

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Hutson offered the following:

**Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (7) is added to section 163.3180,  
 7 Florida Statutes, to read:

8 163.3180 Concurrency.-

9 (7) (a) Notwithstanding any provision of law, ordinance, or  
 10 resolution, before July 1, 2017, a local government may not,  
 11 unless authorized by majority vote of the local government's  
 12 governing authority, apply transportation concurrency within its  
 13 jurisdiction or require a proportionate-share contribution or  
 14 construction for a new business development. This paragraph does  
 15 not apply to:

16 1. Proportionate-share contribution or construction  
 17 assessed on an existing business development before July 1,

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18 2014.

19 2. A new business development that consists of more than  
20 6,000 square feet and that is classified as other than  
21 residential.

22 3. A new business development that will include a business  
23 that employs more than 12 full-time employees.

24 (b) In order to maintain the exemption from transportation  
25 concurrency and proportionate-share contribution or construction  
26 pursuant to paragraph (a), a new business development must  
27 receive a certificate of occupancy on or before July 1, 2018. If  
28 the certificate of occupancy is not received by July 1, 2018,  
29 the local government may apply transportation concurrency and  
30 require the appropriate proportionate-share contribution or  
31 construction for the business development that would otherwise  
32 be applied notwithstanding this subsection. Any outstanding  
33 obligation related to the proportionate-share contribution or  
34 construction runs with the land and is enforceable against any  
35 person claiming a fee interest in the land subject to that  
36 obligation.

37 (c) This subsection does not apply if it results in a  
38 reduction of previously pledged revenue of a local government  
39 for currently outstanding bonds or notes or to a local  
40 government with a mobility fee-based funding system in place on  
41 or before January 1, 2014.

42 (d) A developer may, upon written notification to the  
43 local government, elect to have the local government apply

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44 transportation concurrency and proportionate-share contribution  
45 or construction to a business development.

46 (e) This subsection expires July 1, 2018.

47 Section 2. Subsection (6) is added to section 163.31801,  
48 Florida Statutes, to read:

49 163.31801 Impact fees; short title; intent; definitions;  
50 ordinances levying impact fees.—

51 (6) (a) Notwithstanding any provision of law, ordinance, or  
52 resolution, before July 1, 2017, a county, municipality, or  
53 special district may not, unless authorized by majority vote of  
54 the county's, municipality's, or special district's governing  
55 authority, impose any new or existing impact fee or any new or  
56 existing fee associated with the mitigation of transportation  
57 impacts on a new business development. This paragraph does not  
58 apply to:

59 1. Any impact fee or fee associated with the mitigation of  
60 transportation impacts previously enacted by law, ordinance, or  
61 resolution assessed on an existing business development before  
62 July 1, 2014.

63 2. A new business development that consists of more than  
64 6,000 square feet and that is classified as other than  
65 residential.

66 3. A new business development that will include a business  
67 that employs more than 12 full-time employees.

68 (b) The governing authority of any county, municipality,  
69 or special district imposing an impact fee in existence on July

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70 1, 2013, must reauthorize the imposition of the fee pursuant to  
71 this subsection.

72 (c) In order to maintain the exemption from impact fees  
73 and fees associated with the mitigation of transportation  
74 impacts pursuant to paragraph (a), a new business development  
75 must receive a certificate of occupancy on or before July 1,  
76 2018. If the certificate of occupancy is not received by July 1,  
77 2018, the county, municipality, or special district may impose  
78 the appropriate impact fees and fees associated with the  
79 mitigation of transportation impacts on the business development  
80 that would otherwise be applied notwithstanding this subsection.  
81 Any outstanding obligation related to impact fees and fees  
82 associated with the mitigation of transportation impacts on the  
83 business development runs with the land and is enforceable  
84 against any person claiming a fee interest in the land subject  
85 to that obligation.

86 (d) This subsection does not apply if it results in a  
87 reduction of previously pledged revenue of a county,  
88 municipality, or special district for currently outstanding  
89 bonds or notes or to a county, municipality, or special district  
90 with a mobility fee-based funding system in place on or before  
91 January 1, 2014.

92 (e) A developer may, upon notification to the county,  
93 municipality, or special district, elect to have impact fees and  
94 fees associated with the mitigation of transportation impacts  
95 imposed on a business development.

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96 (f) This subsection expires July 1, 2018.

97 Section 3. Subsection (1) of section 163.3202, Florida  
98 Statutes, is amended to read:

99 163.3202 Land development regulations.—

100 (1) Within 1 year after submission of its comprehensive  
101 plan or revised comprehensive plan for review pursuant to s.  
102 163.3191 ~~163.3167(2)~~, each county and each municipality shall  
103 adopt or amend and enforce land development regulations that are  
104 consistent with and implement their adopted comprehensive plan.

105 Section 4. Subsection (12) is added to section 212.098,  
106 Florida Statutes, to read:

107 212.098 Rural Job Tax Credit Program.—

108 (12) A new or existing eligible business that receives a  
109 tax credit under subsection (2) or subsection (3) is eligible  
110 for a tax refund of up to 50 percent of the amount of sales tax  
111 on purchases of electricity paid by the business during the 1-  
112 year period after the date the credit is received. The total  
113 amount of tax refunds approved pursuant to this subsection may  
114 not exceed \$600,000 during any calendar year. The department may  
115 adopt rules to administer this subsection.

116 Section 5. Paragraph (a) of subsection (2) of section  
117 288.0001, Florida Statutes, is amended to read:

118 288.0001 Economic Development Programs Evaluation.—The  
119 Office of Economic and Demographic Research and the Office of  
120 Program Policy Analysis and Government Accountability (OPPAGA)  
121 shall develop and present to the Governor, the President of the

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122 Senate, the Speaker of the House of Representatives, and the  
123 chairs of the legislative appropriations committees the Economic  
124 Development Programs Evaluation.

125 (2) The Office of Economic and Demographic Research and  
126 OPPAGA shall provide a detailed analysis of economic development  
127 programs as provided in the following schedule:

128 (a) By January 1, 2017 ~~2014~~, and every 3 years thereafter,  
129 an analysis of the following:

130 1. The capital investment tax credit established under s.  
131 220.191.

132 2. The qualified target industry tax refund established  
133 under s. 288.106.

134 3. The brownfield redevelopment bonus refund established  
135 under s. 288.107.

136 4. High-impact business performance grants established  
137 under s. 288.108.

138 5. The Quick Action Closing Fund established under s.  
139 288.1088.

140 6. The Innovation Incentive Program established under s.  
141 288.1089.

142 7. Enterprise Zone Program incentives established under  
143 ss. 212.08(5) and (15), 212.096, 220.181, and 220.182.

144 8. The New Markets Development Program established under  
145 ss. 288.991-288.9922.

146 Section 6. Subsections (5) and (6) are added to section  
147 288.005, Florida Statutes, to read:

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148 288.005 Definitions.—As used in this chapter, the term:

149 (5) "Loan administrator" means an entity that is  
150 statutorily eligible to receive state funds and authorized by  
151 the department to make loans under a loan program.

152 (6) "Loan program" means a program established in this  
153 chapter to provide appropriated funds to an eligible entity to  
154 further a specific state purpose for a limited period with the  
155 requirement that such appropriated funds be repaid to the state.  
156 The term includes a "loan fund" or "loan pilot program"  
157 administered by the department under this chapter.

158 Section 7. Section 288.006, Florida Statutes, is created  
159 to read:

160 288.006 General operation of loan programs.—

161 (1) The Legislature intends to promote the goals of  
162 accountability and proper stewardship by recipients of loan  
163 program funds. This section applies to all loan programs  
164 established under this chapter and administered by the  
165 department.

166 (2) State funds appropriated for a loan program may be  
167 used only by an eligible recipient or loan administrator, and  
168 the use of such funds is restricted to the specific state  
169 purpose of the loan program, subject to any compensation due to  
170 a loan administrator as provided under this chapter. State funds  
171 may be awarded directly by the department to an eligible  
172 recipient or awarded by the department to a loan administrator.  
173 All state funds, including interest earned, remain state funds

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174 unless otherwise stated in the statutory requirements of the  
175 loan program.

176 (3) (a) Upon termination of a loan program by the  
177 Legislature or by statute, all appropriated funds shall revert  
178 to the General Revenue Fund. The department shall pay the entity  
179 any allowable administrative expenses due to the loan  
180 administrator as provided by this chapter unless otherwise  
181 required by law.

182 (b) Upon termination of a contract between the department  
183 and an eligible recipient or loan administrator, all remaining  
184 appropriated funds shall revert to the fund from which the  
185 appropriation was made. The department shall become the  
186 successor entity for any outstanding loans. Except in the case  
187 of the termination of a contract for fraud or for failure of a  
188 loan administrator to meet the terms of the program, the  
189 department shall pay the entity any allowable administrative  
190 expenses due to the loan administrator as provided by this  
191 chapter.

192 (c) An eligible recipient or loan administrator to which  
193 paragraph (a) or (b) applies shall execute all appropriate  
194 instruments to reconcile any remaining accounts associated with  
195 a terminated loan program or contract. The entity shall execute  
196 all appropriate instruments to ensure that the department is  
197 authorized to collect all receivables for outstanding loans,  
198 including, but not limited to, assignments of promissory notes  
199 and mortgages.



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200       (4) An eligible recipient or loan administrator must avoid  
201 any potential conflict of interest regarding the use of  
202 appropriated funds for a loan program. An eligible recipient,  
203 loan administrator, board member, employee, or agent thereof or  
204 an immediate family member of a board member, employee, or agent  
205 thereof may not have a financial interest in an entity that is  
206 awarded a loan under a loan program. A loan may not be made to a  
207 person or entity if a conflict of interest exists between the  
208 parties involved. As used in this subsection, the term  
209 "immediate family" means a parent, spouse, child, sibling,  
210 grandparent, or grandchild related by blood or marriage.

211       (5) In determining eligibility for an entity applying for  
212 an award of funds directly from the department or applying for  
213 selection as a loan administrator for a loan program, the  
214 department shall evaluate each applicant's business practices,  
215 financial stability, and past performance in other state  
216 programs in addition to considering each loan program's specific  
217 statutory eligibility requirements. Eligibility of an entity  
218 applying to be a recipient or loan administrator may be  
219 conditionally granted or denied outright if the department  
220 determines that the entity is noncompliant with any law, rule,  
221 or program requirement.

222       (6) State funds appropriated to a loan program that are  
223 loaned to an eligible recipient and repaid to a loan  
224 administrator may, if permitted by the provisions of law  
225 authorizing the loan program, be returned to the loan fund and

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226 made available for loans to other eligible recipients of the  
227 loan program. However, every use of state funds by a loan  
228 administrator remains subject to subsections (2) and (3), and  
229 compensation to a loan administrator may not exceed any  
230 limitation provided by this chapter.

231 (7) The Auditor General may conduct audits as provided in  
232 s. 11.45 to verify that the appropriations under each loan  
233 program are expended by the eligible recipient or loan  
234 administrator as required for each program. If the Auditor  
235 General determines that the appropriations are not expended as  
236 required, the Auditor General shall notify the department, which  
237 may pursue recovery of the funds. This section does not prevent  
238 the department from pursuing recovery of the appropriated loan  
239 program funds when necessary to protect the funds or when  
240 authorized by law.

