

1 A bill to be entitled

2 An act relating to economic development; amending s.
3 163.3180, F.S.; prohibiting a local government from
4 applying transportation concurrency or requiring
5 proportionate-share contribution or construction for a
6 new business development for a specified period;
7 providing exceptions; amending s. 163.31801, F.S.;
8 prohibiting a county, municipality, or special
9 district from imposing certain new or existing impact
10 fees on a new business development for a specified
11 period; providing exceptions; amending s. 163.3202,
12 F.S.; requiring each county and municipality to adopt
13 or amend and enforce certain land development
14 regulations within a specified period after submitting
15 a comprehensive plan; amending s. 212.098, F.S.;
16 providing a sales tax refund for purchases of
17 electricity by certain eligible businesses; providing
18 an annual cap on the total amount of tax refunds that
19 may be approved; authorizing the Department of Revenue
20 to adopt rules; amending s. 288.0001, F.S.; requiring
21 the Office Of Economic and Demographic Research and
22 the Office of Program Policy Analysis and Government
23 Accountability to provide an analysis of the New
24 Markets Development Program to the Governor and
25 Legislature within a specified period and periodically
26 thereafter; amending s. 288.005, F.S.; providing

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

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27 definitions; creating s. 288.006, F.S.; providing
28 legislative intent; restricting the use of loan
29 program funds; providing for the reversion of
30 appropriated funds in the event of a termination of a
31 loan program or loan program contract; requiring
32 eligible recipients and loan administrators to avoid
33 potential conflicts of interest; defining the term
34 "immediate family"; providing additional eligibility
35 requirements for eligible recipients and loan
36 administrator applicants; authorizing the Auditor
37 General to conduct audits; authorizing the Department
38 of Economic Opportunity to adopt rules; amending s.
39 288.987, F.S.; increasing the amount of funds that may
40 be spent on staffing and administrative expenses of
41 the Florida Defense Support Task Force; amending s.
42 290.0411, F.S.; revising legislative intent for
43 purposes of the Florida Small Cities Community
44 Development Block Grant Program; amending s. 290.044,
45 F.S.; requiring the department to adopt rules
46 establishing a competitive selection process for loan
47 guarantees and grants awarded under the block grant
48 program; revising the criteria for the award of
49 grants; amending s. 290.046, F.S.; revising limits on
50 the number of grants that an applicant may apply for
51 and receive; requiring the department to conduct a
52 site visit before awarding a grant; requiring the

53 department to rank applications according to criteria
54 established by rule and distribute funds according to
55 the rankings; revising scoring factors to consider in
56 ranking applications; revising requirements for public
57 hearings; providing that the creation of a citizen
58 advisory task force is discretionary; deleting a
59 provision requiring a local government to obtain
60 department consent for an alternative citizen
61 participation plan; amending s. 290.047, F.S.;
62 revising the maximum percentages and amounts of block
63 grant funds that may be spent on certain costs and
64 expenses; amending s. 290.0475, F.S.; conforming
65 provisions to changes made by the act; correcting a
66 reference; amending s. 290.048, F.S.; deleting a
67 provision authorizing the department to adopt and
68 enforce strict requirements concerning an applicant's
69 written description of a service area; amending s.
70 331.3051, F.S.; requiring Space Florida to consult
71 with the Florida Tourism Industry Marketing
72 Corporation in developing a space tourism marketing
73 plan; authorizing Space Florida to enter into an
74 agreement with the corporation for a specified
75 purpose; revising the research and development duties
76 of Space Florida; amending s. 443.1116, F.S.; defining
77 the term "employer-sponsored training"; revising
78 components required for approval of a short-time

79 compensation plan; revising eligibility requirements
 80 for short-time compensation benefits; amending s.
 81 443.141, F.S.; providing an employer payment schedule
 82 for contributions to the Unemployment Compensation
 83 Trust Fund; providing for applicability; amending ss.
 84 125.271, 163.3177, 163.3187, 163.3246, 211.3103,
 85 212.098, 218.67, 288.018, 288.065, 288.0655, 288.0656,
 86 288.1088, 288.1089, 290.0055, 339.2819, 339.63,
 87 373.4595, 380.06, 380.0651, 985.686, and 1011.76,
 88 F.S.; renaming "rural areas of critical economic
 89 concern" as "rural areas of opportunity"; providing an
 90 effective date.

91

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

93

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

96 163.3180 Concurrency.—

97 (7) (a) Notwithstanding any provision of law, ordinance, or
 98 resolution, before July 1, 2017, a local government may not,
 99 unless authorized by majority vote of the local government's
 100 governing authority, apply transportation concurrency within its
 101 jurisdiction or require a proportionate-share contribution or
 102 construction for a new business development. This paragraph does
 103 not apply to:

104 1. Proportionate-share contribution or construction

105 assessed on an existing business development before July 1,
106 2014.

107 2. A new business development that consists of more than
108 6,000 square feet and that is classified as other than
109 residential.

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

112 (b) In order to maintain the exemption from transportation
113 concurrency and proportionate-share contribution or construction
114 pursuant to paragraph (a), a new business development must
115 receive a certificate of occupancy on or before July 1, 2018. If
116 the certificate of occupancy is not received by July 1, 2018,
117 the local government may apply transportation concurrency and
118 require the appropriate proportionate-share contribution or
119 construction for the business development that would otherwise
120 be applied notwithstanding this subsection. Any outstanding
121 obligation related to the proportionate-share contribution or
122 construction runs with the land and is enforceable against any
123 person claiming a fee interest in the land subject to that
124 obligation.

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

130 (d) A developer may, upon written notification to the

131 local government, elect to have the local government apply
132 transportation concurrency and proportionate-share contribution
133 or construction to a business development.

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

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

137 163.31801 Impact fees; short title; intent; definitions;
138 ordinances levying impact fees.—

139 (6) (a) Notwithstanding any provision of law, ordinance, or
140 resolution, before July 1, 2017, a county, municipality, or
141 special district may not, unless authorized by majority vote of
142 the county's, municipality's, or special district's governing
143 authority, impose any new or existing impact fee or any new or
144 existing fee associated with the mitigation of transportation
145 impacts on a new business development. This paragraph does not
146 apply to:

147 1. Any impact fee or fee associated with the mitigation of
148 transportation impacts previously enacted by law, ordinance, or
149 resolution assessed on an existing business development before
150 July 1, 2014.

151 2. A new business development that consists of more than
152 6,000 square feet and that is classified as other than
153 residential.

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

156 (b) The governing authority of any county, municipality,

157 or special district imposing an impact fee in existence on July
158 1, 2013, must reauthorize the imposition of the fee pursuant to
159 this subsection.

160 (c) In order to maintain the exemption from impact fees
161 and fees associated with the mitigation of transportation
162 impacts pursuant to paragraph (a), a new business development
163 must receive a certificate of occupancy on or before July 1,
164 2018. If the certificate of occupancy is not received by July 1,
165 2018, the county, municipality, or special district may impose
166 the appropriate impact fees and fees associated with the
167 mitigation of transportation impacts on the business development
168 that would otherwise be applied notwithstanding this subsection.
169 Any outstanding obligation related to impact fees and fees
170 associated with the mitigation of transportation impacts on the
171 business development runs with the land and is enforceable
172 against any person claiming a fee interest in the land subject
173 to that obligation.

174 (d) This subsection does not apply if it results in a
175 reduction of previously pledged revenue of a county,
176 municipality, or special district for currently outstanding
177 bonds or notes or to a county, municipality, or special district
178 with a mobility fee-based funding system in place on or before
179 January 1, 2014.

180 (e) A developer may, upon notification to the county,
181 municipality, or special district, elect to have impact fees and
182 fees associated with the mitigation of transportation impacts

183 imposed on a business development.

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

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

187 163.3202 Land development regulations.—

188 (1) Within 1 year after submission of its comprehensive
189 plan or revised comprehensive plan for review pursuant to s.
190 163.3191 ~~163.3167(2)~~, each county and each municipality shall
191 adopt or amend and enforce land development regulations that are
192 consistent with and implement their adopted comprehensive plan.

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

195 212.098 Rural Job Tax Credit Program.—

196 (12) A new or existing eligible business that receives a
197 tax credit under subsection (2) or subsection (3) is eligible
198 for a tax refund of up to 50 percent of the amount of sales tax
199 on purchases of electricity paid by the business during the 1-
200 year period after the date the credit is received. The total
201 amount of tax refunds approved pursuant to this subsection may
202 not exceed \$600,000 during any calendar year. The department may
203 adopt rules to administer this subsection.

204 Section 5. Paragraph (a) of subsection (2) of section
205 288.0001, Florida Statutes, is amended to read:

206 288.0001 Economic Development Programs Evaluation.—The
207 Office of Economic and Demographic Research and the Office of
208 Program Policy Analysis and Government Accountability (OPPAGA)

209 shall develop and present to the Governor, the President of the
 210 Senate, the Speaker of the House of Representatives, and the
 211 chairs of the legislative appropriations committees the Economic
 212 Development Programs Evaluation.

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

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

218 1. The capital investment tax credit established under s.
 219 220.191.

220 2. The qualified target industry tax refund established
 221 under s. 288.106.

222 3. The brownfield redevelopment bonus refund established
 223 under s. 288.107.

224 4. High-impact business performance grants established
 225 under s. 288.108.

226 5. The Quick Action Closing Fund established under s.
 227 288.1088.

228 6. The Innovation Incentive Program established under s.
 229 288.1089.

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

232 8. The New Markets Development Program established under
 233 ss. 288.991-288.9922.

234 Section 6. Subsections (5) and (6) are added to section

235 288.005, Florida Statutes, to read:

236 288.005 Definitions.—As used in this chapter, the term:

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

240 (6) "Loan program" means a program established in this
 241 chapter to provide appropriated funds to an eligible entity to
 242 further a specific state purpose for a limited period with the
 243 requirement that such appropriated funds be repaid to the state.
 244 The term includes a "loan fund" or "loan pilot program"
 245 administered by the department under this chapter.

246 Section 7. Section 288.006, Florida Statutes, is created
 247 to read:

248 288.006 General operation of loan programs.—

249 (1) The Legislature intends to promote the goals of
 250 accountability and proper stewardship by recipients of loan
 251 program funds. This section applies to all loan programs
 252 established under this chapter and administered by the
 253 department.

