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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



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26 thereafter; amending s. 288.005, F.S.; providing  
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.  
39 288.018, F.S.; increasing the maximum grant amount  
40 that an organization may receive from the department  
41 under the Regional Rural Development Grants Program;  
42 renaming a "rural area of critical economic concern"  
43 as a "rural area of opportunity"; amending s. 288.987,  
44 F.S.; increasing the amount of funds that may be spent  
45 on staffing and administrative expenses of the Florida  
46 Defense Support Task Force; amending s. 290.0411,  
47 F.S.; revising legislative intent for purposes of the  
48 Florida Small Cities Community Development Block Grant  
49 Program; amending s. 290.044, F.S.; requiring the  
50 department to adopt rules establishing a competitive



51 selection process for loan guarantees and grants  
52 awarded under the block grant program; revising the  
53 criteria for the award of grants; amending s. 290.046,  
54 F.S.; revising limits on the number of grants that an  
55 applicant may apply for and receive; requiring the  
56 department to conduct a site visit before awarding a  
57 grant; requiring the department to rank applications  
58 according to criteria established by rule and  
59 distribute funds according to the rankings; revising  
60 scoring factors to consider in ranking applications;  
61 revising requirements for public hearings; providing  
62 that the creation of a citizen advisory task force is  
63 discretionary; deleting a provision requiring a local  
64 government to obtain department consent for an  
65 alternative citizen participation plan; amending s.  
66 290.047, F.S.; revising the maximum percentages and  
67 amounts of block grant funds that may be spent on  
68 certain costs and expenses; amending s. 290.0475,  
69 F.S.; conforming provisions to changes made by the  
70 act; correcting a reference; amending s. 290.048,  
71 F.S.; deleting a provision authorizing the department  
72 to adopt and enforce strict requirements concerning an  
73 applicant's written description of a service area;  
74 amending s. 331.3051, F.S.; requiring Space Florida to  
75 consult with the Florida Tourism Industry Marketing



76 Corporation in developing a space tourism marketing  
 77 plan; authorizing Space Florida to enter into an  
 78 agreement with the corporation for a specified  
 79 purpose; revising the research and development duties  
 80 of Space Florida; amending s. 443.1116, F.S.; defining  
 81 the term "employer-sponsored training"; revising  
 82 components required for approval of a short-time  
 83 compensation plan; revising eligibility requirements  
 84 for short-time compensation benefits; amending s.  
 85 443.141, F.S.; providing an employer payment schedule  
 86 for contributions to the Unemployment Compensation  
 87 Trust Fund; providing for applicability; amending ss.  
 88 125.271, 163.3177, 163.3187, 163.3246, 211.3103,  
 89 212.098, 218.67, 288.065, 288.0655, 288.0656,  
 90 288.1088, 288.1089, 290.0055, 339.2819, 339.63,  
 91 373.4595, 380.06, 380.0651, 985.686, and 1011.76,  
 92 F.S.; renaming "rural areas of critical economic  
 93 concern" as "rural areas of opportunity"; providing an  
 94 effective date.

95  
 96 Be It Enacted by the Legislature of the State of Florida:

97  
 98 Section 1. Subsection (7) is added to section 163.3180,  
 99 Florida Statutes, to read:  
 100 163.3180 Concurrency.—



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

108 1. Proportionate-share contribution or construction  
109 assessed on an existing business development before July 1,  
110 2014.

111 2. A new business development that consists of more than  
112 6,000 square feet and that is classified as other than  
113 residential.

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

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



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126 construction runs with the land and is enforceable against any  
127 person claiming a fee interest in the land subject to that  
128 obligation.

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

134 (d) A developer may, upon written notification to the  
135 local government, elect to have the local government apply  
136 transportation concurrency and proportionate-share contribution  
137 or construction to a business development.

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

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

141 163.31801 Impact fees; short title; intent; definitions;  
142 ordinances levying impact fees.-

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



151        1. Any impact fee or fee associated with the mitigation of  
152 transportation impacts previously enacted by law, ordinance, or  
153 resolution assessed on an existing business development before  
154 July 1, 2014.

155        2. A new business development that consists of more than  
156 6,000 square feet and that is classified as other than  
157 residential.