241 (8) The department may adopt rules to implement this  
242 section.

243 Section 8. Subsection (7) of section 288.987, Florida  
244 Statutes, is amended to read:

245 288.987 Florida Defense Support Task Force.—

246 (7) The department shall contract with the task force for  
247 expenditure of appropriated funds, which may be used by the task  
248 force for economic and product research and development, joint  
249 planning with host communities to accommodate military missions  
250 and prevent base encroachment, advocacy on the state's behalf  
251 with federal civilian and military officials, assistance to

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252 school districts in providing a smooth transition for large  
253 numbers of additional military-related students, job training  
254 and placement for military spouses in communities with high  
255 proportions of active duty military personnel, and promotion of  
256 the state to military and related contractors and employers. The  
257 task force may annually spend up to \$250,000 ~~\$200,000~~ of funds  
258 appropriated to the department for the task force for staffing  
259 and administrative expenses of the task force, including travel  
260 and per diem costs incurred by task force members who are not  
261 otherwise eligible for state reimbursement.

262 Section 9. Section 290.0411, Florida Statutes, is amended  
263 to read:

264 290.0411 Legislative intent and purpose of ss. 290.0401-  
265 290.048.—It is the intent of the Legislature to provide the  
266 necessary means to develop, preserve, redevelop, and revitalize  
267 Florida communities exhibiting signs of decline, ~~or~~ distress, or  
268 economic need by enabling local governments to undertake the  
269 necessary community and economic development programs. The  
270 overall objective is to create viable communities by eliminating  
271 slum and blight, fortifying communities in urgent need,  
272 providing decent housing and suitable living environments, and  
273 expanding economic opportunities, principally for persons of low  
274 or moderate income. The purpose of ss. 290.0401-290.048 is to  
275 assist local governments in carrying out effective community and  
276 economic development and project planning and design activities  
277 to arrest and reverse community decline and restore community

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278 vitality. Community and economic development and project  
279 planning activities to maintain viable communities, revitalize  
280 existing communities, expand economic development and employment  
281 opportunities, and improve housing conditions and expand housing  
282 opportunities, providing direct benefit to persons of low or  
283 moderate income, are the primary purposes of ss. 290.0401-  
284 290.048. The Legislature, therefore, declares that the  
285 development, redevelopment, preservation, and revitalization of  
286 communities in this state and all the purposes of ss. 290.0401-  
287 290.048 are public purposes for which public money may be  
288 borrowed, expended, loaned, pledged to guarantee loans, and  
289 granted.

290 Section 10. Section 290.044, Florida Statutes, is amended  
291 to read:

292 290.044 Florida Small Cities Community Development Block  
293 Grant Program Fund; administration; distribution.—

294 (1) The Florida Small Cities Community Development Block  
295 Grant Program Fund is created. All revenue designated for  
296 deposit in such fund shall be deposited by the appropriate  
297 agency. The department shall administer this fund as a grant and  
298 loan guarantee program for carrying out the purposes of ss.  
299 290.0401-290.048.

300 (2) The department shall distribute such funds as loan  
301 guarantees and grants to eligible local governments on the basis  
302 of a competitive selection process established by rule.

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303 (3) The department shall require applicants for grants to  
304 compete against each other in the following grant program  
305 categories:

306 (a) Housing rehabilitation.

307 (b) Economic development.

308 (c) Neighborhood revitalization.

309 (d) Commercial revitalization.

310 (4)~~(3)~~ The department shall define ~~the~~ broad community  
311 development objectives ~~objective~~ to be achieved by the  
312 activities in each of the ~~following~~ grant program categories  
313 with the use of funds from the Florida Small Cities Community  
314 Development Block Grant Program Fund. Such objectives shall be  
315 designed to meet at least one of the national objectives  
316 provided in the Housing and Community Development Act of 1974,  
317 ~~and require applicants for grants to compete against each other~~  
318 ~~in these grant program categories:~~

319 ~~(a) Housing.~~

320 ~~(b) Economic development.~~

321 ~~(c) Neighborhood revitalization.~~

322 ~~(d) Commercial revitalization.~~

323 ~~(e) Project planning and design.~~

324 (5)~~(4)~~ The department may set aside an amount of up to 5  
325 percent of the funds annually for use in any eligible local  
326 government jurisdiction for which an emergency or natural  
327 disaster has been declared by executive order. Such funds may  
328 only be provided to a local government to fund eligible

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329 emergency-related activities for which no other source of  
330 federal, state, or local disaster funds is available. The  
331 department may provide for such set-aside by rule. In the last  
332 quarter of the state fiscal year, any funds not allocated under  
333 the emergency-related set-aside shall be distributed to unfunded  
334 applications from the most recent funding cycle.

335 ~~(6)~~(5) The department shall establish a system of  
336 monitoring grants, including site visits, to ensure the proper  
337 expenditure of funds and compliance with the conditions of the  
338 recipient's contract. The department shall establish criteria  
339 for implementation of internal control, to include, but not be  
340 limited to, the following measures:

341 (a) Ensuring that subrecipient audits performed by a  
342 certified public accountant are received and responded to in a  
343 timely manner.

344 (b) Establishing a uniform system of monitoring that  
345 documents appropriate followup as needed.

346 (c) Providing specific justification for contract  
347 amendments that takes into account any change in contracted  
348 activities and the resultant cost adjustments which shall be  
349 reflected in the amount of the grant.

350 Section 11. Section 290.046, Florida Statutes, is amended  
351 to read:

352 290.046 Applications for grants; procedures;  
353 requirements.—

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354 (1) In applying for a grant under a specific program  
355 category, an applicant shall propose eligible activities that  
356 directly address the objectives ~~objective~~ of that program  
357 category.

358 (2) (a) Not including applications for economic development  
359 grants ~~Except~~ as provided for in subparagraph (b)1. ~~paragraph~~  
360 ~~(e),~~ each eligible local government may submit one ~~an~~  
361 application for a grant ~~under either the housing program~~  
362 ~~category or the neighborhood revitalization program category~~  
363 during each application ~~annual funding~~ cycle. ~~An applicant may~~  
364 ~~not receive more than one grant in any state fiscal year from~~  
365 ~~any of the following categories: housing, neighborhood~~  
366 ~~revitalization, or commercial revitalization.~~

367 (b) 1. ~~An~~ ~~Except~~ as provided in ~~paragraph (e),~~ each  
368 eligible local government may apply up to three times in any one  
369 annual funding cycle for an economic development ~~a grant under~~  
370 ~~the economic development program category~~ but may not ~~shall~~  
371 receive ~~no~~ more than one such grant per annual funding cycle. A  
372 local government may have more than one open economic  
373 development grant ~~Applications for grants under the economic~~  
374 ~~development program category may be submitted at any time during~~  
375 ~~the annual funding cycle, and such grants shall be awarded no~~  
376 ~~less frequently than three times per funding cycle.~~

377 2. The department shall establish minimum criteria  
378 pertaining to the number of jobs created for persons of low or  
379 moderate income, the degree of private-sector ~~private sector~~

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380 financial commitment, and the economic feasibility of the  
381 proposed project and shall establish any other criteria the  
382 department deems appropriate. Assistance to a private, for-  
383 profit business may not be provided from a grant award unless  
384 sufficient evidence exists to demonstrate that without such  
385 public assistance the creation or retention of such jobs would  
386 not occur.

387 (c)1. A local government ~~governments~~ with an open housing  
388 rehabilitation, neighborhood revitalization, or commercial  
389 revitalization contract is shall ~~be~~ not be eligible to apply for  
390 another housing rehabilitation, neighborhood revitalization, or  
391 commercial revitalization grant until administrative closeout of  
392 its their existing contract. The department shall notify a local  
393 government of administrative closeout or of any outstanding  
394 closeout issues within 45 days after ~~of~~ receipt of a closeout  
395 package from the local government. A local government  
396 ~~governments~~ with an open housing rehabilitation, neighborhood  
397 revitalization, or commercial revitalization community  
398 development block grant contract whose activities are on  
399 schedule in accordance with the expenditure rates and  
400 accomplishments described in the contract may apply for an  
401 economic development grant.

402 2. A local government ~~governments~~ with an open economic  
403 development community development block grant contract whose  
404 activities are on schedule in accordance with the expenditure  
405 rates and accomplishments described in the contract may apply



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406 for a housing rehabilitation, ~~or~~ neighborhood revitalization, or  
407 ~~and a~~ commercial revitalization community development block  
408 grant. A local government ~~governments~~ with an open economic  
409 development contract whose activities are on schedule in  
410 accordance with the expenditure rates and accomplishments  
411 described in the contract may not receive ~~no~~ more than one  
412 additional economic development grant in each fiscal year.

413 (d) ~~Beginning October 1, 1988,~~ The department may not  
414 ~~shall award a~~ no grant until it ~~the~~ department has conducted  
415 ~~determined, based upon~~ a site visit to verify the information  
416 contained in the local government's application, ~~that the~~  
417 ~~proposed area matches and adheres to the written description~~  
418 ~~contained within the applicant's request. If, based upon review~~  
419 ~~of the application or a site visit, the department determines~~  
420 ~~that any information provided in the application which affects~~  
421 ~~eligibility or scoring has been misrepresented, the applicant's~~  
422 ~~request shall be rejected by the department pursuant to s.~~  
423 ~~290.0475(7). Mathematical errors in applications which may be~~  
424 ~~discovered and corrected by readily computing available numbers~~  
425 ~~or formulas provided in the application shall not be a basis for~~  
426 ~~such rejection.~~

427 (3) (a) The department shall rank each application received  
428 during the application cycle according to criteria established  
429 by rule. The ranking system shall include a procedure to  
430 eliminate or reduce any population-related bias that places  
431 exceptionally small communities at a disadvantage in the

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432 ~~competition for funds Each application shall be ranked~~  
433 ~~competitively based on community need and program impact.~~  
434 ~~Community need shall be weighted 25 percent. Program impact~~  
435 ~~shall be weighted 65 percent. Outstanding performance in equal~~  
436 ~~opportunity employment and housing shall be weighted 10 percent.~~

437 (b) Funds shall be distributed according to the rankings  
438 established in each application cycle. If economic development  
439 funds remain available after the application cycle closes, the  
440 remaining funds shall be awarded to eligible projects on a  
441 first-come, first-served basis until such funds are fully  
442 obligated ~~The criteria used to measure community need shall~~  
443 ~~include, at a minimum, indicators of the extent of poverty in~~  
444 ~~the community and the condition of physical structures. Each~~  
445 ~~application, regardless of the program category for which it is~~  
446 ~~being submitted, shall be scored competitively on the same~~  
447 ~~community need criteria. In recognition of the benefits~~  
448 ~~resulting from the receipt of grant funds, the department shall~~  
449 ~~provide for the reduction of community need scores for specified~~  
450 ~~increments of grant funds provided to a local government since~~  
451 ~~the state began using the most recent census data. In the year~~  
452 ~~in which new census data are first used, no such reduction shall~~  
453 ~~occur.~~