254 (2) State funds appropriated for a loan program may be
 255 used only by an eligible recipient or loan administrator, and
 256 the use of such funds is restricted to the specific state
 257 purpose of the loan program, subject to any compensation due to
 258 a loan administrator as provided under this chapter. State funds
 259 may be awarded directly by the department to an eligible
 260 recipient or awarded by the department to a loan administrator.

261 All state funds, including interest earned, remain state funds
262 unless otherwise stated in the statutory requirements of the
263 loan program.

264 (3) (a) Upon termination of a loan program by the
265 Legislature or by statute, all appropriated funds shall revert
266 to the General Revenue Fund. The department shall pay the entity
267 any allowable administrative expenses due to the loan
268 administrator as provided by this chapter unless otherwise
269 required by law.

270 (b) Upon termination of a contract between the department
271 and an eligible recipient or loan administrator, all remaining
272 appropriated funds shall revert to the fund from which the
273 appropriation was made. The department shall become the
274 successor entity for any outstanding loans. Except in the case
275 of the termination of a contract for fraud or for failure of a
276 loan administrator to meet the terms of the program, the
277 department shall pay the entity any allowable administrative
278 expenses due to the loan administrator as provided by this
279 chapter.

280 (c) An eligible recipient or loan administrator to which
281 paragraph (a) or paragraph (b) applies shall execute all
282 appropriate instruments to reconcile any remaining accounts
283 associated with a terminated loan program or contract. The
284 entity shall execute all appropriate instruments to ensure that
285 the department is authorized to collect all receivables for
286 outstanding loans, including, but not limited to, assignments of

287 promissory notes and mortgages.

288 (4) An eligible recipient or loan administrator must avoid
289 any potential conflict of interest regarding the use of
290 appropriated funds for a loan program. An eligible recipient,
291 loan administrator, board member, employee, or agent thereof or
292 an immediate family member of a board member, employee, or agent
293 thereof may not have a financial interest in an entity that is
294 awarded a loan under a loan program. A loan may not be made to a
295 person or entity if a conflict of interest exists between the
296 parties involved. As used in this subsection, the term
297 "immediate family" means a parent, spouse, child, sibling,
298 grandparent, or grandchild related by blood or marriage.

299 (5) In determining eligibility for an entity applying for
300 an award of funds directly from the department or applying for
301 selection as a loan administrator for a loan program, the
302 department shall evaluate each applicant's business practices,
303 financial stability, and past performance in other state
304 programs in addition to considering each loan program's specific
305 statutory eligibility requirements. Eligibility of an entity
306 applying to be a recipient or loan administrator may be
307 conditionally granted or denied outright if the department
308 determines that the entity is noncompliant with any law, rule,
309 or program requirement.

310 (6) State funds appropriated to a loan program that are
311 loaned to an eligible recipient and repaid to a loan
312 administrator may, if permitted by the provisions of law

313 authorizing the loan program, be returned to the loan fund and
 314 made available for loans to other eligible recipients of the
 315 loan program. However, every use of state funds by a loan
 316 administrator remains subject to subsections (2) and (3), and
 317 compensation to a loan administrator may not exceed any
 318 limitation provided by this chapter.

319 (7) The Auditor General may conduct audits as provided in
 320 s. 11.45 to verify that the appropriations under each loan
 321 program are expended by the eligible recipient or loan
 322 administrator as required for each program. If the Auditor
 323 General determines that the appropriations are not expended as
 324 required, the Auditor General shall notify the department, which
 325 may pursue recovery of the funds. This section does not prevent
 326 the department from pursuing recovery of the appropriated loan
 327 program funds when necessary to protect the funds or when
 328 authorized by law.

329 (8) The department may adopt rules to implement this
 330 section.

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

333 288.987 Florida Defense Support Task Force.—

334 (7) The department shall contract with the task force for
 335 expenditure of appropriated funds, which may be used by the task
 336 force for economic and product research and development, joint
 337 planning with host communities to accommodate military missions
 338 and prevent base encroachment, advocacy on the state's behalf

339 with federal civilian and military officials, assistance to
340 school districts in providing a smooth transition for large
341 numbers of additional military-related students, job training
342 and placement for military spouses in communities with high
343 proportions of active duty military personnel, and promotion of
344 the state to military and related contractors and employers. The
345 task force may annually spend up to \$250,000 ~~\$200,000~~ of funds
346 appropriated to the department for the task force for staffing
347 and administrative expenses of the task force, including travel
348 and per diem costs incurred by task force members who are not
349 otherwise eligible for state reimbursement.

350 Section 9. Section 290.0411, Florida Statutes, is amended
351 to read:

352 290.0411 Legislative intent and purpose of ss. 290.0401-
353 290.048.—It is the intent of the Legislature to provide the
354 necessary means to develop, preserve, redevelop, and revitalize
355 Florida communities exhibiting signs of decline, ~~or~~ distress, or
356 economic need by enabling local governments to undertake the
357 necessary community and economic development programs. The
358 overall objective is to create viable communities by eliminating
359 slum and blight, fortifying communities in urgent need,
360 providing decent housing and suitable living environments, and
361 expanding economic opportunities, principally for persons of low
362 or moderate income. The purpose of ss. 290.0401-290.048 is to
363 assist local governments in carrying out effective community and
364 economic development and project planning and design activities

365 to arrest and reverse community decline and restore community
366 vitality. Community and economic development and project
367 planning activities to maintain viable communities, revitalize
368 existing communities, expand economic development and employment
369 opportunities, and improve housing conditions and expand housing
370 opportunities, providing direct benefit to persons of low or
371 moderate income, are the primary purposes of ss. 290.0401-
372 290.048. The Legislature, therefore, declares that the
373 development, redevelopment, preservation, and revitalization of
374 communities in this state and all the purposes of ss. 290.0401-
375 290.048 are public purposes for which public money may be
376 borrowed, expended, loaned, pledged to guarantee loans, and
377 granted.

378 Section 10. Section 290.044, Florida Statutes, is amended
379 to read:

380 290.044 Florida Small Cities Community Development Block
381 Grant Program Fund; administration; distribution.—

382 (1) The Florida Small Cities Community Development Block
383 Grant Program Fund is created. All revenue designated for
384 deposit in such fund shall be deposited by the appropriate
385 agency. The department shall administer this fund as a grant and
386 loan guarantee program for carrying out the purposes of ss.
387 290.0401-290.048.

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

391 (3) The department shall require applicants for grants to
 392 compete against each other in the following grant program
 393 categories:

- 394 (a) Housing rehabilitation.
- 395 (b) Economic development.
- 396 (c) Neighborhood revitalization.
- 397 (d) Commercial revitalization.

398 (4)~~(3)~~ The department shall define ~~the~~ broad community
 399 development objectives ~~objective~~ to be achieved by the
 400 activities in each of the ~~following~~ grant program categories
 401 with the use of funds from the Florida Small Cities Community
 402 Development Block Grant Program Fund. Such objectives shall be
 403 designed to meet at least one of the national objectives
 404 provided in the Housing and Community Development Act of 1974,
 405 ~~and require applicants for grants to compete against each other~~
 406 ~~in these grant program categories:~~

- 407 ~~(a) Housing.~~
- 408 ~~(b) Economic development.~~
- 409 ~~(c) Neighborhood revitalization.~~
- 410 ~~(d) Commercial revitalization.~~
- 411 ~~(e) Project planning and design.~~

412 (5)~~(4)~~ The department may set aside an amount of up to 5
 413 percent of the funds annually for use in any eligible local
 414 government jurisdiction for which an emergency or natural
 415 disaster has been declared by executive order. Such funds may
 416 only be provided to a local government to fund eligible

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

423 (6)~~(5)~~ The department shall establish a system of
424 monitoring grants, including site visits, to ensure the proper
425 expenditure of funds and compliance with the conditions of the
426 recipient's contract. The department shall establish criteria
427 for implementation of internal control, to include, but not be
428 limited to, the following measures:

429 (a) Ensuring that subrecipient audits performed by a
430 certified public accountant are received and responded to in a
431 timely manner.

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

434 (c) Providing specific justification for contract
435 amendments that takes into account any change in contracted
436 activities and the resultant cost adjustments which shall be
437 reflected in the amount of the grant.

438 Section 11. Section 290.046, Florida Statutes, is amended
439 to read:

440 290.046 Applications for grants; procedures;
441 requirements.—

442 (1) In applying for a grant under a specific program

443 category, an applicant shall propose eligible activities that
 444 directly address the objectives ~~objective~~ of that program
 445 category.

446 (2) (a) Not including applications for economic development
 447 grants ~~Except as provided for in subparagraph (b)1. paragraph~~
 448 ~~(e),~~ each eligible local government may submit one ~~an~~
 449 application for a grant ~~under either the housing program~~
 450 ~~category or the neighborhood revitalization program category~~
 451 during each application ~~annual funding~~ cycle. ~~An applicant may~~
 452 ~~not receive more than one grant in any state fiscal year from~~
 453 ~~any of the following categories: housing, neighborhood~~
 454 ~~revitalization, or commercial revitalization.~~

455 (b) 1. ~~An~~ ~~Except as provided in paragraph (c),~~ each
 456 eligible local government may apply up to three times in any one
 457 annual funding cycle for an economic development ~~a grant under~~
 458 ~~the economic development program category~~ but may not ~~shall~~
 459 receive ~~no~~ more than one such grant per annual funding cycle. A
 460 local government may have more than one open economic
 461 development grant ~~Applications for grants under the economic~~
 462 ~~development program category may be submitted at any time during~~
 463 ~~the annual funding cycle, and such grants shall be awarded no~~
 464 ~~less frequently than three times per funding cycle.~~

465 2. The department shall establish minimum criteria
 466 pertaining to the number of jobs created for persons of low or
 467 moderate income, the degree of private-sector ~~private sector~~
 468 financial commitment, and the economic feasibility of the

469 proposed project and shall establish any other criteria the
 470 department deems appropriate. Assistance to a private, for-
 471 profit business may not be provided from a grant award unless
 472 sufficient evidence exists to demonstrate that without such
 473 public assistance the creation or retention of such jobs would
 474 not occur.

