection to  
8 adopt by rule a determination of the appropriate incentive  
9 for encouraging the construction of inclusive playgrounds;  
10 defining the term "inclusive playground"; providing an  
11 effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Section 375.075, Florida Statutes, is amended  
16 to read:

17 375.075 Outdoor recreation; financial assistance to local  
18 governments; inclusive playgrounds.--

19 (1) The Department of Environmental Protection is  
20 authorized to establish the Florida Recreation Development  
21 Assistance Program to provide grants to qualified local  
22 governmental entities to acquire or develop land for public  
23 outdoor recreation purposes. To the extent not needed for debt

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24 service on bonds issued pursuant to s. 375.051, each year the  
25 department shall develop and plan a program which shall be based  
26 upon funding of not less than 5 percent of the money credited to  
27 the Land Acquisition Trust Fund pursuant to s. 201.15(2) and (3)  
28 in that year. Beginning fiscal year 2001-2002, the department  
29 shall develop and plan a program which shall be based upon the  
30 cumulative total funding provided from this section and from the  
31 Florida Forever Trust Fund pursuant to s. 259.105(3)(c).

32 (2)(a) The department shall adopt, by rule, procedures to  
33 govern the program, which shall include, but need not be limited  
34 to, a competitive project selection process designed to maximize  
35 the outdoor recreation benefit to the public.

36 (b) Selection criteria shall, at a minimum, rank:

37 1. The extent to which the project would implement the  
38 outdoor recreation goals, objectives, and priorities specified  
39 in the state comprehensive outdoor recreation plan; and

40 2. The extent to which the project would provide for  
41 priority resource or facility needs in the region as specified  
42 in the state comprehensive outdoor recreation plan.

43 (c) No release of funds from the Land Acquisition Trust  
44 Fund, or from the Florida Forever Trust Fund beginning in fiscal  
45 year 2001-2002, for this program may be made for these public  
46 recreation projects until the projects have been selected  
47 through the competitive selection process provided for in this  
48 section.

49 (3) A local government may submit up to two grant  
50 applications during each application period announced by the  
51 department. However, a local government may not have more than

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52 | three active projects expending grant funds during any state  
53 | fiscal year. The maximum project grant for each project  
54 | application may not exceed \$200,000 in state funds.

55 |       (4) The department shall adopt by rule a determination of  
56 | the appropriate incentive for encouraging the construction of  
57 | inclusive playgrounds. The term "inclusive playground" means a  
58 | playground with a barrier-free environment designed for children  
59 | of all abilities, including those with physical, developmental,  
60 | cognitive, and sensory disabilities, to experience independent  
61 | self-directed play, each at his or her own highest level of  
62 | ability, and includes accessible play components and equipment  
63 | that engage and provide access for children with various motor  
64 | impairments.

65 |       Section 2. This act shall take effect July 1, 2006.