454 (c) The application's program impact score, equal  
455 employment opportunity and fair housing score, and communitywide  
456 needs score may take into consideration scoring factors  
457 including, but not limited to, unemployment, poverty levels,

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458 low-income and moderate-income populations, benefits to low-  
459 income and moderate-income residents, use of minority-owned and  
460 woman-owned business enterprises in previous grants, health and  
461 safety issues, and the condition of physical structures ~~The~~  
462 ~~criteria used to measure the impact of an applicant's proposed~~  
463 ~~activities shall include, at a minimum, indicators of the direct~~  
464 ~~benefit received by persons of low income and persons of~~  
465 ~~moderate income, the extent to which the problem identified is~~  
466 ~~addressed by the proposed activities, and the extent to which~~  
467 ~~resources other than the funds being applied for under this~~  
468 ~~program are being used to carry out the proposed activities.~~

469 ~~(d) Applications shall be scored competitively on program~~  
470 ~~impact criteria that are uniquely tailored to the community~~  
471 ~~development objective established in each program category. The~~  
472 ~~criteria used to measure the direct benefit to persons of low~~  
473 ~~income and persons of moderate income shall represent no less~~  
474 ~~than 42 percent of the points assigned to the program impact~~  
475 ~~factor. For the housing and neighborhood revitalization~~  
476 ~~categories, the department shall also include the following~~  
477 ~~criteria in the scoring of applications:~~

478 ~~1. The proportion of very-low-income and low-income~~  
479 ~~households served.~~

480 ~~2. The degree to which improvements are related to the~~  
481 ~~health and safety of the households served.~~

482 ~~(4) An applicant for a neighborhood revitalization or~~  
483 ~~commercial revitalization grant shall demonstrate that its~~

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484 ~~activities are to be carried out in distinct service areas which~~  
485 ~~are characterized by the existence of slums or blighted~~  
486 ~~conditions, or by the concentration of persons of low or~~  
487 ~~moderate income.~~

488 (4) (5) In order to provide citizens with information  
489 concerning an applicant's proposed project, the applicant shall  
490 make available to the public information concerning the amounts  
491 of funds available for various activities and the range of  
492 activities that may be undertaken. In addition, the applicant  
493 shall hold a minimum of two public hearings in the local  
494 jurisdiction within which the project is to be implemented to  
495 obtain the views of citizens before submitting the final  
496 application to the department. The applicant shall conduct the  
497 initial hearing to solicit public input concerning community  
498 needs, inform the public about funding opportunities available  
499 to address community needs, and discuss activities that may be  
500 undertaken. Before a second public hearing is held, the  
501 applicant must publish a summary of the proposed application to  
502 provide citizens with an opportunity to examine the contents of  
503 the application and submit comments. The applicant shall conduct  
504 a second hearing to obtain comments from citizens concerning the  
505 proposed application and to modify the proposed application if  
506 appropriate ~~program before an application is submitted to the~~  
507 ~~department, the applicant shall:~~

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508 ~~(a) Make available to the public information concerning~~  
509 ~~the amounts of funds available for various activities and the~~  
510 ~~range of activities that may be undertaken.~~

511 ~~(b) Hold at least one public hearing to obtain the views~~  
512 ~~of citizens on community development needs.~~

513 ~~(c) Develop and publish a summary of the proposed~~  
514 ~~application that will provide citizens with an opportunity to~~  
515 ~~examine its contents and submit their comments.~~

516 ~~(d) Consider any comments and views expressed by citizens~~  
517 ~~on the proposed application and, if appropriate, modify the~~  
518 ~~proposed application.~~

519 ~~(e) Hold at least one public hearing in the jurisdiction~~  
520 ~~within which the project is to be implemented to obtain the~~  
521 ~~views of citizens on the final application prior to its~~  
522 ~~submission to the department.~~

523 ~~(5)(6)~~ The local government may ~~shall~~ establish a citizen  
524 advisory task force composed of citizens in the jurisdiction in  
525 which the proposed project is to be implemented to provide input  
526 relative to all phases of the project process. ~~The local~~  
527 ~~government must obtain consent from the department for any other~~  
528 ~~type of citizen participation plan upon a showing that such plan~~  
529 ~~is better suited to secure citizen participation for that~~  
530 ~~locality.~~

531 ~~(6)(7)~~ The department shall, before ~~prior to~~ approving an  
532 application for a grant, determine whether ~~that~~ the applicant  
533 has the administrative capacity to carry out the proposed

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534 activities and has performed satisfactorily in carrying out past  
535 activities funded by community development block grants. The  
536 evaluation of past performance shall take into account  
537 procedural aspects of previous grants as well as substantive  
538 results. If the department determines that any applicant has  
539 failed to accomplish substantially the results it proposed in  
540 its last previously funded application, it may prohibit the  
541 applicant from receiving a grant or may penalize the applicant  
542 in the rating of the current application. An ~~No~~ application for  
543 grant funds may not be denied solely upon the basis of the past  
544 performance of the eligible applicant.

545 Section 12. Subsections (3) and (6) of section 290.047,  
546 Florida Statutes, are amended to read:

547 290.047 Establishment of grant ceilings and maximum  
548 administrative cost percentages; elimination of population bias;  
549 loans in default.—

550 (3) The maximum percentage of block grant funds that can  
551 be spent on administrative costs by an eligible local government  
552 shall be 15 percent for the housing rehabilitation program  
553 category, 8 percent for both the neighborhood and the commercial  
554 revitalization program categories, and 8 percent for the  
555 economic development program category. The maximum amount of  
556 block grant funds that may be spent on administrative costs by  
557 an eligible local government for the economic development  
558 program category is \$120,000. The purpose of the ceiling is to  
559 maximize the amount of block grant funds actually going toward

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560 the redevelopment of the area. The department will continue to  
561 encourage eligible local governments to consider ways to limit  
562 the amount of block grant funds used for administrative costs,  
563 consistent with the need for prudent management and  
564 accountability in the use of public funds. However, this  
565 subsection does ~~shall not be construed, however, to~~ prohibit  
566 eligible local governments from contributing their own funds or  
567 making in-kind contributions to cover administrative costs which  
568 exceed the prescribed ceilings, provided that all such  
569 contributions come from local government resources other than  
570 Community Development Block Grant funds.

571 (6) The maximum amount ~~percentage~~ of block grant funds  
572 that may be spent on engineering and architectural costs by an  
573 eligible local government shall be determined in accordance with  
574 a method ~~schedule~~ adopted by the department by rule. Any such  
575 method ~~schedule~~ so adopted shall be consistent with the schedule  
576 used by the United States Farmer's Home Administration as  
577 applied to projects in Florida or another comparable schedule as  
578 amended.

579 Section 13. Section 290.0475, Florida Statutes, is amended  
580 to read:

581 290.0475 Rejection of grant applications; penalties for  
582 failure to meet application conditions.—Applications ~~received~~  
583 for funding ~~under all program categories~~ shall be rejected if  
584 ~~without scoring only in the event that~~ any of the following  
585 circumstances arise:

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586 (1) The application is not received by the department by  
587 the application deadline;~~;~~

588 (2) The proposed project does not meet one of the three  
589 national objectives as contained in federal and state  
590 legislation;~~;~~

591 (3) The proposed project is not an eligible activity as  
592 contained in the federal legislation;~~;~~

593 (4) The application is not consistent with the local  
594 government's comprehensive plan adopted pursuant to s.  
595 163.3184;~~;~~

596 (5) The applicant has an open community development block  
597 grant, except as provided in s. 290.046(2)(b) and (c) and  
598 department rules; ~~290.046(2)(e).~~

599 (6) The local government is not in compliance with the  
600 citizen participation requirements prescribed in ss. 104(a)(1)  
601 and (2) and 106(d)(5)(c) of Title I of the Housing and Community  
602 Development Act of 1974, s. 290.046(4), ~~1984~~ and department  
603 rules; ~~or.~~

604 (7) Any information provided in the application that  
605 affects eligibility or scoring is found to have been  
606 misrepresented, and the information is not a mathematical error  
607 which may be discovered and corrected by readily computing  
608 available numbers or formulas provided in the application.

609 Section 14. Subsection (5) of section 290.048, Florida  
610 Statutes, is amended to read:



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611 290.048 General powers of department under ss. 290.0401-  
612 290.048.—The department has all the powers necessary or  
613 appropriate to carry out the purposes and provisions of the  
614 program, including the power to:

615 ~~(5) Adopt and enforce strict requirements concerning an~~  
616 ~~applicant's written description of a service area. Each such~~  
617 ~~description shall contain maps which illustrate the location of~~  
618 ~~the proposed service area. All such maps must be clearly legible~~  
619 ~~and must:~~

620 ~~(a) Contain a scale which is clearly marked on the map.~~

621 ~~(b) Show the boundaries of the locality.~~

622 ~~(c) Show the boundaries of the service area where the~~  
623 ~~activities will be concentrated.~~

624 ~~(d) Display the location of all proposed area activities.~~

625 ~~(e) Include the names of streets, route numbers, or easily~~  
626 ~~identifiable landmarks where all service activities are located.~~

627 Section 15. Subsection (5) and paragraph (b) of subsection  
628 (8) of section 331.3051, Florida Statutes, are amended to read:

629 331.3051 Duties of Space Florida.—Space Florida shall:

630 (5) Consult with the Florida Tourism Industry Marketing  
631 Corporation Enterprise Florida, Inc., in developing a space  
632 tourism marketing plan. Space Florida and the Florida Tourism  
633 Industry Marketing Corporation Enterprise Florida, Inc., may  
634 enter into a mutually beneficial agreement that provides funding  
635 to the corporation Enterprise Florida, Inc. for its services to  
636 implement this subsection.

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637 (8) Carry out its responsibility for research and  
638 development by:

639 (b) Working in collaboration with one or more public or  
640 private universities and other public or private entities to  
641 ~~develop a proposal for a Center of Excellence for Aerospace that~~  
642 ~~will~~ foster and promote the research necessary to develop  
643 commercially promising, advanced, and innovative science and  
644 technology and ~~will~~ transfer those discoveries to the commercial  
645 sector. Space Florida may develop a proposal to establish a  
646 Center of Excellence for Aerospace in conjunction with this  
647 effort.

648 Section 16. Paragraphs (b) through (e) of subsection (1)  
649 of section 443.1116, Florida Statutes, are redesignated as  
650 paragraphs (c) through (f), respectively, a new paragraph (b) is  
651 added to that subsection, paragraphs (d), (g), and (h) of  
652 subsection (2) of that section are amended, paragraphs (i) and  
653 (j) are added to that subsection, paragraph (c) of subsection  
654 (5) of that section is redesignated as paragraph (d), and a new  
655 paragraph (c) is added to that subsection, to read:

656 443.1116 Short-time compensation.—

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

658 (b) "Employer-sponsored training" means a training  
659 component sponsored by an employer to improve the skills of the  
660 employer's employees.