475 (c)1. A local government ~~governments~~ with an open housing
 476 rehabilitation, neighborhood revitalization, or commercial
 477 revitalization contract is shall ~~be~~ not be eligible to apply for
 478 another housing rehabilitation, neighborhood revitalization, or
 479 commercial revitalization grant until administrative closeout of
 480 its their existing contract. The department shall notify a local
 481 government of administrative closeout or of any outstanding
 482 closeout issues within 45 days after ~~of~~ receipt of a closeout
 483 package from the local government. A local government
 484 ~~governments~~ with an open housing rehabilitation, neighborhood
 485 revitalization, or commercial revitalization community
 486 development block grant contract whose activities are on
 487 schedule in accordance with the expenditure rates and
 488 accomplishments described in the contract may apply for an
 489 economic development grant.

490 2. A local government ~~governments~~ with an open economic
 491 development community development block grant contract whose
 492 activities are on schedule in accordance with the expenditure
 493 rates and accomplishments described in the contract may apply
 494 for a housing rehabilitation, ~~or~~ neighborhood revitalization, or

495 ~~and a~~ commercial revitalization community development block
496 grant. A local government ~~governments~~ with an open economic
497 development contract whose activities are on schedule in
498 accordance with the expenditure rates and accomplishments
499 described in the contract may not receive ~~no~~ more than one
500 additional economic development grant in each fiscal year.

501 (d) ~~Beginning October 1, 1988,~~ The department may not
502 shall award ~~a~~ no grant until it ~~the department~~ has conducted
503 determined, based upon a site visit to verify the information
504 contained in the local government's application, ~~that the~~
505 ~~proposed area matches and adheres to the written description~~
506 ~~contained within the applicant's request. If, based upon review~~
507 ~~of the application or a site visit, the department determines~~
508 ~~that any information provided in the application which affects~~
509 ~~eligibility or scoring has been misrepresented, the applicant's~~
510 ~~request shall be rejected by the department pursuant to s.~~
511 ~~290.0475(7). Mathematical errors in applications which may be~~
512 ~~discovered and corrected by readily computing available numbers~~
513 ~~or formulas provided in the application shall not be a basis for~~
514 ~~such rejection.~~

515 (3) (a) The department shall rank each application received
516 during the application cycle according to criteria established
517 by rule. The ranking system shall include a procedure to
518 eliminate or reduce any population-related bias that places
519 exceptionally small communities at a disadvantage in the
520 competition for funds ~~Each application shall be ranked~~

521 ~~competitively based on community need and program impact.~~
522 ~~Community need shall be weighted 25 percent. Program impact~~
523 ~~shall be weighted 65 percent. Outstanding performance in equal~~
524 ~~opportunity employment and housing shall be weighted 10 percent.~~

525 (b) Funds shall be distributed according to the rankings
526 established in each application cycle. If economic development
527 funds remain available after the application cycle closes, the
528 remaining funds shall be awarded to eligible projects on a
529 first-come, first-served basis until such funds are fully
530 obligated ~~The criteria used to measure community need shall~~
531 ~~include, at a minimum, indicators of the extent of poverty in~~
532 ~~the community and the condition of physical structures. Each~~
533 ~~application, regardless of the program category for which it is~~
534 ~~being submitted, shall be scored competitively on the same~~
535 ~~community need criteria. In recognition of the benefits~~
536 ~~resulting from the receipt of grant funds, the department shall~~
537 ~~provide for the reduction of community need scores for specified~~
538 ~~increments of grant funds provided to a local government since~~
539 ~~the state began using the most recent census data. In the year~~
540 ~~in which new census data are first used, no such reduction shall~~
541 ~~occur.~~

542 (c) The application's program impact score, equal
543 employment opportunity and fair housing score, and communitywide
544 needs score may take into consideration scoring factors
545 including, but not limited to, unemployment, poverty levels,
546 low-income and moderate-income populations, benefits to low-

547 income and moderate-income residents, use of minority-owned and
548 woman-owned business enterprises in previous grants, health and
549 safety issues, and the condition of physical structures The
550 ~~criteria used to measure the impact of an applicant's proposed~~
551 ~~activities shall include, at a minimum, indicators of the direct~~
552 ~~benefit received by persons of low income and persons of~~
553 ~~moderate income, the extent to which the problem identified is~~
554 ~~addressed by the proposed activities, and the extent to which~~
555 ~~resources other than the funds being applied for under this~~
556 ~~program are being used to carry out the proposed activities.~~

557 ~~(d) Applications shall be scored competitively on program~~
558 ~~impact criteria that are uniquely tailored to the community~~
559 ~~development objective established in each program category. The~~
560 ~~criteria used to measure the direct benefit to persons of low~~
561 ~~income and persons of moderate income shall represent no less~~
562 ~~than 42 percent of the points assigned to the program impact~~
563 ~~factor. For the housing and neighborhood revitalization~~
564 ~~categories, the department shall also include the following~~
565 ~~criteria in the scoring of applications:~~

566 ~~1. The proportion of very low income and low income~~
567 ~~households served.~~

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

570 ~~(4) An applicant for a neighborhood revitalization or~~
571 ~~commercial revitalization grant shall demonstrate that its~~
572 ~~activities are to be carried out in distinct service areas which~~

573 ~~are characterized by the existence of slums or blighted~~
574 ~~conditions, or by the concentration of persons of low or~~
575 ~~moderate income.~~

576 (4)~~(5)~~ In order to provide citizens with information
577 concerning an applicant's proposed project, the applicant shall
578 make available to the public information concerning the amounts
579 of funds available for various activities and the range of
580 activities that may be undertaken. In addition, the applicant
581 shall hold a minimum of two public hearings in the local
582 jurisdiction within which the project is to be implemented to
583 obtain the views of citizens before submitting the final
584 application to the department. The applicant shall conduct the
585 initial hearing to solicit public input concerning community
586 needs, inform the public about funding opportunities available
587 to address community needs, and discuss activities that may be
588 undertaken. Before a second public hearing is held, the
589 applicant must publish a summary of the proposed application to
590 provide citizens with an opportunity to examine the contents of
591 the application and submit comments. The applicant shall conduct
592 a second hearing to obtain comments from citizens concerning the
593 proposed application and to modify the proposed application if
594 appropriate ~~program before an application is submitted to the~~
595 ~~department, the applicant shall:~~

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

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

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

604 ~~(d) Consider any comments and views expressed by citizens~~
605 ~~on the proposed application and, if appropriate, modify the~~
606 ~~proposed application.~~

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

611 (5)~~(6)~~ The local government may ~~shall~~ establish a citizen
612 advisory task force composed of citizens in the jurisdiction in
613 which the proposed project is to be implemented to provide input
614 relative to all phases of the project process. ~~The local~~
615 ~~government must obtain consent from the department for any other~~
616 ~~type of citizen participation plan upon a showing that such plan~~
617 ~~is better suited to secure citizen participation for that~~
618 ~~locality.~~

619 (6)~~(7)~~ The department shall, before ~~prior to~~ approving an
620 application for a grant, determine whether ~~that~~ the applicant
621 has the administrative capacity to carry out the proposed
622 activities and has performed satisfactorily in carrying out past
623 activities funded by community development block grants. The
624 evaluation of past performance shall take into account

625 procedural aspects of previous grants as well as substantive
626 results. If the department determines that any applicant has
627 failed to accomplish substantially the results it proposed in
628 its last previously funded application, it may prohibit the
629 applicant from receiving a grant or may penalize the applicant
630 in the rating of the current application. An ~~No~~ application for
631 grant funds may not be denied solely upon the basis of the past
632 performance of the eligible applicant.

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

635 290.047 Establishment of grant ceilings and maximum
636 administrative cost percentages; elimination of population bias;
637 loans in default.—

638 (3) The maximum percentage of block grant funds that can
639 be spent on administrative costs by an eligible local government
640 shall be 15 percent for the housing rehabilitation program
641 category, 8 percent for both the neighborhood and the commercial
642 revitalization program categories, and 8 percent for the
643 economic development program category. The maximum amount of
644 block grant funds that may be spent on administrative costs by
645 an eligible local government for the economic development
646 program category is \$120,000. The purpose of the ceiling is to
647 maximize the amount of block grant funds actually going toward
648 the redevelopment of the area. The department will continue to
649 encourage eligible local governments to consider ways to limit
650 the amount of block grant funds used for administrative costs,

651 consistent with the need for prudent management and
 652 accountability in the use of public funds. However, this
 653 subsection does ~~shall not be construed, however,~~ to prohibit
 654 eligible local governments from contributing their own funds or
 655 making in-kind contributions to cover administrative costs which
 656 exceed the prescribed ceilings, provided that all such
 657 contributions come from local government resources other than
 658 Community Development Block Grant funds.

659 (6) The maximum amount ~~percentage~~ of block grant funds
 660 that may be spent on engineering and architectural costs by an
 661 eligible local government shall be determined in accordance with
 662 a method ~~schedule~~ adopted by the department by rule. Any such
 663 method ~~schedule~~ so adopted shall be consistent with the schedule
 664 used by the United States Farmer's Home Administration as
 665 applied to projects in Florida or another comparable schedule as
 666 amended.

667 Section 13. Section 290.0475, Florida Statutes, is amended
 668 to read:

669 290.0475 Rejection of grant applications; penalties for
 670 failure to meet application conditions.—Applications ~~received~~
 671 for funding ~~under all program categories~~ shall be rejected if
 672 ~~without scoring only in the event that~~ any of the following
 673 circumstances arise:

674 (1) The application is not received by the department by
 675 the application deadline;—

676 (2) The proposed project does not meet one of the three

677 national objectives as contained in federal and state
 678 legislation;~~;~~

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

681 (4) The application is not consistent with the local
 682 government's comprehensive plan adopted pursuant to s.
 683 163.3184;~~;~~

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

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

692 (7) Any information provided in the application that
 693 affects eligibility or scoring is found to have been
 694 misrepresented, and the information is not a mathematical error
 695 which may be discovered and corrected by readily computing
 696 available numbers or formulas provided in the application.