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

160        (b) The governing authority of any county, municipality,  
161 or special district imposing an impact fee in existence on July  
162 1, 2013, must reauthorize the imposition of the fee pursuant to  
163 this subsection.

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



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176 against any person claiming a fee interest in the land subject  
177 to that obligation.

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

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

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

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

191 163.3202 Land development regulations.—

192 (1) Within 1 year after submission of its comprehensive  
193 plan or revised comprehensive plan for review pursuant to s.  
194 163.3191 ~~163.3167(2)~~, each county and each municipality shall  
195 adopt or amend and enforce land development regulations that are  
196 consistent with and implement their adopted comprehensive plan.

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

199 212.098 Rural Job Tax Credit Program.—

200 (12) A new or existing eligible business that receives a





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

208 Section 5. Paragraph (a) of subsection (2) of section  
209 288.0001, Florida Statutes, is amended to read:

210 288.0001 Economic Development Programs Evaluation.—The  
211 Office of Economic and Demographic Research and the Office of  
212 Program Policy Analysis and Government Accountability (OPPAGA)  
213 shall develop and present to the Governor, the President of the  
214 Senate, the Speaker of the House of Representatives, and the  
215 chairs of the legislative appropriations committees the Economic  
216 Development Programs Evaluation.

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

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

222 1. The capital investment tax credit established under s.  
223 220.191.

224 2. The qualified target industry tax refund established  
225 under s. 288.106.



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226 3. The brownfield redevelopment bonus refund established  
227 under s. 288.107.

228 4. High-impact business performance grants established  
229 under s. 288.108.

230 5. The Quick Action Closing Fund established under s.  
231 288.1088.

232 6. The Innovation Incentive Program established under s.  
233 288.1089.

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

236 8. The New Markets Development Program established under  
237 ss. 288.991-288.9922.

238 Section 6. Subsections (5) and (6) are added to section  
239 288.005, Florida Statutes, to read:

240 288.005 Definitions.—As used in this chapter, the term:

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

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

250 Section 7. Section 288.006, Florida Statutes, is created



251 to read:

252 288.006 General operation of loan programs.—

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

258 (2) State funds appropriated for a loan program may be  
259 used only by an eligible recipient or loan administrator, and  
260 the use of such funds is restricted to the specific state  
261 purpose of the loan program, subject to any compensation due to  
262 a loan administrator as provided under this chapter. State funds  
263 may be awarded directly by the department to an eligible  
264 recipient or awarded by the department to a loan administrator.  
265 All state funds, including interest earned, remain state funds  
266 unless otherwise stated in the statutory requirements of the  
267 loan program.

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

274 (b) Upon termination of a contract between the department  
275 and an eligible recipient or loan administrator, all remaining



276 appropriated funds shall revert to the fund from which the  
277 appropriation was made. The department shall become the  
278 successor entity for any outstanding loans. Except in the case  
279 of the termination of a contract for fraud or for failure of a  
280 loan administrator to meet the terms of the program, the  
281 department shall pay the entity any allowable administrative  
282 expenses due to the loan administrator as provided by this  
283 chapter.

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

292 (4) An eligible recipient or loan administrator must avoid  
293 any potential conflict of interest regarding the use of  
294 appropriated funds for a loan program. An eligible recipient,  
295 loan administrator, board member, employee, or agent thereof or  
296 an immediate family member of a board member, employee, or agent  
297 thereof may not have a financial interest in an entity that is  
298 awarded a loan under a loan program. A loan may not be made to a  
299 person or entity if a conflict of interest exists between the  
300 parties involved. As used in this subsection, the term



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301 "immediate family" means a parent, spouse, child, sibling,  
302 grandparent, or grandchild related by blood or marriage.

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

314 (6) State funds appropriated to a loan program that are  
315 loaned to an eligible recipient and repaid to a loan  
316 administrator may, if permitted by the provisions of law  
317 authorizing the loan program, be returned to the loan fund and  
318 made available for loans to other eligible recipients of the  
319 loan program. However, every use of state funds by a loan  
320 administrator remains subject to subsections (2) and (3), and  
321 compensation to a loan administrator may not exceed any  
322 limitation provided by this chapter.