661 (2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer  
662 wishing to participate in the short-time compensation program

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663 must submit a signed, written, short-time plan to the Department  
664 of Economic Opportunity for approval. The director or his or her  
665 designee shall approve the plan if:

666 (d) The plan includes a certified statement by the  
667 employer that the aggregate reduction in work hours is in lieu  
668 of ~~temporary~~ layoffs that would affect at least 10 percent of  
669 the employees in the affected unit and that would have resulted  
670 in an equivalent reduction in work hours;

671 (g) The plan does not serve as a subsidy to seasonal  
672 employers during the off-season or as a subsidy to employers who  
673 traditionally use part-time employees; ~~and~~

674 (h) The plan certifies that fringe benefits provided by  
675 the employer to an employee whose workweek is reduced under the  
676 short-time compensation program will be provided by the employer  
677 under the same terms and conditions as though the workweek of  
678 the employee had not been reduced or to the same extent as other  
679 employees who are not participants in the program ~~the manner in~~  
680 ~~which the employer will treat fringe benefits of the individuals~~  
681 ~~in the affected unit if the hours of the individuals are reduced~~  
682 ~~to less than their normal weekly hours of work.~~ As used in this  
683 paragraph, the term "fringe benefits" includes, but is not  
684 limited to, health insurance, retirement benefits under defined  
685 benefit pension plans as defined in subsection 35 of s. 1002 of  
686 the Employee Retirement Income Security Act of 1974, 29 U.S.C.,  
687 contributions under a defined contribution plan as defined in s.

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688 414(i) of the Internal Revenue Code, paid vacation and holidays,  
689 and sick leave;

690 (i) The plan describes the manner in which the  
691 requirements of this subsection will be implemented. The  
692 description shall include a plan for providing notice, if  
693 feasible, to an employee whose workweek is to be reduced under  
694 the short-time compensation program. Such notice shall include  
695 an estimate of the number of layoffs that would have occurred if  
696 not for the program; and

697 (j) The terms of the employer's written plan and  
698 implementation are consistent with employer obligations under  
699 applicable federal and state laws.

700 (5) ELIGIBILITY REQUIREMENTS FOR SHORT-TIME COMPENSATION  
701 BENEFITS.—

702 (c) The department may not deny short-time compensation  
703 benefits to an individual who is otherwise eligible for these  
704 benefits for any week because the individual is participating in  
705 an employer-sponsored training or a training to improve job  
706 skills that is authorized under the Workforce Investment Act and  
707 approved by the department.

708 Section 17. Paragraph (f) of subsection (1) of section  
709 443.141, Florida Statutes, is amended to read:

710 443.141 Collection of contributions and reimbursements.—

711 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,  
712 ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

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713 (f) Payments for ~~2012, 2013, and 2014~~ contributions.—For  
714 an annual administrative fee not to exceed \$5, a contributing  
715 employer may pay its quarterly contributions due for wages paid  
716 in the first three quarters of each year ~~2012, 2013, and 2014~~ in  
717 equal installments if those contributions are paid as follows:

718 1. For contributions due for wages paid in the first  
719 quarter of each year, one-fourth of the contributions due must  
720 be paid on or before April 30, one-fourth must be paid on or  
721 before July 31, one-fourth must be paid on or before October 31,  
722 and one-fourth must be paid on or before December 31.

723 2. In addition to the payments specified in subparagraph  
724 1., for contributions due for wages paid in the second quarter  
725 of each year, one-third of the contributions due must be paid on  
726 or before July 31, one-third must be paid on or before October  
727 31, and one-third must be paid on or before December 31.

728 3. In addition to the payments specified in subparagraphs  
729 1. and 2., for contributions due for wages paid in the third  
730 quarter of each year, one-half of the contributions due must be  
731 paid on or before October 31, and one-half must be paid on or  
732 before December 31.

733 4. The annual administrative fee assessed for electing to  
734 pay under the installment method shall be collected at the time  
735 the employer makes the first installment payment each year. The  
736 fee shall be segregated from the payment and deposited into the  
737 Operating Trust Fund of the Department of Revenue.

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738 5. Interest does not accrue on any contribution that  
739 becomes due for wages paid in the first three quarters of each  
740 year if the employer pays the contribution in accordance with  
741 subparagraphs 1.-4. Interest and fees continue to accrue on  
742 prior delinquent contributions and commence accruing on all  
743 contributions due for wages paid in the first three quarters of  
744 each year which are not paid in accordance with subparagraphs  
745 1.-3. Penalties may be assessed in accordance with this chapter.  
746 The contributions due for wages paid in the fourth quarter of  
747 ~~2012, 2013, and 2014~~ are not affected by this paragraph and are  
748 due and payable in accordance with this chapter.

749 Section 18. Paragraph (a) of subsection (1) of section  
750 125.271, Florida Statutes, is amended to read:

751 125.271 Emergency medical services; county emergency  
752 medical service assessments.—

753 (1) As used in this section, the term "county" means:

754 (a) A county that is within a rural area of opportunity  
755 ~~critical economic concern~~ as designated by the Governor pursuant  
756 to s. 288.0656;

757  
758 Once a county has qualified under this subsection, it always  
759 retains the qualification.

760 Section 19. Paragraphs (a), (b), and (e) of subsection (7)  
761 of section 163.3177, Florida Statutes, are amended to read:

762 163.3177 Required and optional elements of comprehensive  
763 plan; studies and surveys.—

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764 (7) (a) The Legislature finds that:

765 1. There are a number of rural agricultural industrial  
766 centers in the state that process, produce, or aid in the  
767 production or distribution of a variety of agriculturally based  
768 products, including, but not limited to, fruits, vegetables,  
769 timber, and other crops, and juices, paper, and building  
770 materials. Rural agricultural industrial centers have a  
771 significant amount of existing associated infrastructure that is  
772 used for processing, producing, or distributing agricultural  
773 products.

774 2. Such rural agricultural industrial centers are often  
775 located within or near communities in which the economy is  
776 largely dependent upon agriculture and agriculturally based  
777 products. The centers significantly enhance the economy of such  
778 communities. However, these agriculturally based communities are  
779 often socioeconomically challenged and designated as rural areas  
780 of opportunity ~~critical economic concern~~. If such rural  
781 agricultural industrial centers are lost and not replaced with  
782 other job-creating enterprises, the agriculturally based  
783 communities will lose a substantial amount of their economies.

784 3. The state has a compelling interest in preserving the  
785 viability of agriculture and protecting rural agricultural  
786 communities and the state from the economic upheaval that would  
787 result from short-term or long-term adverse changes in the  
788 agricultural economy. To protect these communities and promote  
789 viable agriculture for the long term, it is essential to

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790 encourage and permit diversification of existing rural  
791 agricultural industrial centers by providing for jobs that are  
792 not solely dependent upon, but are compatible with and  
793 complement, existing agricultural industrial operations and to  
794 encourage the creation and expansion of industries that use  
795 agricultural products in innovative ways. However, the expansion  
796 and diversification of these existing centers must be  
797 accomplished in a manner that does not promote urban sprawl into  
798 surrounding agricultural and rural areas.

799 (b) As used in this subsection, the term "rural  
800 agricultural industrial center" means a developed parcel of land  
801 in an unincorporated area on which there exists an operating  
802 agricultural industrial facility or facilities that employ at  
803 least 200 full-time employees in the aggregate and process and  
804 prepare for transport a farm product, as defined in s. 163.3162,  
805 or any biomass material that could be used, directly or  
806 indirectly, for the production of fuel, renewable energy,  
807 bioenergy, or alternative fuel as defined by law. The center may  
808 also include land contiguous to the facility site which is not  
809 used for the cultivation of crops, but on which other existing  
810 activities essential to the operation of such facility or  
811 facilities are located or conducted. The parcel of land must be  
812 located within, or within 10 miles of, a rural area of  
813 opportunity ~~critical economic concern~~.

814 (e) ~~Nothing in~~ This subsection does not ~~shall be construed~~  
815 ~~to~~ confer the status of rural area of opportunity ~~critical~~



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816 ~~economic concern~~, or any of the rights or benefits derived from  
817 such status, on any land area not otherwise designated as such  
818 pursuant to s. 288.0656(7).

819 Section 20. Subsection (3) of section 163.3187, Florida  
820 Statutes, is amended to read:

821 163.3187 Process for adoption of small-scale comprehensive  
822 plan amendment.—

823 (3) If the small scale development amendment involves a  
824 site within a rural area of opportunity ~~critical-economic~~  
825 ~~concern~~ as defined under s. 288.0656(2)(d) for the duration of  
826 such designation, the 10-acre limit listed in subsection (1)  
827 shall be increased by 100 percent to 20 acres. The local  
828 government approving the small scale plan amendment shall  
829 certify to the Office of Tourism, Trade, and Economic  
830 Development that the plan amendment furthers the economic  
831 objectives set forth in the executive order issued under s.  
832 288.0656(7), and the property subject to the plan amendment  
833 shall undergo public review to ensure that all concurrency  
834 requirements and federal, state, and local environmental permit  
835 requirements are met.

836 Section 21. Subsection (10) of section 163.3246, Florida  
837 Statutes, is amended to read:

838 163.3246 Local government comprehensive planning  
839 certification program.—

840 (10) Notwithstanding subsections (2), (4), (5), (6), and  
841 (7), any municipality designated as a rural area of opportunity

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842 ~~critical economic concern~~ pursuant to s. 288.0656 which is  
843 located within a county eligible to levy the Small County Surtax  
844 under s. 212.055(3) shall be considered certified during the  
845 effectiveness of the designation of rural area of opportunity  
846 ~~critical economic concern~~. The state land planning agency shall  
847 provide a written notice of certification to the local  
848 government of the certified area, which shall be considered  
849 final agency action subject to challenge under s. 120.569. The  
850 notice of certification shall include the following components:

- 851 (a) The boundary of the certification area.
- 852 (b) A requirement that the local government submit ~~either~~  
853 an annual or biennial monitoring report to the state land  
854 planning agency according to the schedule provided in the  
855 written notice. The monitoring report shall, at a minimum,  
856 include the number of amendments to the comprehensive plan  
857 adopted by the local government, the number of plan amendments  
858 challenged by an affected person, and the disposition of those  
859 challenges.

860 Section 22. Paragraph (a) of subsection (6) of section  
861 211.3103, Florida Statutes, is amended to read:

862 211.3103 Levy of tax on severance of phosphate rock; rate,  
863 basis, and distribution of tax.-

864 (6) (a) Beginning July 1 of the 2011-2012 fiscal year, the  
865 proceeds of all taxes, interest, and penalties imposed under  
866 this section are exempt from the general revenue service charge

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867 provided in s. 215.20, and such proceeds shall be paid into the  
868 State Treasury as follows:

869 1. To the credit of the Conservation and Recreation Lands  
870 Trust Fund, 25.5 percent.

871 2. To the credit of the General Revenue Fund of the state,  
872 35.7 percent.

873 3. For payment to counties in proportion to the number of  
874 tons of phosphate rock produced from a phosphate rock matrix  
875 located within such political boundary, 12.8 percent. The  
876 department shall distribute this portion of the proceeds  
877 annually based on production information reported by the  
878 producers on the annual returns for the taxable year. Any such  
879 proceeds received by a county shall be used only for phosphate-  
880 related expenses.