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

699 290.048 General powers of department under ss. 290.0401-
 700 290.048.—The department has all the powers necessary or
 701 appropriate to carry out the purposes and provisions of the
 702 program, including the power to:

703 ~~(5) Adopt and enforce strict requirements concerning an~~
 704 ~~applicant's written description of a service area. Each such~~
 705 ~~description shall contain maps which illustrate the location of~~
 706 ~~the proposed service area. All such maps must be clearly legible~~
 707 ~~and must:~~

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

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

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

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

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

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

717 331.3051 Duties of Space Florida.—Space Florida shall:

718 (5) Consult with the Florida Tourism Industry Marketing
 719 Corporation ~~Enterprise Florida, Inc.~~, in developing a space
 720 tourism marketing plan. Space Florida and the Florida Tourism
 721 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, may
 722 enter into a mutually beneficial agreement that provides funding
 723 to the corporation ~~Enterprise Florida, Inc.~~, for its services to
 724 implement this subsection.

725 (8) Carry out its responsibility for research and
 726 development by:

727 (b) Working in collaboration with one or more public or
 728 private universities and other public or private entities to

729 ~~develop a proposal for a Center of Excellence for Aerospace that~~
730 ~~will~~ foster and promote the research necessary to develop
731 commercially promising, advanced, and innovative science and
732 technology and ~~will~~ transfer those discoveries to the commercial
733 sector. Space Florida may develop a proposal to establish a
734 Center of Excellence for Aerospace in conjunction with this
735 effort.

736 Section 16. Paragraphs (b) through (e) of subsection (1)
737 of section 443.1116, Florida Statutes, are redesignated as
738 paragraphs (c) through (f), respectively, a new paragraph (b) is
739 added to that subsection, paragraphs (d), (g), and (h) of
740 subsection (2) of that section are amended, paragraphs (i) and
741 (j) are added to that subsection, paragraph (c) of subsection
742 (5) of that section is redesignated as paragraph (d), and a new
743 paragraph (c) is added to that subsection, to read:

744 443.1116 Short-time compensation.—

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

746 (b) "Employer-sponsored training" means a training
747 component sponsored by an employer to improve the skills of the
748 employer's employees.

749 (2) APPROVAL OF SHORT-TIME COMPENSATION PLANS.—An employer
750 wishing to participate in the short-time compensation program
751 must submit a signed, written, short-time plan to the Department
752 of Economic Opportunity for approval. The director or his or her
753 designee shall approve the plan if:

754 (d) The plan includes a certified statement by the

755 employer that the aggregate reduction in work hours is in lieu
756 of ~~temporary~~ layoffs that would affect at least 10 percent of
757 the employees in the affected unit and that would have resulted
758 in an equivalent reduction in work hours;

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

762 (h) The plan certifies that fringe benefits provided by
763 the employer to an employee whose workweek is reduced under the
764 short-time compensation program will be provided by the employer
765 under the same terms and conditions as though the workweek of
766 the employee had not been reduced or to the same extent as other
767 employees who are not participants in the program ~~the manner in~~
768 ~~which the employer will treat fringe benefits of the individuals~~
769 ~~in the affected unit if the hours of the individuals are reduced~~
770 ~~to less than their normal weekly hours of work.~~ As used in this
771 paragraph, the term "fringe benefits" includes, but is not
772 limited to, health insurance, retirement benefits under defined
773 benefit pension plans as defined in subsection 35 of s. 1002 of
774 the Employee Retirement Income Security Act of 1974, 29 U.S.C.,
775 contributions under a defined contribution plan as defined in s.
776 414(i) of the Internal Revenue Code, paid vacation and holidays,
777 and sick leave;

778 (i) The plan describes the manner in which the
779 requirements of this subsection will be implemented. The
780 description shall include a plan for providing notice, if

781 feasible, to an employee whose workweek is to be reduced under
 782 the short-time compensation program. Such notice shall include
 783 an estimate of the number of layoffs that would have occurred if
 784 not for the program; and

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

788 (5) ELIGIBILITY REQUIREMENTS FOR SHORT-TIME COMPENSATION
 789 BENEFITS.—

790 (c) The department may not deny short-time compensation
 791 benefits to an individual who is otherwise eligible for these
 792 benefits for any week because the individual is participating in
 793 an employer-sponsored training or a training to improve job
 794 skills that is authorized under the Workforce Investment Act and
 795 approved by the department.

796 Section 17. Paragraph (f) of subsection (1) of section
 797 443.141, Florida Statutes, is amended to read:

798 443.141 Collection of contributions and reimbursements.—

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

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

806 1. For contributions due for wages paid in the first

807 quarter of each year, one-fourth of the contributions due must
808 be paid on or before April 30, one-fourth must be paid on or
809 before July 31, one-fourth must be paid on or before October 31,
810 and one-fourth must be paid on or before December 31.

811 2. In addition to the payments specified in subparagraph
812 1., for contributions due for wages paid in the second quarter
813 of each year, one-third of the contributions due must be paid on
814 or before July 31, one-third must be paid on or before October
815 31, and one-third must be paid on or before December 31.

816 3. In addition to the payments specified in subparagraphs
817 1. and 2., for contributions due for wages paid in the third
818 quarter of each year, one-half of the contributions due must be
819 paid on or before October 31, and one-half must be paid on or
820 before December 31.

821 4. The annual administrative fee assessed for electing to
822 pay under the installment method shall be collected at the time
823 the employer makes the first installment payment each year. The
824 fee shall be segregated from the payment and deposited into the
825 Operating Trust Fund of the Department of Revenue.

826 5. Interest does not accrue on any contribution that
827 becomes due for wages paid in the first three quarters of each
828 year if the employer pays the contribution in accordance with
829 subparagraphs 1.-4. Interest and fees continue to accrue on
830 prior delinquent contributions and commence accruing on all
831 contributions due for wages paid in the first three quarters of
832 each year which are not paid in accordance with subparagraphs

833 1.-3. Penalties may be assessed in accordance with this chapter.
 834 The contributions due for wages paid in the fourth quarter ~~of~~
 835 ~~2012, 2013, and 2014~~ are not affected by this paragraph and are
 836 due and payable in accordance with this chapter.

837 Section 18. Paragraph (a) of subsection (1) of section
 838 125.271, Florida Statutes, is amended to read:

839 125.271 Emergency medical services; county emergency
 840 medical service assessments.—

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

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

845
 846 Once a county has qualified under this subsection, it always
 847 retains the qualification.

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

850 163.3177 Required and optional elements of comprehensive
 851 plan; studies and surveys.—

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

853 1. There are a number of rural agricultural industrial
 854 centers in the state that process, produce, or aid in the
 855 production or distribution of a variety of agriculturally based
 856 products, including, but not limited to, fruits, vegetables,
 857 timber, and other crops, and juices, paper, and building
 858 materials. Rural agricultural industrial centers have a

859 significant amount of existing associated infrastructure that is
860 used for processing, producing, or distributing agricultural
861 products.

862 2. Such rural agricultural industrial centers are often
863 located within or near communities in which the economy is
864 largely dependent upon agriculture and agriculturally based
865 products. The centers significantly enhance the economy of such
866 communities. However, these agriculturally based communities are
867 often socioeconomically challenged and designated as rural areas
868 of opportunity ~~critical economic concern~~. If such rural
869 agricultural industrial centers are lost and not replaced with
870 other job-creating enterprises, the agriculturally based
871 communities will lose a substantial amount of their economies.

872 3. The state has a compelling interest in preserving the
873 viability of agriculture and protecting rural agricultural
874 communities and the state from the economic upheaval that would
875 result from short-term or long-term adverse changes in the
876 agricultural economy. To protect these communities and promote
877 viable agriculture for the long term, it is essential to
878 encourage and permit diversification of existing rural
879 agricultural industrial centers by providing for jobs that are
880 not solely dependent upon, but are compatible with and
881 complement, existing agricultural industrial operations and to
882 encourage the creation and expansion of industries that use
883 agricultural products in innovative ways. However, the expansion
884 and diversification of these existing centers must be

885 accomplished in a manner that does not promote urban sprawl into
886 surrounding agricultural and rural areas.

887 (b) As used in this subsection, the term "rural
888 agricultural industrial center" means a developed parcel of land
889 in an unincorporated area on which there exists an operating
890 agricultural industrial facility or facilities that employ at
891 least 200 full-time employees in the aggregate and process and
892 prepare for transport a farm product, as defined in s. 163.3162,
893 or any biomass material that could be used, directly or
894 indirectly, for the production of fuel, renewable energy,
895 bioenergy, or alternative fuel as defined by law. The center may
896 also include land contiguous to the facility site which is not
897 used for the cultivation of crops, but on which other existing
898 activities essential to the operation of such facility or
899 facilities are located or conducted. The parcel of land must be
900 located within, or within 10 miles of, a rural area of
901 opportunity ~~critical economic concern~~.

902 (e) ~~Nothing in This subsection~~ does not ~~shall be construed~~
903 ~~to confer the status of rural area of~~ opportunity ~~critical~~
904 ~~economic concern~~, or any of the rights or benefits derived from
905 such status, on any land area not otherwise designated as such
906 pursuant to s. 288.0656(7).

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

909 163.3187 Process for adoption of small-scale comprehensive
910 plan amendment.—

911 (3) If the small scale development amendment involves a
912 site within a rural area of opportunity ~~critical-economic~~
913 ~~concern~~ as defined under s. 288.0656(2)(d) for the duration of
914 such designation, the 10-acre limit listed in subsection (1)
915 shall be increased by 100 percent to 20 acres. The local
916 government approving the small scale plan amendment shall
917 certify to the Office of Tourism, Trade, and Economic
918 Development that the plan amendment furthers the economic
919 objectives set forth in the executive order issued under s.
920 288.0656(7), and the property subject to the plan amendment
921 shall undergo public review to ensure that all concurrency
922 requirements and federal, state, and local environmental permit
923 requirements are met.

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

926 163.3246 Local government comprehensive planning
927 certification program.—

928 (10) Notwithstanding subsections (2), (4), (5), (6), and
929 (7), any municipality designated as a rural area of opportunity
930 ~~critical-economic-concern~~ pursuant to s. 288.0656 which is
931 located within a county eligible to levy the Small County Surtax
932 under s. 212.055(3) shall be considered certified during the
933 effectiveness of the designation of rural area of opportunity
934 ~~critical-economic-concern~~. The state land planning agency shall
935 provide a written notice of certification to the local
936 government of the certified area, which shall be considered

937 final agency action subject to challenge under s. 120.569. The
 938 notice of certification shall include the following components:

939 (a) The boundary of the certification area.