323 (7) The Auditor General may conduct audits as provided in  
324 s. 11.45 to verify that the appropriations under each loan  
325 program are expended by the eligible recipient or loan



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326 administrator as required for each program. If the Auditor  
327 General determines that the appropriations are not expended as  
328 required, the Auditor General shall notify the department, which  
329 may pursue recovery of the funds. This section does not prevent  
330 the department from pursuing recovery of the appropriated loan  
331 program funds when necessary to protect the funds or when  
332 authorized by law.

333 (8) The department may adopt rules to implement this  
334 section.

335 Section 8. Subsection (1) of section 288.018, Florida  
336 Statutes, is amended to read:

337 288.018 Regional Rural Development Grants Program.—

338 (1) The department shall establish a matching grant  
339 program to provide funding to regionally based economic  
340 development organizations representing rural counties and  
341 communities for the purpose of building the professional  
342 capacity of their organizations. Such matching grants may also  
343 be used by an economic development organization to provide  
344 technical assistance to businesses within the rural counties and  
345 communities that it serves. The department is authorized to  
346 approve, on an annual basis, grants to such regionally based  
347 economic development organizations. The maximum amount an  
348 organization may receive in any year will be \$50,000 ~~\$35,000~~, or  
349 \$150,000 ~~\$100,000~~ in a rural area of opportunity ~~critical~~  
350 ~~economic concern~~ recommended by the Rural Economic Development



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351 Initiative and designated by the Governor, and must be matched  
352 each year by an equivalent amount of nonstate resources.

353 Section 9. Subsection (7) of section 288.987, Florida  
354 Statutes, is amended to read:

355 288.987 Florida Defense Support Task Force.—

356 (7) The department shall contract with the task force for  
357 expenditure of appropriated funds, which may be used by the task  
358 force for economic and product research and development, joint  
359 planning with host communities to accommodate military missions  
360 and prevent base encroachment, advocacy on the state's behalf  
361 with federal civilian and military officials, assistance to  
362 school districts in providing a smooth transition for large  
363 numbers of additional military-related students, job training  
364 and placement for military spouses in communities with high  
365 proportions of active duty military personnel, and promotion of  
366 the state to military and related contractors and employers. The  
367 task force may annually spend up to \$250,000 ~~\$200,000~~ of funds  
368 appropriated to the department for the task force for staffing  
369 and administrative expenses of the task force, including travel  
370 and per diem costs incurred by task force members who are not  
371 otherwise eligible for state reimbursement.

372 Section 10. Section 290.0411, Florida Statutes, is amended  
373 to read:

374 290.0411 Legislative intent and purpose of ss. 290.0401-  
375 290.048.—It is the intent of the Legislature to provide the



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376 necessary means to develop, preserve, redevelop, and revitalize  
377 Florida communities exhibiting signs of decline, ~~or~~ distress, or  
378 economic need by enabling local governments to undertake the  
379 necessary community and economic development programs. The  
380 overall objective is to create viable communities by eliminating  
381 slum and blight, fortifying communities in urgent need,  
382 providing decent housing and suitable living environments, and  
383 expanding economic opportunities, principally for persons of low  
384 or moderate income. The purpose of ss. 290.0401-290.048 is to  
385 assist local governments in carrying out effective community and  
386 economic development and project planning and design activities  
387 to arrest and reverse community decline and restore community  
388 vitality. Community and economic development and project  
389 planning activities to maintain viable communities, revitalize  
390 existing communities, expand economic development and employment  
391 opportunities, and improve housing conditions and expand housing  
392 opportunities, providing direct benefit to persons of low or  
393 moderate income, are the primary purposes of ss. 290.0401-  
394 290.048. The Legislature, therefore, declares that the  
395 development, redevelopment, preservation, and revitalization of  
396 communities in this state and all the purposes of ss. 290.0401-  
397 290.048 are public purposes for which public money may be  
398 borrowed, expended, loaned, pledged to guarantee loans, and  
399 granted.