881 4. For payment to counties that have been designated as a  
882 rural area of opportunity ~~critical economic concern~~ pursuant to  
883 s. 288.0656 in proportion to the number of tons of phosphate  
884 rock produced from a phosphate rock matrix located within such  
885 political boundary, 10.0 percent. The department shall  
886 distribute this portion of the proceeds annually based on  
887 production information reported by the producers on the annual  
888 returns for the taxable year. Payments under this subparagraph  
889 shall be made to the counties unless the Legislature by special  
890 act creates a local authority to promote and direct the economic  
891 development of the county. If such authority exists, payments  
892 shall be made to that authority.

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893 5. To the credit of the Nonmandatory Land Reclamation  
894 Trust Fund, 6.2 percent.

895 6. To the credit of the Phosphate Research Trust Fund in  
896 the Division of Universities of the Department of Education, 6.2  
897 percent.

898 7. To the credit of the Minerals Trust Fund, 3.6 percent.

899 Section 23. Paragraph (c) of subsection (1) of section  
900 212.098, Florida Statutes, is amended to read:

901 212.098 Rural Job Tax Credit Program.—

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

903 (c) "Qualified area" means any area that is contained  
904 within a rural area of opportunity ~~critical-economic-concern~~  
905 designated under s. 288.0656, a county that has a population of  
906 fewer than 75,000 persons, or a county that has a population of  
907 125,000 or less and is contiguous to a county that has a  
908 population of less than 75,000, selected in the following  
909 manner: every third year, the Department of Economic Opportunity  
910 shall rank and tier the state's counties according to the  
911 following four factors:

912 1. Highest unemployment rate for the most recent 36-month  
913 period.

914 2. Lowest per capita income for the most recent 36-month  
915 period.

916 3. Highest percentage of residents whose incomes are below  
917 the poverty level, based upon the most recent data available.

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918 4. Average weekly manufacturing wage, based upon the most  
919 recent data available.

920 Section 24. Subsection (1) of section 218.67, Florida  
921 Statutes, is amended to read:

922 218.67 Distribution for fiscally constrained counties.—

923 (1) Each county that is entirely within a rural area of  
924 opportunity ~~critical economic concern~~ as designated by the  
925 Governor pursuant to s. 288.0656 or each county for which the  
926 value of a mill will raise no more than \$5 million in revenue,  
927 based on the taxable value certified pursuant to s.  
928 1011.62(4)(a)1.a., from the previous July 1, shall be considered  
929 a fiscally constrained county.

930 Section 25. Subsection (1) of section 288.018, Florida  
931 Statutes, is amended to read:

932 288.018 Regional Rural Development Grants Program.—

933 (1) The department shall establish a matching grant  
934 program to provide funding to regionally based economic  
935 development organizations representing rural counties and  
936 communities for the purpose of building the professional  
937 capacity of their organizations. Such matching grants may also  
938 be used by an economic development organization to provide  
939 technical assistance to businesses within the rural counties and  
940 communities that it serves. The department is authorized to  
941 approve, on an annual basis, grants to such regionally based  
942 economic development organizations. The maximum amount an  
943 organization may receive in any year will be \$35,000, or

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944 \$100,000 in a rural area of opportunity ~~critical economic~~  
945 ~~concern~~ recommended by the Rural Economic Development Initiative  
946 and designated by the Governor, and must be matched each year by  
947 an equivalent amount of nonstate resources.

948 Section 26. Paragraphs (a) and (c) of subsection (2) of  
949 section 288.065, Florida Statutes, are amended to read:

950 288.065 Rural Community Development Revolving Loan Fund.—

951 (2) (a) The program shall provide for long-term loans, loan  
952 guarantees, and loan loss reserves to units of local  
953 governments, or economic development organizations substantially  
954 underwritten by a unit of local government, within counties with  
955 populations of 75,000 or fewer, or within any county with a  
956 population of 125,000 or fewer which is contiguous to a county  
957 with a population of 75,000 or fewer, based on the most recent  
958 official population estimate as determined under s. 186.901,  
959 including those residing in incorporated areas and those  
960 residing in unincorporated areas of the county, or to units of  
961 local government, or economic development organizations  
962 substantially underwritten by a unit of local government, within  
963 a rural area of opportunity ~~critical economic concern~~.

964 (c) All repayments of principal and interest shall be  
965 returned to the loan fund and made available for loans to other  
966 applicants. However, in a rural area of opportunity ~~critical~~  
967 ~~economic concern~~ designated by the Governor, and upon approval  
968 by the department, repayments of principal and interest may be  
969 retained by the applicant if such repayments are dedicated and

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970 matched to fund regionally based economic development  
971 organizations representing the rural area of opportunity  
972 ~~critical economic concern~~.

973 Section 27. Paragraphs (b), (c), and (e) of subsection (2)  
974 of section 288.0655, Florida Statutes, are amended to read:

975 288.0655 Rural Infrastructure Fund.—

976 (2)

977 (b) To facilitate access of rural communities and rural  
978 areas of opportunity ~~critical economic concern~~ as defined by the  
979 Rural Economic Development Initiative to infrastructure funding  
980 programs of the Federal Government, such as those offered by the  
981 United States Department of Agriculture and the United States  
982 Department of Commerce, and state programs, including those  
983 offered by Rural Economic Development Initiative agencies, and  
984 to facilitate local government or private infrastructure funding  
985 efforts, the department may award grants for up to 30 percent of  
986 the total infrastructure project cost. If an application for  
987 funding is for a catalyst site, as defined in s. 288.0656, the  
988 department may award grants for up to 40 percent of the total  
989 infrastructure project cost. Eligible projects must be related  
990 to specific job-creation or job-retention opportunities.

991 Eligible projects may also include improving any inadequate  
992 infrastructure that has resulted in regulatory action that  
993 prohibits economic or community growth or reducing the costs to  
994 community users of proposed infrastructure improvements that  
995 exceed such costs in comparable communities. Eligible uses of

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996 funds shall include improvements to public infrastructure for  
997 industrial or commercial sites and upgrades to or development of  
998 public tourism infrastructure. Authorized infrastructure may  
999 include the following public or public-private partnership  
1000 facilities: storm water systems; telecommunications facilities;  
1001 broadband facilities; roads or other remedies to transportation  
1002 impediments; nature-based tourism facilities; or other physical  
1003 requirements necessary to facilitate tourism, trade, and  
1004 economic development activities in the community. Authorized  
1005 infrastructure may also include publicly or privately owned  
1006 self-powered nature-based tourism facilities, publicly owned  
1007 telecommunications facilities, and broadband facilities, and  
1008 additions to the distribution facilities of the existing natural  
1009 gas utility as defined in s. 366.04(3)(c), the existing electric  
1010 utility as defined in s. 366.02, or the existing water or  
1011 wastewater utility as defined in s. 367.021(12), or any other  
1012 existing water or wastewater facility, which owns a gas or  
1013 electric distribution system or a water or wastewater system in  
1014 this state where:

1015 1. A contribution-in-aid of construction is required to  
1016 serve public or public-private partnership facilities under the  
1017 tariffs of any natural gas, electric, water, or wastewater  
1018 utility as defined herein; and

1019 2. Such utilities as defined herein are willing and able  
1020 to provide such service.



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1021 (c) To facilitate timely response and induce the location  
1022 or expansion of specific job creating opportunities, the  
1023 department may award grants for infrastructure feasibility  
1024 studies, design and engineering activities, or other  
1025 infrastructure planning and preparation activities. Authorized  
1026 grants shall be up to \$50,000 for an employment project with a  
1027 business committed to create at least 100 jobs; up to \$150,000  
1028 for an employment project with a business committed to create at  
1029 least 300 jobs; and up to \$300,000 for a project in a rural area  
1030 of opportunity ~~critical economic concern~~. Grants awarded under  
1031 this paragraph may be used in conjunction with grants awarded  
1032 under paragraph (b), provided that the total amount of both  
1033 grants does not exceed 30 percent of the total project cost. In  
1034 evaluating applications under this paragraph, the department  
1035 shall consider the extent to which the application seeks to  
1036 minimize administrative and consultant expenses.

1037 (e) To enable local governments to access the resources  
1038 available pursuant to s. 403.973(18), the department may award  
1039 grants for surveys, feasibility studies, and other activities  
1040 related to the identification and preclearance review of land  
1041 which is suitable for preclearance review. Authorized grants  
1042 under this paragraph may ~~shall~~ not exceed \$75,000 each, except  
1043 in the case of a project in a rural area of opportunity ~~critical~~  
1044 ~~economic concern~~, in which case the grant may ~~shall~~ not exceed  
1045 \$300,000. Any funds awarded under this paragraph must be matched  
1046 at a level of 50 percent with local funds, except that any funds

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1047 awarded for a project in a rural area of opportunity ~~critical~~  
1048 ~~economic concern~~ must be matched at a level of 33 percent with  
1049 local funds. If an application for funding is for a catalyst  
1050 site, as defined in s. 288.0656, the requirement for local match  
1051 may be waived pursuant to the process in s. 288.06561. In  
1052 evaluating applications under this paragraph, the department  
1053 shall consider the extent to which the application seeks to  
1054 minimize administrative and consultant expenses.

1055 Section 28. Paragraphs (a), (b), and (d) of subsection (2)  
1056 and subsection (7) of section 288.0656, Florida Statutes, are  
1057 amended to read:

1058 288.0656 Rural Economic Development Initiative.—

1059 (2) As used in this section, the term:

1060 (a) "Catalyst project" means a business locating or  
1061 expanding in a rural area of opportunity ~~critical economic~~  
1062 ~~concern~~ to serve as an economic generator of regional  
1063 significance for the growth of a regional target industry  
1064 cluster. The project must provide capital investment on a scale  
1065 significant enough to affect the entire region and result in the  
1066 development of high-wage and high-skill jobs.

1067 (b) "Catalyst site" means a parcel or parcels of land  
1068 within a rural area of opportunity ~~critical economic concern~~  
1069 that has been prioritized as a geographic site for economic  
1070 development through partnerships with state, regional, and local  
1071 organizations. The site must be reviewed by REDI and approved by  
1072 the department for the purposes of locating a catalyst project.

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1073 (d) "Rural area of opportunity ~~critical economic concern~~"  
1074 means a rural community, or a region composed of rural  
1075 communities, designated by the Governor, which ~~that~~ has been  
1076 adversely affected by an extraordinary economic event, severe or  
1077 chronic distress, or a natural disaster or which ~~that~~ presents a  
1078 unique economic development opportunity of regional impact.

1079 (7) (a) REDI may recommend to the Governor up to three  
1080 rural areas of opportunity ~~critical economic concern~~. The  
1081 Governor may by executive order designate up to three rural  
1082 areas of opportunity ~~critical economic concern~~ which will  
1083 establish these areas as priority assignments for REDI as well  
1084 as to allow the Governor, acting through REDI, to waive  
1085 criteria, requirements, or similar provisions of any economic  
1086 development incentive. Such incentives shall include, but not be  
1087 limited to, ~~the~~ the Qualified Target Industry Tax Refund Program  
1088 under s. 288.106, the Quick Response Training Program under s.  
1089 288.047, the Quick Response Training Program for participants in  
1090 the welfare transition program under s. 288.047(8),  
1091 transportation projects under s. 339.2821, the brownfield  
1092 redevelopment bonus refund under s. 288.107, and the rural job  
1093 tax credit program under ss. 212.098 and 220.1895.