940 (b) A requirement that the local government submit ~~either~~
 941 an annual or biennial monitoring report to the state land
 942 planning agency according to the schedule provided in the
 943 written notice. The monitoring report shall, at a minimum,
 944 include the number of amendments to the comprehensive plan
 945 adopted by the local government, the number of plan amendments
 946 challenged by an affected person, and the disposition of those
 947 challenges.

948 Section 22. Paragraph (a) of subsection (6) of section
 949 211.3103, Florida Statutes, is amended to read:

950 211.3103 Levy of tax on severance of phosphate rock; rate,
 951 basis, and distribution of tax.—

952 (6) (a) Beginning July 1 of the 2011-2012 fiscal year, the
 953 proceeds of all taxes, interest, and penalties imposed under
 954 this section are exempt from the general revenue service charge
 955 provided in s. 215.20, and such proceeds shall be paid into the
 956 State Treasury as follows:

957 1. To the credit of the Conservation and Recreation Lands
 958 Trust Fund, 25.5 percent.

959 2. To the credit of the General Revenue Fund of the state,
 960 35.7 percent.

961 3. For payment to counties in proportion to the number of
 962 tons of phosphate rock produced from a phosphate rock matrix

963 located within such political boundary, 12.8 percent. The
964 department shall distribute this portion of the proceeds
965 annually based on production information reported by the
966 producers on the annual returns for the taxable year. Any such
967 proceeds received by a county shall be used only for phosphate-
968 related expenses.

969 4. For payment to counties that have been designated as a
970 rural area of opportunity ~~critical economic concern~~ pursuant to
971 s. 288.0656 in proportion to the number of tons of phosphate
972 rock produced from a phosphate rock matrix located within such
973 political boundary, 10.0 percent. The department shall
974 distribute this portion of the proceeds annually based on
975 production information reported by the producers on the annual
976 returns for the taxable year. Payments under this subparagraph
977 shall be made to the counties unless the Legislature by special
978 act creates a local authority to promote and direct the economic
979 development of the county. If such authority exists, payments
980 shall be made to that authority.

981 5. To the credit of the Nonmandatory Land Reclamation
982 Trust Fund, 6.2 percent.

983 6. To the credit of the Phosphate Research Trust Fund in
984 the Division of Universities of the Department of Education, 6.2
985 percent.

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

987 Section 23. Paragraph (c) of subsection (1) of section
988 212.098, Florida Statutes, is amended to read:

989 212.098 Rural Job Tax Credit Program.—

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

991 (c) "Qualified area" means any area that is contained
 992 within a rural area of opportunity ~~critical-economic concern~~
 993 designated under s. 288.0656, a county that has a population of
 994 fewer than 75,000 persons, or a county that has a population of
 995 125,000 or less and is contiguous to a county that has a
 996 population of less than 75,000, selected in the following
 997 manner: every third year, the Department of Economic Opportunity
 998 shall rank and tier the state's counties according to the
 999 following four factors:

1000 1. Highest unemployment rate for the most recent 36-month
 1001 period.

1002 2. Lowest per capita income for the most recent 36-month
 1003 period.

1004 3. Highest percentage of residents whose incomes are below
 1005 the poverty level, based upon the most recent data available.

1006 4. Average weekly manufacturing wage, based upon the most
 1007 recent data available.

1008 Section 24. Subsection (1) of section 218.67, Florida
 1009 Statutes, is amended to read:

1010 218.67 Distribution for fiscally constrained counties.—

1011 (1) Each county that is entirely within a rural area of
 1012 opportunity ~~critical-economic concern~~ as designated by the
 1013 Governor pursuant to s. 288.0656 or each county for which the
 1014 value of a mill will raise no more than \$5 million in revenue,

1015 based on the taxable value certified pursuant to s.
 1016 1011.62(4)(a)1.a., from the previous July 1, shall be considered
 1017 a fiscally constrained county.

1018 Section 25. Subsection (1) of section 288.018, Florida
 1019 Statutes, is amended to read:

1020 288.018 Regional Rural Development Grants Program.—

1021 (1) The department shall establish a matching grant
 1022 program to provide funding to regionally based economic
 1023 development organizations representing rural counties and
 1024 communities for the purpose of building the professional
 1025 capacity of their organizations. Such matching grants may also
 1026 be used by an economic development organization to provide
 1027 technical assistance to businesses within the rural counties and
 1028 communities that it serves. The department is authorized to
 1029 approve, on an annual basis, grants to such regionally based
 1030 economic development organizations. The maximum amount an
 1031 organization may receive in any year will be \$35,000, or
 1032 \$100,000 in a rural area of opportunity ~~critical economic~~
 1033 ~~concern~~ recommended by the Rural Economic Development Initiative
 1034 and designated by the Governor, and must be matched each year by
 1035 an equivalent amount of nonstate resources.

1036 Section 26. Paragraphs (a) and (c) of subsection (2) of
 1037 section 288.065, Florida Statutes, are amended to read:

1038 288.065 Rural Community Development Revolving Loan Fund.—

1039 (2)(a) The program shall provide for long-term loans, loan
 1040 guarantees, and loan loss reserves to units of local

1041 governments, or economic development organizations substantially
 1042 underwritten by a unit of local government, within counties with
 1043 populations of 75,000 or fewer, or within any county with a
 1044 population of 125,000 or fewer which is contiguous to a county
 1045 with a population of 75,000 or fewer, based on the most recent
 1046 official population estimate as determined under s. 186.901,
 1047 including those residing in incorporated areas and those
 1048 residing in unincorporated areas of the county, or to units of
 1049 local government, or economic development organizations
 1050 substantially underwritten by a unit of local government, within
 1051 a rural area of opportunity ~~critical economic concern~~.

1052 (c) All repayments of principal and interest shall be
 1053 returned to the loan fund and made available for loans to other
 1054 applicants. However, in a rural area of opportunity ~~critical~~
 1055 ~~economic concern~~ designated by the Governor, and upon approval
 1056 by the department, repayments of principal and interest may be
 1057 retained by the applicant if such repayments are dedicated and
 1058 matched to fund regionally based economic development
 1059 organizations representing the rural area of opportunity
 1060 ~~critical economic concern~~.

1061 Section 27. Paragraphs (b), (c), and (e) of subsection (2)
 1062 of section 288.0655, Florida Statutes, are amended to read:

1063 288.0655 Rural Infrastructure Fund.—

1064 (2)

1065 (b) To facilitate access of rural communities and rural
 1066 areas of opportunity ~~critical economic concern~~ as defined by the

1067 Rural Economic Development Initiative to infrastructure funding
1068 programs of the Federal Government, such as those offered by the
1069 United States Department of Agriculture and the United States
1070 Department of Commerce, and state programs, including those
1071 offered by Rural Economic Development Initiative agencies, and
1072 to facilitate local government or private infrastructure funding
1073 efforts, the department may award grants for up to 30 percent of
1074 the total infrastructure project cost. If an application for
1075 funding is for a catalyst site, as defined in s. 288.0656, the
1076 department may award grants for up to 40 percent of the total
1077 infrastructure project cost. Eligible projects must be related
1078 to specific job-creation or job-retention opportunities.
1079 Eligible projects may also include improving any inadequate
1080 infrastructure that has resulted in regulatory action that
1081 prohibits economic or community growth or reducing the costs to
1082 community users of proposed infrastructure improvements that
1083 exceed such costs in comparable communities. Eligible uses of
1084 funds shall include improvements to public infrastructure for
1085 industrial or commercial sites and upgrades to or development of
1086 public tourism infrastructure. Authorized infrastructure may
1087 include the following public or public-private partnership
1088 facilities: storm water systems; telecommunications facilities;
1089 broadband facilities; roads or other remedies to transportation
1090 impediments; nature-based tourism facilities; or other physical
1091 requirements necessary to facilitate tourism, trade, and
1092 economic development activities in the community. Authorized

1093 infrastructure may also include publicly or privately owned
1094 self-powered nature-based tourism facilities, publicly owned
1095 telecommunications facilities, and broadband facilities, and
1096 additions to the distribution facilities of the existing natural
1097 gas utility as defined in s. 366.04(3)(c), the existing electric
1098 utility as defined in s. 366.02, or the existing water or
1099 wastewater utility as defined in s. 367.021(12), or any other
1100 existing water or wastewater facility, which owns a gas or
1101 electric distribution system or a water or wastewater system in
1102 this state where:

1103 1. A contribution-in-aid of construction is required to
1104 serve public or public-private partnership facilities under the
1105 tariffs of any natural gas, electric, water, or wastewater
1106 utility as defined herein; and

1107 2. Such utilities as defined herein are willing and able
1108 to provide such service.

1109 (c) To facilitate timely response and induce the location
1110 or expansion of specific job creating opportunities, the
1111 department may award grants for infrastructure feasibility
1112 studies, design and engineering activities, or other
1113 infrastructure planning and preparation activities. Authorized
1114 grants shall be up to \$50,000 for an employment project with a
1115 business committed to create at least 100 jobs; up to \$150,000
1116 for an employment project with a business committed to create at
1117 least 300 jobs; and up to \$300,000 for a project in a rural area
1118 of opportunity ~~critical economic concern~~. Grants awarded under

1119 | this paragraph may be used in conjunction with grants awarded
1120 | under paragraph (b), provided that the total amount of both
1121 | grants does not exceed 30 percent of the total project cost. In
1122 | evaluating applications under this paragraph, the department
1123 | shall consider the extent to which the application seeks to
1124 | minimize administrative and consultant expenses.

1125 | (e) To enable local governments to access the resources
1126 | available pursuant to s. 403.973(18), the department may award
1127 | grants for surveys, feasibility studies, and other activities
1128 | related to the identification and preclearance review of land
1129 | which is suitable for preclearance review. Authorized grants
1130 | under this paragraph may ~~shall~~ not exceed \$75,000 each, except
1131 | in the case of a project in a rural area of opportunity ~~critical~~
1132 | ~~economic concern~~, in which case the grant may ~~shall~~ not exceed
1133 | \$300,000. Any funds awarded under this paragraph must be matched
1134 | at a level of 50 percent with local funds, except that any funds
1135 | awarded for a project in a rural area of opportunity ~~critical~~
1136 | ~~economic concern~~ must be matched at a level of 33 percent with
1137 | local funds. If an application for funding is for a catalyst
1138 | site, as defined in s. 288.0656, the requirement for local match
1139 | may be waived pursuant to the process in s. 288.06561. In
1140 | evaluating applications under this paragraph, the department
1141 | shall consider the extent to which the application seeks to
1142 | minimize administrative and consultant expenses.