1094 (b) Designation as a rural area of opportunity ~~critical~~  
1095 ~~economic concern~~ under this subsection shall be contingent upon  
1096 the execution of a memorandum of agreement among the department;  
1097 the governing body of the county; and the governing bodies of  
1098 any municipalities to be included within a rural area of

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1099 ~~opportunity critical economic concern~~. Such agreement shall  
1100 specify the terms and conditions of the designation, including,  
1101 but not limited to, the duties and responsibilities of the  
1102 county and any participating municipalities to take actions  
1103 designed to facilitate the retention and expansion of existing  
1104 businesses in the area, as well as the recruitment of new  
1105 businesses to the area.

1106 (c) Each rural area of ~~opportunity critical economic~~  
1107 ~~concern~~ may designate catalyst projects, provided that each  
1108 catalyst project is specifically recommended by REDI, identified  
1109 as a catalyst project by Enterprise Florida, Inc., and confirmed  
1110 as a catalyst project by the department. All state agencies and  
1111 departments shall use all available tools and resources to the  
1112 extent permissible by law to promote the creation and  
1113 development of each catalyst project and the development of  
1114 catalyst sites.

1115 Section 29. Paragraph (a) of subsection (3) of section  
1116 288.1088, Florida Statutes, is amended to read:

1117 288.1088 Quick Action Closing Fund.—

1118 (3) (a) The department and Enterprise Florida, Inc., shall  
1119 jointly review applications pursuant to s. 288.061 and determine  
1120 the eligibility of each project consistent with the criteria in  
1121 subsection (2). Waiver of these criteria may be considered under  
1122 the following criteria:

1123 1. Based on extraordinary circumstances;

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1124 2. In order to mitigate the impact of the conclusion of  
1125 the space shuttle program; or

1126 3. In rural areas of opportunity ~~critical economic concern~~  
1127 if the project would significantly benefit the local or regional  
1128 economy.

1129 Section 30. Paragraphs (b), (c), and (d) of subsection (4)  
1130 of section 288.1089, Florida Statutes, are amended to read:

1131 288.1089 Innovation Incentive Program.—

1132 (4) To qualify for review by the department, the applicant  
1133 must, at a minimum, establish the following to the satisfaction  
1134 of the department:

1135 (b) A research and development project must:

1136 1. Serve as a catalyst for an emerging or evolving  
1137 technology cluster.

1138 2. Demonstrate a plan for significant higher education  
1139 collaboration.

1140 3. Provide the state, at a minimum, a cumulative break-  
1141 even economic benefit within a 20-year period.

1142 4. Be provided with a one-to-one match from the local  
1143 community. The match requirement may be reduced or waived in  
1144 rural areas of opportunity ~~critical economic concern~~ or reduced  
1145 in rural areas, brownfield areas, and enterprise zones.

1146 (c) An innovation business project in this state, other  
1147 than a research and development project, must:

1148 1.a. Result in the creation of at least 1,000 direct, new  
1149 jobs at the business; or

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1150           b. Result in the creation of at least 500 direct, new jobs  
1151 if the project is located in a rural area, a brownfield area, or  
1152 an enterprise zone.

1153           2. Have an activity or product that is within an industry  
1154 that is designated as a target industry business under s.  
1155 288.106 or a designated sector under s. 288.108.

1156           3.a. Have a cumulative investment of at least \$500 million  
1157 within a 5-year period; or

1158           b. Have a cumulative investment that exceeds \$250 million  
1159 within a 10-year period if the project is located in a rural  
1160 area, brownfield area, or an enterprise zone.

1161           4. Be provided with a one-to-one match from the local  
1162 community. The match requirement may be reduced or waived in  
1163 rural areas of opportunity ~~critical economic concern~~ or reduced  
1164 in rural areas, brownfield areas, and enterprise zones.

1165           (d) For an alternative and renewable energy project in  
1166 this state, the project must:

1167           1. Demonstrate a plan for significant collaboration with  
1168 an institution of higher education;

1169           2. Provide the state, at a minimum, a cumulative break-  
1170 even economic benefit within a 20-year period;

1171           3. Include matching funds provided by the applicant or  
1172 other available sources. The match requirement may be reduced or  
1173 waived in rural areas of opportunity ~~critical economic concern~~  
1174 or reduced in rural areas, brownfield areas, and enterprise  
1175 zones;

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1176 4. Be located in this state; and

1177 5. Provide at least 35 direct, new jobs that pay an  
1178 estimated annual average wage that equals at least 130 percent  
1179 of the average private sector wage.

1180 Section 31. Paragraph (d) of subsection (6) of section  
1181 290.0055, Florida Statutes, is amended to read:

1182 290.0055 Local nominating procedure.-

1183 (6)

1184 (d)1. The governing body of a jurisdiction which has  
1185 nominated an application for an enterprise zone that is at least  
1186 15 square miles and less than 20 square miles and includes a  
1187 portion of the state designated as a rural area of opportunity  
1188 ~~critical economic concern~~ under s. 288.0656(7) may apply to the  
1189 department to expand the boundary of the existing enterprise  
1190 zone by not more than 3 square miles.

1191 2. The governing body of a jurisdiction which has  
1192 nominated an application for an enterprise zone that is at least  
1193 20 square miles and includes a portion of the state designated  
1194 as a rural area of opportunity ~~critical economic concern~~ under  
1195 s. 288.0656(7) may apply to the department to expand the  
1196 boundary of the existing enterprise zone by not more than 5  
1197 square miles.

1198 3. An application to expand the boundary of an enterprise  
1199 zone under this paragraph must be submitted by December 31,  
1200 2013.

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1201 4. Notwithstanding the area limitations specified in  
1202 subsection (4), the department may approve the request for a  
1203 boundary amendment if the area continues to satisfy the  
1204 remaining requirements of this section.

1205 5. The department shall establish the initial effective  
1206 date of an enterprise zone designated under this paragraph.

1207 Section 32. Paragraph (c) of subsection (4) of section  
1208 339.2819, Florida Statutes, is amended to read:

1209 339.2819 Transportation Regional Incentive Program.—

1210 (4)

1211 (c) The department shall give priority to projects that:

1212 1. Provide connectivity to the Strategic Intermodal System  
1213 developed under s. 339.64.

1214 2. Support economic development and the movement of goods  
1215 in rural areas of opportunity ~~critical economic concern~~  
1216 designated under s. 288.0656(7).

1217 3. Are subject to a local ordinance that establishes  
1218 corridor management techniques, including access management  
1219 strategies, right-of-way acquisition and protection measures,  
1220 appropriate land use strategies, zoning, and setback  
1221 requirements for adjacent land uses.

1222 4. Improve connectivity between military installations and  
1223 the Strategic Highway Network or the Strategic Rail Corridor  
1224 Network.

1225



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1226 The department shall also consider the extent to which local  
1227 matching funds are available to be committed to the project.

1228 Section 33. Paragraph (b) of subsection (5) of section  
1229 339.63, Florida Statutes, is amended to read:

1230 339.63 System facilities designated; additions and  
1231 deletions.—

1232 (5)

1233 (b) A facility designated part of the Strategic Intermodal  
1234 System pursuant to paragraph (a) that is within the jurisdiction  
1235 of a local government that maintains a transportation  
1236 concurrency system shall receive a waiver of transportation  
1237 concurrency requirements applicable to Strategic Intermodal  
1238 System facilities in order to accommodate any development at the  
1239 facility which occurs pursuant to a building permit issued on or  
1240 before December 31, 2017, but only if such facility is located+  
1241

1241 1. Within an area designated pursuant to s. 288.0656(7) as  
1242 a rural area of opportunity ~~critical economic concern~~;

1243 2. Within a rural enterprise zone as defined in s.  
1244 290.004(5); or

1245 3. Within 15 miles of the boundary of a rural area of  
1246 opportunity ~~critical economic concern~~ or a rural enterprise  
1247 zone.

1248 Section 34. Paragraph (c) of subsection (3) of section  
1249 373.4595, Florida Statutes, is amended to read:

1250 373.4595 Northern Everglades and Estuaries Protection  
1251 Program.—

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1252 (3) LAKE OKEECHOBEE WATERSHED PROTECTION PROGRAM.—A  
1253 protection program for Lake Okeechobee that achieves phosphorus  
1254 load reductions for Lake Okeechobee shall be immediately  
1255 implemented as specified in this subsection. The program shall  
1256 address the reduction of phosphorus loading to the lake from  
1257 both internal and external sources. Phosphorus load reductions  
1258 shall be achieved through a phased program of implementation.  
1259 Initial implementation actions shall be technology-based, based  
1260 upon a consideration of both the availability of appropriate  
1261 technology and the cost of such technology, and shall include  
1262 phosphorus reduction measures at both the source and the  
1263 regional level. The initial phase of phosphorus load reductions  
1264 shall be based upon the district's Technical Publication 81-2  
1265 and the district's WOD program, with subsequent phases of  
1266 phosphorus load reductions based upon the total maximum daily  
1267 loads established in accordance with s. 403.067. In the  
1268 development and administration of the Lake Okeechobee Watershed  
1269 Protection Program, the coordinating agencies shall maximize  
1270 opportunities provided by federal cost-sharing programs and  
1271 opportunities for partnerships with the private sector.

1272 (c) Lake Okeechobee Watershed Phosphorus Control Program.—  
1273 The Lake Okeechobee Watershed Phosphorus Control Program is  
1274 designed to be a multifaceted approach to reducing phosphorus  
1275 loads by improving the management of phosphorus sources within  
1276 the Lake Okeechobee watershed through implementation of  
1277 regulations and best management practices, development and

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1278 implementation of improved best management practices,  
1279 improvement and restoration of the hydrologic function of  
1280 natural and managed systems, and utilization of alternative  
1281 technologies for nutrient reduction. The coordinating agencies  
1282 shall facilitate the application of federal programs that offer  
1283 opportunities for water quality treatment, including  
1284 preservation, restoration, or creation of wetlands on  
1285 agricultural lands.

1286 1. Agricultural nonpoint source best management practices,  
1287 developed in accordance with s. 403.067 and designed to achieve  
1288 the objectives of the Lake Okeechobee Watershed Protection  
1289 Program, shall be implemented on an expedited basis. The  
1290 coordinating agencies shall develop an interagency agreement  
1291 pursuant to ss. 373.046 and 373.406(5) that assures the  
1292 development of best management practices that complement  
1293 existing regulatory programs and specifies how those best  
1294 management practices are implemented and verified. The  
1295 interagency agreement shall address measures to be taken by the  
1296 coordinating agencies during any best management practice  
1297 reevaluation performed pursuant to sub-subparagraph d. The  
1298 department shall use best professional judgment in making the  
1299 initial determination of best management practice effectiveness.

1300 a. As provided in s. 403.067(7)(c), the Department of  
1301 Agriculture and Consumer Services, in consultation with the  
1302 department, the district, and affected parties, shall initiate  
1303 rule development for interim measures, best management

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1304 practices, conservation plans, nutrient management plans, or  
1305 other measures necessary for Lake Okeechobee watershed total  
1306 maximum daily load reduction. The rule shall include thresholds  
1307 for requiring conservation and nutrient management plans and  
1308 criteria for the contents of such plans. Development of  
1309 agricultural nonpoint source best management practices shall  
1310 initially focus on those priority basins listed in subparagraph  
1311 (b)1. The Department of Agriculture and Consumer Services, in  
1312 consultation with the department, the district, and affected  
1313 parties, shall conduct an ongoing program for improvement of  
1314 existing and development of new interim measures or best  
1315 management practices for the purpose of adoption of such  
1316 practices by rule. The Department of Agriculture and Consumer  
1317 Services shall work with the University of Florida's Institute  
1318 of Food and Agriculture Sciences to review and, where  
1319 appropriate, develop revised nutrient application rates for all  
1320 agricultural soil amendments in the watershed.

1321 b. Where agricultural nonpoint source best management  
1322 practices or interim measures have been adopted by rule of the  
1323 Department of Agriculture and Consumer Services, the owner or  
1324 operator of an agricultural nonpoint source addressed by such  
1325 rule shall either implement interim measures or best management  
1326 practices or demonstrate compliance with the district's WOD  
1327 program by conducting monitoring prescribed by the department or  
1328 the district. Owners or operators of agricultural nonpoint  
1329 sources who implement interim measures or best management

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1330 practices adopted by rule of the Department of Agriculture and  
1331 Consumer Services shall be subject to the provisions of s.  
1332 403.067(7). The Department of Agriculture and Consumer Services,  
1333 in cooperation with the department and the district, shall  
1334 provide technical and financial assistance for implementation of  
1335 agricultural best management practices, subject to the  
1336 availability of funds.

1337 c. The district or department shall conduct monitoring at  
1338 representative sites to verify the effectiveness of agricultural  
1339 nonpoint source best management practices.

1340 d. Where water quality problems are detected for  
1341 agricultural nonpoint sources despite the appropriate  
1342 implementation of adopted best management practices, the  
1343 Department of Agriculture and Consumer Services, in consultation  
1344 with the other coordinating agencies and affected parties, shall  
1345 institute a reevaluation of the best management practices and  
1346 make appropriate changes to the rule adopting best management  
1347 practices.

1348 2. Nonagricultural nonpoint source best management  
1349 practices, developed in accordance with s. 403.067 and designed  
1350 to achieve the objectives of the Lake Okeechobee Watershed  
1351 Protection Program, shall be implemented on an expedited basis.  
1352 The department and the district shall develop an interagency  
1353 agreement pursuant to ss. 373.046 and 373.406(5) that assures  
1354 the development of best management practices that complement  
1355 existing regulatory programs and specifies how those best

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1356 management practices are implemented and verified. The  
1357 interagency agreement shall address measures to be taken by the  
1358 department and the district during any best management practice  
1359 reevaluation performed pursuant to sub-subparagraph d.

1360 a. The department and the district are directed to work  
1361 with the University of Florida's Institute of Food and  
1362 Agricultural Sciences to develop appropriate nutrient  
1363 application rates for all nonagricultural soil amendments in the  
1364 watershed. As provided in s. 403.067(7)(c), the department, in  
1365 consultation with the district and affected parties, shall  
1366 develop interim measures, best management practices, or other  
1367 measures necessary for Lake Okeechobee watershed total maximum  
1368 daily load reduction. Development of nonagricultural nonpoint  
1369 source best management practices shall initially focus on those  
1370 priority basins listed in subparagraph (b)1. The department, the  
1371 district, and affected parties shall conduct an ongoing program  
1372 for improvement of existing and development of new interim  
1373 measures or best management practices. The district shall adopt  
1374 technology-based standards under the district's WOD program for  
1375 nonagricultural nonpoint sources of phosphorus. Nothing in this  
1376 sub-subparagraph shall affect the authority of the department or  
1377 the district to adopt basin-specific criteria under this part to  
1378 prevent harm to the water resources of the district.

1379 b. Where nonagricultural nonpoint source best management  
1380 practices or interim measures have been developed by the  
1381 department and adopted by the district, the owner or operator of

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1382 a nonagricultural nonpoint source shall implement interim  
1383 measures or best management practices and be subject to the  
1384 provisions of s. 403.067(7). The department and district shall  
1385 provide technical and financial assistance for implementation of  
1386 nonagricultural nonpoint source best management practices,  
1387 subject to the availability of funds.

1388 c. The district or the department shall conduct monitoring  
1389 at representative sites to verify the effectiveness of  
1390 nonagricultural nonpoint source best management practices.

1391 d. Where water quality problems are detected for  
1392 nonagricultural nonpoint sources despite the appropriate  
1393 implementation of adopted best management practices, the  
1394 department and the district shall institute a reevaluation of  
1395 the best management practices.

1396 3. ~~The provisions of~~ Subparagraphs 1. and 2. do ~~shall~~ not  
1397 preclude the department or the district from requiring  
1398 compliance with water quality standards or with current best  
1399 management practices requirements set forth in any applicable  
1400 regulatory program authorized by law for the purpose of  
1401 protecting water quality. Additionally, subparagraphs 1. and 2.  
1402 are applicable only to the extent that they do not conflict with  
1403 any rules adopted ~~promulgated~~ by the department that are  
1404 necessary to maintain a federally delegated or approved program.

1405 4. Projects that reduce the phosphorus load originating  
1406 from domestic wastewater systems within the Lake Okeechobee  
1407 watershed shall be given funding priority in the department's

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1408 revolving loan program under s. 403.1835. The department shall  
1409 coordinate and provide assistance to those local governments  
1410 seeking financial assistance for such priority projects.

1411 5. Projects that make use of private lands, or lands held  
1412 in trust for Indian tribes, to reduce nutrient loadings or  
1413 concentrations within a basin by one or more of the following  
1414 methods: restoring the natural hydrology of the basin, restoring  
1415 wildlife habitat or impacted wetlands, reducing peak flows after  
1416 storm events, increasing aquifer recharge, or protecting range  
1417 and timberland from conversion to development, are eligible for  
1418 grants available under this section from the coordinating  
1419 agencies. For projects of otherwise equal priority, special  
1420 funding priority will be given to those projects that make best  
1421 use of the methods outlined above that involve public-private  
1422 partnerships or that obtain federal match money. Preference  
1423 ranking above the special funding priority will be given to  
1424 projects located in a rural area of opportunity ~~critical~~  
1425 ~~economic concern~~ designated by the Governor. Grant applications  
1426 may be submitted by any person or tribal entity, and eligible  
1427 projects may include, but are not limited to, the purchase of  
1428 conservation and flowage easements, hydrologic restoration of  
1429 wetlands, creating treatment wetlands, development of a  
1430 management plan for natural resources, and financial support to  
1431 implement a management plan.

1432 6.a. The department shall require all entities disposing  
1433 of domestic wastewater residuals within the Lake Okeechobee



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1434 watershed and the remaining areas of Okeechobee, Glades, and  
1435 Hendry Counties to develop and submit to the department an  
1436 agricultural use plan that limits applications based upon  
1437 phosphorus loading. ~~By July 1, 2005,~~ Phosphorus concentrations  
1438 originating from these application sites may ~~shall~~ not exceed  
1439 the limits established in the district's WOD program. ~~After~~  
1440 ~~December 31, 2007,~~ The department may not authorize the disposal  
1441 of domestic wastewater residuals within the Lake Okeechobee  
1442 watershed unless the applicant can affirmatively demonstrate  
1443 that the phosphorus in the residuals will not add to phosphorus  
1444 loadings in Lake Okeechobee or its tributaries. This  
1445 demonstration shall be based on achieving a net balance between  
1446 phosphorus imports relative to exports on the permitted  
1447 application site. Exports shall include only phosphorus removed  
1448 from the Lake Okeechobee watershed through products generated on  
1449 the permitted application site. This prohibition does not apply  
1450 to Class AA residuals that are marketed and distributed as  
1451 fertilizer products in accordance with department rule.

1452 b. Private and government-owned utilities within Monroe,  
1453 Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian  
1454 River, Okeechobee, Highlands, Hendry, and Glades Counties that  
1455 dispose of wastewater residual sludge from utility operations  
1456 and septic removal by land spreading in the Lake Okeechobee  
1457 watershed may use a line item on local sewer rates to cover  
1458 wastewater residual treatment and disposal if such disposal and  
1459 treatment is done by approved alternative treatment methodology

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1460 at a facility located within the areas designated by the  
1461 Governor as rural areas of opportunity ~~critical-economic-concern~~  
1462 pursuant to s. 288.0656. This additional line item is an  
1463 environmental protection disposal fee above the present sewer  
1464 rate and may ~~shall~~ not be considered a part of the present sewer  
1465 rate to customers, notwithstanding provisions to the contrary in  
1466 chapter 367. The fee shall be established by the county  
1467 commission or its designated assignee in the county in which the  
1468 alternative method treatment facility is located. The fee shall  
1469 be calculated to be no higher than that necessary to recover the  
1470 facility's prudent cost of providing the service. Upon request  
1471 by an affected county commission, the Florida Public Service  
1472 Commission will provide assistance in establishing the fee.  
1473 Further, for utilities and utility authorities that use the  
1474 additional line item environmental protection disposal fee, such  
1475 fee may ~~shall~~ not be considered a rate increase under the rules  
1476 of the Public Service Commission and shall be exempt from such  
1477 rules. Utilities using the provisions of this section may  
1478 immediately include in their sewer invoicing the new  
1479 environmental protection disposal fee. Proceeds from this  
1480 environmental protection disposal fee shall be used for  
1481 treatment and disposal of wastewater residuals, including any  
1482 treatment technology that helps reduce the volume of residuals  
1483 that require final disposal, but such proceeds may ~~shall~~ not be  
1484 used for transportation or shipment costs for disposal or any

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1485 costs relating to the land application of residuals in the Lake  
1486 Okeechobee watershed.

1487 c. No less frequently than once every 3 years, the Florida  
1488 Public Service Commission or the county commission through the  
1489 services of an independent auditor shall perform a financial  
1490 audit of all facilities receiving compensation from an  
1491 environmental protection disposal fee. The Florida Public  
1492 Service Commission or the county commission through the services  
1493 of an independent auditor shall also perform an audit of the  
1494 methodology used in establishing the environmental protection  
1495 disposal fee. The Florida Public Service Commission or the  
1496 county commission shall, within 120 days after completion of an  
1497 audit, file the audit report with the President of the Senate  
1498 and the Speaker of the House of Representatives and shall  
1499 provide copies to the county commissions of the counties set  
1500 forth in sub-subparagraph b. The books and records of any  
1501 facilities receiving compensation from an environmental  
1502 protection disposal fee shall be open to the Florida Public  
1503 Service Commission and the Auditor General for review upon  
1504 request.

1505 7. The Department of Health shall require all entities  
1506 disposing of septage within the Lake Okeechobee watershed to  
1507 develop and submit to that agency an agricultural use plan that  
1508 limits applications based upon phosphorus loading. ~~By July 1,~~  
1509 ~~2005,~~ Phosphorus concentrations originating from these

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1510 application sites may ~~shall~~ not exceed the limits established in  
1511 the district's WOD program.