1143 | Section 28. Paragraphs (a), (b), and (d) of subsection (2)
1144 | and subsection (7) of section 288.0656, Florida Statutes, are

1145 amended to read:

1146 288.0656 Rural Economic Development Initiative.—

1147 (2) As used in this section, the term:

1148 (a) "Catalyst project" means a business locating or
 1149 expanding in a rural area of opportunity ~~critical economic~~
 1150 ~~concern~~ to serve as an economic generator of regional
 1151 significance for the growth of a regional target industry
 1152 cluster. The project must provide capital investment on a scale
 1153 significant enough to affect the entire region and result in the
 1154 development of high-wage and high-skill jobs.

1155 (b) "Catalyst site" means a parcel or parcels of land
 1156 within a rural area of opportunity ~~critical economic concern~~
 1157 that has been prioritized as a geographic site for economic
 1158 development through partnerships with state, regional, and local
 1159 organizations. The site must be reviewed by REDI and approved by
 1160 the department for the purposes of locating a catalyst project.

1161 (d) "Rural area of opportunity ~~critical economic concern~~"
 1162 means a rural community, or a region composed of rural
 1163 communities, designated by the Governor, which ~~that~~ has been
 1164 adversely affected by an extraordinary economic event, severe or
 1165 chronic distress, or a natural disaster or which ~~that~~ presents a
 1166 unique economic development opportunity of regional impact.

1167 (7) (a) REDI may recommend to the Governor up to three
 1168 rural areas of opportunity ~~critical economic concern~~. The
 1169 Governor may by executive order designate up to three rural
 1170 areas of opportunity ~~critical economic concern~~ which will

1171 establish these areas as priority assignments for REDI as well
 1172 as to allow the Governor, acting through REDI, to waive
 1173 criteria, requirements, or similar provisions of any economic
 1174 development incentive. Such incentives shall include, but not be
 1175 limited to, ~~the~~ the Qualified Target Industry Tax Refund Program
 1176 under s. 288.106, the Quick Response Training Program under s.
 1177 288.047, the Quick Response Training Program for participants in
 1178 the welfare transition program under s. 288.047(8),
 1179 transportation projects under s. 339.2821, the brownfield
 1180 redevelopment bonus refund under s. 288.107, and the rural job
 1181 tax credit program under ss. 212.098 and 220.1895.

1182 (b) Designation as a rural area of opportunity ~~critical~~
 1183 ~~economic concern~~ under this subsection shall be contingent upon
 1184 the execution of a memorandum of agreement among the department;
 1185 the governing body of the county; and the governing bodies of
 1186 any municipalities to be included within a rural area of
 1187 opportunity ~~critical economic concern~~. Such agreement shall
 1188 specify the terms and conditions of the designation, including,
 1189 but not limited to, the duties and responsibilities of the
 1190 county and any participating municipalities to take actions
 1191 designed to facilitate the retention and expansion of existing
 1192 businesses in the area, as well as the recruitment of new
 1193 businesses to the area.

1194 (c) Each rural area of opportunity ~~critical economic~~
 1195 ~~concern~~ may designate catalyst projects, provided that each
 1196 catalyst project is specifically recommended by REDI, identified

1197 as a catalyst project by Enterprise Florida, Inc., and confirmed
 1198 as a catalyst project by the department. All state agencies and
 1199 departments shall use all available tools and resources to the
 1200 extent permissible by law to promote the creation and
 1201 development of each catalyst project and the development of
 1202 catalyst sites.

1203 Section 29. Paragraph (a) of subsection (3) of section
 1204 288.1088, Florida Statutes, is amended to read:

1205 288.1088 Quick Action Closing Fund.—

1206 (3) (a) The department and Enterprise Florida, Inc., shall
 1207 jointly review applications pursuant to s. 288.061 and determine
 1208 the eligibility of each project consistent with the criteria in
 1209 subsection (2). Waiver of these criteria may be considered under
 1210 the following criteria:

- 1211 1. Based on extraordinary circumstances;
- 1212 2. In order to mitigate the impact of the conclusion of
 1213 the space shuttle program; or
- 1214 3. In rural areas of opportunity ~~critical economic concern~~
 1215 if the project would significantly benefit the local or regional
 1216 economy.

1217 Section 30. Paragraphs (b), (c), and (d) of subsection (4)
 1218 of section 288.1089, Florida Statutes, are amended to read:

1219 288.1089 Innovation Incentive Program.—

1220 (4) To qualify for review by the department, the applicant
 1221 must, at a minimum, establish the following to the satisfaction
 1222 of the department:

- 1223 (b) A research and development project must:
- 1224 1. Serve as a catalyst for an emerging or evolving
- 1225 technology cluster.
- 1226 2. Demonstrate a plan for significant higher education
- 1227 collaboration.
- 1228 3. Provide the state, at a minimum, a cumulative break-
- 1229 even economic benefit within a 20-year period.
- 1230 4. Be provided with a one-to-one match from the local
- 1231 community. The match requirement may be reduced or waived in
- 1232 rural areas of opportunity ~~critical economic concern~~ or reduced
- 1233 in rural areas, brownfield areas, and enterprise zones.
- 1234 (c) An innovation business project in this state, other
- 1235 than a research and development project, must:
- 1236 1.a. Result in the creation of at least 1,000 direct, new
- 1237 jobs at the business; or
- 1238 b. Result in the creation of at least 500 direct, new jobs
- 1239 if the project is located in a rural area, a brownfield area, or
- 1240 an enterprise zone.
- 1241 2. Have an activity or product that is within an industry
- 1242 that is designated as a target industry business under s.
- 1243 288.106 or a designated sector under s. 288.108.
- 1244 3.a. Have a cumulative investment of at least \$500 million
- 1245 within a 5-year period; or
- 1246 b. Have a cumulative investment that exceeds \$250 million
- 1247 within a 10-year period if the project is located in a rural
- 1248 area, brownfield area, or an enterprise zone.

1249 4. Be provided with a one-to-one match from the local
 1250 community. The match requirement may be reduced or waived in
 1251 rural areas of opportunity ~~critical economic concern~~ or reduced
 1252 in rural areas, brownfield areas, and enterprise zones.

1253 (d) For an alternative and renewable energy project in
 1254 this state, the project must:

1255 1. Demonstrate a plan for significant collaboration with
 1256 an institution of higher education;

1257 2. Provide the state, at a minimum, a cumulative break-
 1258 even economic benefit within a 20-year period;

1259 3. Include matching funds provided by the applicant or
 1260 other available sources. The match requirement may be reduced or
 1261 waived in rural areas of opportunity ~~critical economic concern~~
 1262 or reduced in rural areas, brownfield areas, and enterprise
 1263 zones;

1264 4. Be located in this state; and

1265 5. Provide at least 35 direct, new jobs that pay an
 1266 estimated annual average wage that equals at least 130 percent
 1267 of the average private sector wage.

1268 Section 31. Paragraph (d) of subsection (6) of section
 1269 290.0055, Florida Statutes, is amended to read:

1270 290.0055 Local nominating procedure.—

1271 (6)

1272 (d)1. The governing body of a jurisdiction which has
 1273 nominated an application for an enterprise zone that is at least
 1274 15 square miles and less than 20 square miles and includes a

1275 portion of the state designated as a rural area of opportunity
 1276 ~~critical economic concern~~ under s. 288.0656(7) may apply to the
 1277 department to expand the boundary of the existing enterprise
 1278 zone by not more than 3 square miles.

1279 2. The governing body of a jurisdiction which has
 1280 nominated an application for an enterprise zone that is at least
 1281 20 square miles and includes a portion of the state designated
 1282 as a rural area of opportunity ~~critical economic concern~~ under
 1283 s. 288.0656(7) may apply to the department to expand the
 1284 boundary of the existing enterprise zone by not more than 5
 1285 square miles.

1286 3. An application to expand the boundary of an enterprise
 1287 zone under this paragraph must be submitted by December 31,
 1288 2013.

1289 4. Notwithstanding the area limitations specified in
 1290 subsection (4), the department may approve the request for a
 1291 boundary amendment if the area continues to satisfy the
 1292 remaining requirements of this section.

1293 5. The department shall establish the initial effective
 1294 date of an enterprise zone designated under this paragraph.

1295 Section 32. Paragraph (c) of subsection (4) of section
 1296 339.2819, Florida Statutes, is amended to read:

1297 339.2819 Transportation Regional Incentive Program.—

1298 (4)

1299 (c) The department shall give priority to projects that:

1300 1. Provide connectivity to the Strategic Intermodal System

1301 developed under s. 339.64.

1302 2. Support economic development and the movement of goods
 1303 in rural areas of opportunity ~~critical economic concern~~
 1304 designated under s. 288.0656(7).

1305 3. Are subject to a local ordinance that establishes
 1306 corridor management techniques, including access management
 1307 strategies, right-of-way acquisition and protection measures,
 1308 appropriate land use strategies, zoning, and setback
 1309 requirements for adjacent land uses.

1310 4. Improve connectivity between military installations and
 1311 the Strategic Highway Network or the Strategic Rail Corridor
 1312 Network.

1313
 1314 The department shall also consider the extent to which local
 1315 matching funds are available to be committed to the project.

1316 Section 33. Paragraph (b) of subsection (5) of section
 1317 339.63, Florida Statutes, is amended to read:

1318 339.63 System facilities designated; additions and
 1319 deletions.—

1320 (5)

1321 (b) A facility designated part of the Strategic Intermodal
 1322 System pursuant to paragraph (a) that is within the jurisdiction
 1323 of a local government that maintains a transportation
 1324 concurrency system shall receive a waiver of transportation
 1325 concurrency requirements applicable to Strategic Intermodal
 1326 System facilities in order to accommodate any development at the

1327 facility which occurs pursuant to a building permit issued on or
 1328 before December 31, 2017, but only if such facility is located+

1329 1. Within an area designated pursuant to s. 288.0656(7) as
 1330 a rural area of opportunity ~~critical economic concern~~;

1331 2. Within a rural enterprise zone as defined in s.
 1332 290.004(5); or

1333 3. Within 15 miles of the boundary of a rural area of
 1334 opportunity ~~critical economic concern~~ or a rural enterprise
 1335 zone.