1512 8. The Department of Agriculture and Consumer Services  
1513 shall initiate rulemaking requiring entities within the Lake  
1514 Okeechobee watershed which land-apply animal manure to develop  
1515 resource management system level conservation plans, according  
1516 to United States Department of Agriculture criteria, which limit  
1517 such application. Such rules may include criteria and thresholds  
1518 for the requirement to develop a conservation or nutrient  
1519 management plan, requirements for plan approval, and  
1520 recordkeeping requirements.

1521 9. The district, the department, or the Department of  
1522 Agriculture and Consumer Services, as appropriate, shall  
1523 implement those alternative nutrient reduction technologies  
1524 determined to be feasible pursuant to subparagraph (d)6.

1525 Section 35. Paragraph (e) of subsection (2) and paragraph  
1526 (b) of subsection (26) of section 380.06, Florida Statutes, are  
1527 amended to read:

1528 380.06 Developments of regional impact.—

1529 (2) STATEWIDE GUIDELINES AND STANDARDS.—

1530 (e) With respect to residential, hotel, motel, office, and  
1531 retail developments, the applicable guidelines and standards  
1532 shall be increased by 50 percent in urban central business  
1533 districts and regional activity centers of jurisdictions whose  
1534 local comprehensive plans are in compliance with part II of  
1535 chapter 163. With respect to multiuse developments, the

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1536 applicable individual use guidelines and standards for  
1537 residential, hotel, motel, office, and retail developments and  
1538 multiuse guidelines and standards shall be increased by 100  
1539 percent in urban central business districts and regional  
1540 activity centers of jurisdictions whose local comprehensive  
1541 plans are in compliance with part II of chapter 163, if one land  
1542 use of the multiuse development is residential and amounts to  
1543 not less than 35 percent of the jurisdiction's applicable  
1544 residential threshold. With respect to resort or convention  
1545 hotel developments, the applicable guidelines and standards  
1546 shall be increased by 150 percent in urban central business  
1547 districts and regional activity centers of jurisdictions whose  
1548 local comprehensive plans are in compliance with part II of  
1549 chapter 163 and where the increase is specifically for a  
1550 proposed resort or convention hotel located in a county with a  
1551 population greater than 500,000 and the local government  
1552 specifically designates that the proposed resort or convention  
1553 hotel development will serve an existing convention center of  
1554 more than 250,000 gross square feet built before ~~prior to~~ July  
1555 1, 1992. The applicable guidelines and standards shall be  
1556 increased by 150 percent for development in any area designated  
1557 by the Governor as a rural area of opportunity ~~critical economic~~  
1558 ~~concern~~ pursuant to s. 288.0656 during the effectiveness of the  
1559 designation.

1560 (26) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.—

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1561 (b) Upon receipt of written confirmation from the state  
1562 land planning agency that any required mitigation applicable to  
1563 completed development has occurred, an industrial development of  
1564 regional impact located within the coastal high-hazard area of a  
1565 rural area of opportunity ~~county of economic concern~~ which was  
1566 approved before ~~prior to~~ the adoption of the local government's  
1567 comprehensive plan required under s. 163.3167 and which plan's  
1568 future land use map and zoning designates the land use for the  
1569 development of regional impact as commercial may be unilaterally  
1570 abandoned without the need to proceed through the process  
1571 described in paragraph (a) if the developer or owner provides a  
1572 notice of abandonment to the local government and records such  
1573 notice with the applicable clerk of court. Abandonment shall be  
1574 deemed to have occurred upon the recording of the notice. All  
1575 development following abandonment shall be fully consistent with  
1576 the current comprehensive plan and applicable zoning.

1577 Section 36. Paragraph (g) of subsection (3) of section  
1578 380.0651, Florida Statutes, is amended to read:

1579 380.0651 Statewide guidelines and standards.—

1580 (3) The following statewide guidelines and standards shall  
1581 be applied in the manner described in s. 380.06(2) to determine  
1582 whether the following developments shall be required to undergo  
1583 development-of-regional-impact review:

1584 (g) Residential development.—~~A~~ ~~No~~ rule may not be adopted  
1585 concerning residential developments which treats a residential  
1586 development in one county as being located in a less populated

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1587 adjacent county unless more than 25 percent of the development  
1588 is located within 2 ~~or less~~ miles or less of the less populated  
1589 adjacent county. The residential thresholds of adjacent counties  
1590 with less population and a lower threshold are ~~shall not be~~  
1591 controlling on any development wholly located within areas  
1592 designated as rural areas of opportunity ~~critical economic~~  
1593 ~~concern~~.

1594 Section 37. Paragraph (b) of subsection (2) of section  
1595 985.686, Florida Statutes, is amended to read:

1596 985.686 Shared county and state responsibility for  
1597 juvenile detention.—

1598 (2) As used in this section, the term:

1599 (b) "Fiscally constrained county" means a county within a  
1600 rural area of opportunity ~~critical economic concern~~ as  
1601 designated by the Governor pursuant to s. 288.0656 or each  
1602 county for which the value of a mill will raise no more than \$5  
1603 million in revenue, based on the certified school taxable value  
1604 certified pursuant to s. 1011.62(4)(a)1.a., from the previous  
1605 July 1.

1606 Section 38. Subsection (2) of section 1011.76, Florida  
1607 Statutes, is amended to read:

1608 1011.76 Small School District Stabilization Program.—

1609 (2) In order to participate in this program, a school  
1610 district must be located in a rural area of opportunity ~~critical~~  
1611 ~~economic concern~~ designated by the Executive Office of the  
1612 Governor, and the district school board must submit a resolution

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1613 to the Department of Economic Opportunity requesting  
 1614 participation in the program. A rural area of opportunity  
 1615 ~~critical economic concern~~ must be a rural community, or a region  
 1616 composed of such, that has been adversely affected by an  
 1617 extraordinary economic event or a natural disaster or that  
 1618 presents a unique economic development concern or opportunity of  
 1619 regional impact. The resolution must be accompanied by ~~with~~  
 1620 documentation of the economic conditions in the community and~~r~~  
 1621 provide information indicating the negative impact of these  
 1622 conditions on the school district's financial stability, and the  
 1623 school district must participate in a best financial management  
 1624 practices review to determine potential efficiencies that could  
 1625 be implemented to reduce program costs in the district.

1626 Section 39. This act shall take effect July 1, 2014.

1627 -----  
 1628  
**T I T L E A M E N D M E N T**

1629 Remove everything before the enacting clause and insert:

1630 A bill to be entitled

1631 An act relating to economic development; amending s.  
 1632 163.3180, F.S.; prohibiting a local government from  
 1633 applying transportation concurrency or requiring  
 1634 proportionate-share contribution or construction for a  
 1635 new business development for a specified period;  
 1636 providing exceptions; amending s. 163.31801, F.S.;

1637 prohibiting a county, municipality, or special  
 1638



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1639 district from imposing certain new or existing impact  
1640 fees on a new business development for a specified  
1641 period; providing exceptions; amending s. 163.3202,  
1642 F.S.; requiring each county and municipality to adopt  
1643 or amend and enforce certain land development  
1644 regulations within a specified period after submitting  
1645 a comprehensive plan; amending s. 212.098, F.S.;  
1646 providing a sales tax refund for purchases of  
1647 electricity by certain eligible businesses; providing  
1648 an annual cap on the total amount of tax refunds that  
1649 may be approved; authorizing the Department of Revenue  
1650 to adopt rules; amending s. 288.0001, F.S.; requiring  
1651 the Office Of Economic and Demographic Research and  
1652 the Office of Program Policy Analysis and Government  
1653 Accountability to provide an analysis of the New  
1654 Markets Development Program to the Governor and  
1655 Legislature within a specified period and periodically  
1656 thereafter; amending s. 288.005, F.S.; providing  
1657 definitions; creating s. 288.006, F.S.; providing  
1658 legislative intent; restricting the use of loan  
1659 program funds; providing for the reversion of  
1660 appropriated funds in the event of a termination of a  
1661 loan program or loan program contract; requiring  
1662 eligible recipients and loan administrators to avoid  
1663 potential conflicts of interest; defining the term  
1664 "immediate family"; providing additional eligibility

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1665 requirements for eligible recipients and loan  
1666 administrator applicants; authorizing the Auditor  
1667 General to conduct audits; authorizing the Department  
1668 of Economic Opportunity to adopt rules; amending s.  
1669 288.987, F.S.; increasing the amount of funds that may  
1670 be spent on staffing and administrative expenses of  
1671 the Florida Defense Support Task Force; amending s.  
1672 290.0411, F.S.; revising legislative intent for  
1673 purposes of the Florida Small Cities Community  
1674 Development Block Grant Program; amending s. 290.044,  
1675 F.S.; requiring the department to adopt rules  
1676 establishing a competitive selection process for loan  
1677 guarantees and grants awarded under the block grant  
1678 program; revising the criteria for the award of  
1679 grants; amending s. 290.046, F.S.; revising limits on  
1680 the number of grants that an applicant may apply for  
1681 and receive; requiring the department to conduct a  
1682 site visit before awarding a grant; requiring the  
1683 department to rank applications according to criteria  
1684 established by rule and distribute funds according to  
1685 the rankings; revising scoring factors to consider in  
1686 ranking applications; revising requirements for public  
1687 hearings; providing that the creation of a citizen  
1688 advisory task force is discretionary; deleting a  
1689 provision requiring a local government to obtain  
1690 department consent for an alternative citizen

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1691 participation plan; amending s. 290.047, F.S.;

1692 revising the maximum percentages and amounts of block

1693 grant funds that may be spent on certain costs and

1694 expenses; amending s. 290.0475, F.S.; conforming

1695 provisions to changes made by the act; correcting a

1696 reference; amending s. 290.048, F.S.; deleting a

1697 provision authorizing the department to adopt and

1698 enforce strict requirements concerning an applicant's

1699 written description of a service area; amending s.

1700 331.3051, F.S.; requiring Space Florida to consult

1701 with the Florida Tourism Industry Marketing

1702 Corporation in developing a space tourism marketing

1703 plan; authorizing Space Florida to enter into an

1704 agreement with the corporation for a specified

1705 purpose; revising the research and development duties

1706 of Space Florida; amending s. 443.1116, F.S.; defining

1707 the term "employer-sponsored training"; revising

1708 components required for approval of a short-time

1709 compensation plan; revising eligibility requirements

1710 for short-time compensation benefits; amending s.

1711 443.141, F.S.; providing an employer payment schedule

1712 for contributions to the Unemployment Compensation

1713 Trust Fund; providing for applicability; amending ss.

1714 125.271, 163.3177, 163.3187, 163.3246, 211.3103,

1715 212.098, 218.67, 288.018, 288.065, 288.0655, 288.0656,

1716 288.1088, 288.1089, 290.0055, 339.2819, 339.63,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7023 (2014)

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1717 | 373.4595, 380.06, 380.0651, 985.686, and 1011.76,  
1718 | F.S.; renaming "rural areas of critical economic  
1719 | concern" as "rural areas of opportunity"; providing an  
1720 | effective date.