1336 Section 34. Paragraph (c) of subsection (3) of section
 1337 373.4595, Florida Statutes, is amended to read:

1338 373.4595 Northern Everglades and Estuaries Protection
 1339 Program.—

1340 (3) LAKE OKEECHOBEE WATERSHED PROTECTION PROGRAM.—A
 1341 protection program for Lake Okeechobee that achieves phosphorus
 1342 load reductions for Lake Okeechobee shall be immediately
 1343 implemented as specified in this subsection. The program shall
 1344 address the reduction of phosphorus loading to the lake from
 1345 both internal and external sources. Phosphorus load reductions
 1346 shall be achieved through a phased program of implementation.
 1347 Initial implementation actions shall be technology-based, based
 1348 upon a consideration of both the availability of appropriate
 1349 technology and the cost of such technology, and shall include
 1350 phosphorus reduction measures at both the source and the
 1351 regional level. The initial phase of phosphorus load reductions
 1352 shall be based upon the district's Technical Publication 81-2

1353 and the district's WOD program, with subsequent phases of
1354 phosphorus load reductions based upon the total maximum daily
1355 loads established in accordance with s. 403.067. In the
1356 development and administration of the Lake Okeechobee Watershed
1357 Protection Program, the coordinating agencies shall maximize
1358 opportunities provided by federal cost-sharing programs and
1359 opportunities for partnerships with the private sector.

1360 (c) Lake Okeechobee Watershed Phosphorus Control Program.—
1361 The Lake Okeechobee Watershed Phosphorus Control Program is
1362 designed to be a multifaceted approach to reducing phosphorus
1363 loads by improving the management of phosphorus sources within
1364 the Lake Okeechobee watershed through implementation of
1365 regulations and best management practices, development and
1366 implementation of improved best management practices,
1367 improvement and restoration of the hydrologic function of
1368 natural and managed systems, and utilization of alternative
1369 technologies for nutrient reduction. The coordinating agencies
1370 shall facilitate the application of federal programs that offer
1371 opportunities for water quality treatment, including
1372 preservation, restoration, or creation of wetlands on
1373 agricultural lands.

1374 1. Agricultural nonpoint source best management practices,
1375 developed in accordance with s. 403.067 and designed to achieve
1376 the objectives of the Lake Okeechobee Watershed Protection
1377 Program, shall be implemented on an expedited basis. The
1378 coordinating agencies shall develop an interagency agreement

1379 | pursuant to ss. 373.046 and 373.406(5) that assures the
 1380 | development of best management practices that complement
 1381 | existing regulatory programs and specifies how those best
 1382 | management practices are implemented and verified. The
 1383 | interagency agreement shall address measures to be taken by the
 1384 | coordinating agencies during any best management practice
 1385 | reevaluation performed pursuant to sub-subparagraph d. The
 1386 | department shall use best professional judgment in making the
 1387 | initial determination of best management practice effectiveness.

1388 | a. As provided in s. 403.067(7)(c), the Department of
 1389 | Agriculture and Consumer Services, in consultation with the
 1390 | department, the district, and affected parties, shall initiate
 1391 | rule development for interim measures, best management
 1392 | practices, conservation plans, nutrient management plans, or
 1393 | other measures necessary for Lake Okeechobee watershed total
 1394 | maximum daily load reduction. The rule shall include thresholds
 1395 | for requiring conservation and nutrient management plans and
 1396 | criteria for the contents of such plans. Development of
 1397 | agricultural nonpoint source best management practices shall
 1398 | initially focus on those priority basins listed in subparagraph
 1399 | (b)1. The Department of Agriculture and Consumer Services, in
 1400 | consultation with the department, the district, and affected
 1401 | parties, shall conduct an ongoing program for improvement of
 1402 | existing and development of new interim measures or best
 1403 | management practices for the purpose of adoption of such
 1404 | practices by rule. The Department of Agriculture and Consumer

1405 Services shall work with the University of Florida's Institute
1406 of Food and Agriculture Sciences to review and, where
1407 appropriate, develop revised nutrient application rates for all
1408 agricultural soil amendments in the watershed.

1409 b. Where agricultural nonpoint source best management
1410 practices or interim measures have been adopted by rule of the
1411 Department of Agriculture and Consumer Services, the owner or
1412 operator of an agricultural nonpoint source addressed by such
1413 rule shall either implement interim measures or best management
1414 practices or demonstrate compliance with the district's WOD
1415 program by conducting monitoring prescribed by the department or
1416 the district. Owners or operators of agricultural nonpoint
1417 sources who implement interim measures or best management
1418 practices adopted by rule of the Department of Agriculture and
1419 Consumer Services shall be subject to the provisions of s.
1420 403.067(7). The Department of Agriculture and Consumer Services,
1421 in cooperation with the department and the district, shall
1422 provide technical and financial assistance for implementation of
1423 agricultural best management practices, subject to the
1424 availability of funds.

1425 c. The district or department shall conduct monitoring at
1426 representative sites to verify the effectiveness of agricultural
1427 nonpoint source best management practices.

1428 d. Where water quality problems are detected for
1429 agricultural nonpoint sources despite the appropriate
1430 implementation of adopted best management practices, the

1431 Department of Agriculture and Consumer Services, in consultation
1432 with the other coordinating agencies and affected parties, shall
1433 institute a reevaluation of the best management practices and
1434 make appropriate changes to the rule adopting best management
1435 practices.

1436 2. Nonagricultural nonpoint source best management
1437 practices, developed in accordance with s. 403.067 and designed
1438 to achieve the objectives of the Lake Okeechobee Watershed
1439 Protection Program, shall be implemented on an expedited basis.
1440 The department and the district shall develop an interagency
1441 agreement pursuant to ss. 373.046 and 373.406(5) that assures
1442 the development of best management practices that complement
1443 existing regulatory programs and specifies how those best
1444 management practices are implemented and verified. The
1445 interagency agreement shall address measures to be taken by the
1446 department and the district during any best management practice
1447 reevaluation performed pursuant to sub-subparagraph d.

1448 a. The department and the district are directed to work
1449 with the University of Florida's Institute of Food and
1450 Agricultural Sciences to develop appropriate nutrient
1451 application rates for all nonagricultural soil amendments in the
1452 watershed. As provided in s. 403.067(7)(c), the department, in
1453 consultation with the district and affected parties, shall
1454 develop interim measures, best management practices, or other
1455 measures necessary for Lake Okeechobee watershed total maximum
1456 daily load reduction. Development of nonagricultural nonpoint

1457 source best management practices shall initially focus on those
1458 priority basins listed in subparagraph (b)1. The department, the
1459 district, and affected parties shall conduct an ongoing program
1460 for improvement of existing and development of new interim
1461 measures or best management practices. The district shall adopt
1462 technology-based standards under the district's WOD program for
1463 nonagricultural nonpoint sources of phosphorus. Nothing in this
1464 sub-subparagraph shall affect the authority of the department or
1465 the district to adopt basin-specific criteria under this part to
1466 prevent harm to the water resources of the district.

1467 b. Where nonagricultural nonpoint source best management
1468 practices or interim measures have been developed by the
1469 department and adopted by the district, the owner or operator of
1470 a nonagricultural nonpoint source shall implement interim
1471 measures or best management practices and be subject to the
1472 provisions of s. 403.067(7). The department and district shall
1473 provide technical and financial assistance for implementation of
1474 nonagricultural nonpoint source best management practices,
1475 subject to the availability of funds.

1476 c. The district or the department shall conduct monitoring
1477 at representative sites to verify the effectiveness of
1478 nonagricultural nonpoint source best management practices.

1479 d. Where water quality problems are detected for
1480 nonagricultural nonpoint sources despite the appropriate
1481 implementation of adopted best management practices, the
1482 department and the district shall institute a reevaluation of

1483 the best management practices.

1484 3. ~~The provisions of~~ Subparagraphs 1. and 2. do ~~shall~~ not
 1485 preclude the department or the district from requiring
 1486 compliance with water quality standards or with current best
 1487 management practices requirements set forth in any applicable
 1488 regulatory program authorized by law for the purpose of
 1489 protecting water quality. Additionally, subparagraphs 1. and 2.
 1490 are applicable only to the extent that they do not conflict with
 1491 any rules adopted ~~promulgated~~ by the department that are
 1492 necessary to maintain a federally delegated or approved program.

1493 4. Projects that reduce the phosphorus load originating
 1494 from domestic wastewater systems within the Lake Okeechobee
 1495 watershed shall be given funding priority in the department's
 1496 revolving loan program under s. 403.1835. The department shall
 1497 coordinate and provide assistance to those local governments
 1498 seeking financial assistance for such priority projects.

1499 5. Projects that make use of private lands, or lands held
 1500 in trust for Indian tribes, to reduce nutrient loadings or
 1501 concentrations within a basin by one or more of the following
 1502 methods: restoring the natural hydrology of the basin, restoring
 1503 wildlife habitat or impacted wetlands, reducing peak flows after
 1504 storm events, increasing aquifer recharge, or protecting range
 1505 and timberland from conversion to development, are eligible for
 1506 grants available under this section from the coordinating
 1507 agencies. For projects of otherwise equal priority, special
 1508 funding priority will be given to those projects that make best

1509 use of the methods outlined above that involve public-private
1510 partnerships or that obtain federal match money. Preference
1511 ranking above the special funding priority will be given to
1512 projects located in a rural area of opportunity ~~critical~~
1513 ~~economic concern~~ designated by the Governor. Grant applications
1514 may be submitted by any person or tribal entity, and eligible
1515 projects may include, but are not limited to, the purchase of
1516 conservation and flowage easements, hydrologic restoration of
1517 wetlands, creating treatment wetlands, development of a
1518 management plan for natural resources, and financial support to
1519 implement a management plan.

1520 6.a. The department shall require all entities disposing
1521 of domestic wastewater residuals within the Lake Okeechobee
1522 watershed and the remaining areas of Okeechobee, Glades, and
1523 Hendry Counties to develop and submit to the department an
1524 agricultural use plan that limits applications based upon
1525 phosphorus loading. ~~By July 1, 2005,~~ Phosphorus concentrations
1526 originating from these application sites may ~~shall~~ not exceed
1527 the limits established in the district's WOD program. ~~After~~
1528 ~~December 31, 2007,~~ The department may not authorize the disposal
1529 of domestic wastewater residuals within the Lake Okeechobee
1530 watershed unless the applicant can affirmatively demonstrate
1531 that the phosphorus in the residuals will not add to phosphorus
1532 loadings in Lake Okeechobee or its tributaries. This
1533 demonstration shall be based on achieving a net balance between
1534 phosphorus imports relative to exports on the permitted

1535 application site. Exports shall include only phosphorus removed
 1536 from the Lake Okeechobee watershed through products generated on
 1537 the permitted application site. This prohibition does not apply
 1538 to Class AA residuals that are marketed and distributed as
 1539 fertilizer products in accordance with department rule.

1540 b. Private and government-owned utilities within Monroe,
 1541 Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian
 1542 River, Okeechobee, Highlands, Hendry, and Glades Counties that
 1543 dispose of wastewater residual sludge from utility operations
 1544 and septic removal by land spreading in the Lake Okeechobee
 1545 watershed may use a line item on local sewer rates to cover
 1546 wastewater residual treatment and disposal if such disposal and
 1547 treatment is done by approved alternative treatment methodology
 1548 at a facility located within the areas designated by the
 1549 Governor as rural areas of opportunity ~~critical economic concern~~
 1550 pursuant to s. 288.0656. This additional line item is an
 1551 environmental protection disposal fee above the present sewer
 1552 rate and may ~~shall~~ not be considered a part of the present sewer
 1553 rate to customers, notwithstanding provisions to the contrary in
 1554 chapter 367. The fee shall be established by the county
 1555 commission or its designated assignee in the county in which the
 1556 alternative method treatment facility is located. The fee shall
 1557 be calculated to be no higher than that necessary to recover the
 1558 facility's prudent cost of providing the service. Upon request
 1559 by an affected county commission, the Florida Public Service
 1560 Commission will provide assistance in establishing the fee.

1561 Further, for utilities and utility authorities that use the
1562 additional line item environmental protection disposal fee, such
1563 fee may ~~shall~~ not be considered a rate increase under the rules
1564 of the Public Service Commission and shall be exempt from such
1565 rules. Utilities using the provisions of this section may
1566 immediately include in their sewer invoicing the new
1567 environmental protection disposal fee. Proceeds from this
1568 environmental protection disposal fee shall be used for
1569 treatment and disposal of wastewater residuals, including any
1570 treatment technology that helps reduce the volume of residuals
1571 that require final disposal, but such proceeds may ~~shall~~ not be
1572 used for transportation or shipment costs for disposal or any
1573 costs relating to the land application of residuals in the Lake
1574 Okeechobee watershed.

1575 c. No less frequently than once every 3 years, the Florida
1576 Public Service Commission or the county commission through the
1577 services of an independent auditor shall perform a financial
1578 audit of all facilities receiving compensation from an
1579 environmental protection disposal fee. The Florida Public
1580 Service Commission or the county commission through the services
1581 of an independent auditor shall also perform an audit of the
1582 methodology used in establishing the environmental protection
1583 disposal fee. The Florida Public Service Commission or the
1584 county commission shall, within 120 days after completion of an
1585 audit, file the audit report with the President of the Senate
1586 and the Speaker of the House of Representatives and shall

1587 provide copies to the county commissions of the counties set
1588 forth in sub-subparagraph b. The books and records of any
1589 facilities receiving compensation from an environmental
1590 protection disposal fee shall be open to the Florida Public
1591 Service Commission and the Auditor General for review upon
1592 request.

1593 7. The Department of Health shall require all entities
1594 disposing of septage within the Lake Okeechobee watershed to
1595 develop and submit to that agency an agricultural use plan that
1596 limits applications based upon phosphorus loading. ~~By July 1,~~
1597 ~~2005,~~ Phosphorus concentrations originating from these
1598 application sites may ~~shall~~ not exceed the limits established in
1599 the district's WOD program.

1600 8. The Department of Agriculture and Consumer Services
1601 shall initiate rulemaking requiring entities within the Lake
1602 Okeechobee watershed which land-apply animal manure to develop
1603 resource management system level conservation plans, according
1604 to United States Department of Agriculture criteria, which limit
1605 such application. Such rules may include criteria and thresholds
1606 for the requirement to develop a conservation or nutrient
1607 management plan, requirements for plan approval, and
1608 recordkeeping requirements.

1609 9. The district, the department, or the Department of
1610 Agriculture and Consumer Services, as appropriate, shall
1611 implement those alternative nutrient reduction technologies
1612 determined to be feasible pursuant to subparagraph (d) 6.

1613 Section 35. Paragraph (e) of subsection (2) and paragraph
1614 (b) of subsection (26) of section 380.06, Florida Statutes, are
1615 amended to read:

1616 380.06 Developments of regional impact.—

1617 (2) STATEWIDE GUIDELINES AND STANDARDS.—

1618 (e) With respect to residential, hotel, motel, office, and
1619 retail developments, the applicable guidelines and standards
1620 shall be increased by 50 percent in urban central business
1621 districts and regional activity centers of jurisdictions whose
1622 local comprehensive plans are in compliance with part II of
1623 chapter 163. With respect to multiuse developments, the
1624 applicable individual use guidelines and standards for
1625 residential, hotel, motel, office, and retail developments and
1626 multiuse guidelines and standards shall be increased by 100
1627 percent in urban central business districts and regional
1628 activity centers of jurisdictions whose local comprehensive
1629 plans are in compliance with part II of chapter 163, if one land
1630 use of the multiuse development is residential and amounts to
1631 not less than 35 percent of the jurisdiction's applicable
1632 residential threshold. With respect to resort or convention
1633 hotel developments, the applicable guidelines and standards
1634 shall be increased by 150 percent in urban central business
1635 districts and regional activity centers of jurisdictions whose
1636 local comprehensive plans are in compliance with part II of
1637 chapter 163 and where the increase is specifically for a
1638 proposed resort or convention hotel located in a county with a

1639 population greater than 500,000 and the local government
1640 specifically designates that the proposed resort or convention
1641 hotel development will serve an existing convention center of
1642 more than 250,000 gross square feet built before ~~prior to~~ July
1643 1, 1992. The applicable guidelines and standards shall be
1644 increased by 150 percent for development in any area designated
1645 by the Governor as a rural area of opportunity ~~critical economic~~
1646 ~~concern~~ pursuant to s. 288.0656 during the effectiveness of the
1647 designation.

1648 (26) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.—

1649 (b) Upon receipt of written confirmation from the state
1650 land planning agency that any required mitigation applicable to
1651 completed development has occurred, an industrial development of
1652 regional impact located within the coastal high-hazard area of a
1653 rural area of opportunity ~~county of economic concern~~ which was
1654 approved before ~~prior to~~ the adoption of the local government's
1655 comprehensive plan required under s. 163.3167 and which plan's
1656 future land use map and zoning designates the land use for the
1657 development of regional impact as commercial may be unilaterally
1658 abandoned without the need to proceed through the process
1659 described in paragraph (a) if the developer or owner provides a
1660 notice of abandonment to the local government and records such
1661 notice with the applicable clerk of court. Abandonment shall be
1662 deemed to have occurred upon the recording of the notice. All
1663 development following abandonment shall be fully consistent with
1664 the current comprehensive plan and applicable zoning.

1665 Section 36. Paragraph (g) of subsection (3) of section
 1666 380.0651, Florida Statutes, is amended to read:

1667 380.0651 Statewide guidelines and standards.—

1668 (3) The following statewide guidelines and standards shall
 1669 be applied in the manner described in s. 380.06(2) to determine
 1670 whether the following developments shall be required to undergo
 1671 development-of-regional-impact review:

1672 (g) Residential development.—~~A No~~ rule may not be adopted
 1673 concerning residential developments which treats a residential
 1674 development in one county as being located in a less populated
 1675 adjacent county unless more than 25 percent of the development
 1676 is located within 2 ~~or less~~ miles or less of the less populated
 1677 adjacent county. The residential thresholds of adjacent counties
 1678 with less population and a lower threshold are ~~shall~~ not be
 1679 controlling on any development wholly located within areas
 1680 designated as rural areas of opportunity ~~critical economic~~
 1681 ~~concern~~.

1682 Section 37. Paragraph (b) of subsection (2) of section
 1683 985.686, Florida Statutes, is amended to read:

1684 985.686 Shared county and state responsibility for
 1685 juvenile detention.—

1686 (2) As used in this section, the term:

1687 (b) "Fiscally constrained county" means a county within a
 1688 rural area of opportunity ~~critical economic concern~~ as
 1689 designated by the Governor pursuant to s. 288.0656 or each
 1690 county for which the value of a mill will raise no more than \$5

1691 million in revenue, based on the certified school taxable value
 1692 certified pursuant to s. 1011.62(4)(a)1.a., from the previous
 1693 July 1.

1694 Section 38. Subsection (2) of section 1011.76, Florida
 1695 Statutes, is amended to read:

1696 1011.76 Small School District Stabilization Program.—

1697 (2) In order to participate in this program, a school
 1698 district must be located in a rural area of opportunity ~~critical~~
 1699 ~~economic concern~~ designated by the Executive Office of the
 1700 Governor, and the district school board must submit a resolution
 1701 to the Department of Economic Opportunity requesting
 1702 participation in the program. A rural area of opportunity
 1703 ~~critical economic concern~~ must be a rural community, or a region
 1704 composed of such, that has been adversely affected by an
 1705 extraordinary economic event or a natural disaster or that
 1706 presents a unique economic development concern or opportunity of
 1707 regional impact. The resolution must be accompanied by ~~with~~
 1708 documentation of the economic conditions in the community and,
 1709 provide information indicating the negative impact of these
 1710 conditions on the school district's financial stability, and the
 1711 school district must participate in a best financial management
 1712 practices review to determine potential efficiencies that could
 1713 be implemented to reduce program costs in the district.

1714 Section 39. This act shall take effect July 1, 2014.