400 Section 11. Section 290.044, Florida Statutes, is amended





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401 to read:

402 290.044 Florida Small Cities Community Development Block  
403 Grant Program Fund; administration; distribution.—

404 (1) The Florida Small Cities Community Development Block  
405 Grant Program Fund is created. All revenue designated for  
406 deposit in such fund shall be deposited by the appropriate  
407 agency. The department shall administer this fund as a grant and  
408 loan guarantee program for carrying out the purposes of ss.  
409 290.0401-290.048.

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

413 (3) The department shall require applicants for grants to  
414 compete against each other in the following grant program  
415 categories:

416 (a) Housing rehabilitation.

417 (b) Economic development.

418 (c) Neighborhood revitalization.

419 (d) Commercial revitalization.

420 (4)~~(3)~~ The department shall define ~~the~~ broad community  
421 development objectives ~~objective~~ to be achieved by the  
422 activities in each of the ~~following~~ grant program categories  
423 with the use of funds from the Florida Small Cities Community  
424 Development Block Grant Program Fund. Such objectives shall be  
425 designed to meet at least one of the national objectives



426 provided in the Housing and Community Development Act of 1974,  
427 ~~and require applicants for grants to compete against each other~~  
428 ~~in these grant program categories:~~

- 429 ~~(a) Housing.~~  
430 ~~(b) Economic development.~~  
431 ~~(c) Neighborhood revitalization.~~  
432 ~~(d) Commercial revitalization.~~  
433 ~~(e) Project planning and design.~~

434 (5)~~(4)~~ The department may set aside an amount of up to 5  
435 percent of the funds annually for use in any eligible local  
436 government jurisdiction for which an emergency or natural  
437 disaster has been declared by executive order. Such funds may  
438 only be provided to a local government to fund eligible  
439 emergency-related activities for which no other source of  
440 federal, state, or local disaster funds is available. The  
441 department may provide for such set-aside by rule. In the last  
442 quarter of the state fiscal year, any funds not allocated under  
443 the emergency-related set-aside shall be distributed to unfunded  
444 applications from the most recent funding cycle.

445 (6)~~(5)~~ The department shall establish a system of  
446 monitoring grants, including site visits, to ensure the proper  
447 expenditure of funds and compliance with the conditions of the  
448 recipient's contract. The department shall establish criteria  
449 for implementation of internal control, to include, but not be  
450 limited to, the following measures:



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451 (a) Ensuring that subrecipient audits performed by a  
452 certified public accountant are received and responded to in a  
453 timely manner.

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

456 (c) Providing specific justification for contract  
457 amendments that takes into account any change in contracted  
458 activities and the resultant cost adjustments which shall be  
459 reflected in the amount of the grant.

460 Section 12. Section 290.046, Florida Statutes, is amended  
461 to read:

462 290.046 Applications for grants; procedures;  
463 requirements.—

464 (1) In applying for a grant under a specific program  
465 category, an applicant shall propose eligible activities that  
466 directly address the objectives ~~objective~~ of that program  
467 category.

468 (2) (a) Not including applications for economic development  
469 grants ~~Except as provided for in subparagraph (b)1. paragraph~~  
470 ~~(c)~~, each eligible local government may submit one ~~an~~  
471 application for a grant ~~under either the housing program~~  
472 ~~category or the neighborhood revitalization program category~~  
473 during each application ~~annual funding~~ cycle. ~~An applicant may~~  
474 ~~not receive more than one grant in any state fiscal year from~~  
475 ~~any of the following categories: housing, neighborhood~~



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476 ~~revitalization, or commercial revitalization.~~

477 (b) 1. ~~An~~ ~~Except as provided in paragraph (c),~~ each  
478 eligible local government may apply up to three times in any one  
479 annual funding cycle for an economic development a grant ~~under~~  
480 ~~the economic development program category~~ but may not ~~shall~~  
481 receive ~~no~~ more than one such grant per annual funding cycle. A  
482 local government may have more than one open economic  
483 development grant ~~Applications for grants under the economic~~  
484 ~~development program category may be submitted at any time during~~  
485 ~~the annual funding cycle, and such grants shall be awarded no~~  
486 ~~less frequently than three times per funding cycle.~~

487 2. The department shall establish minimum criteria  
488 pertaining to the number of jobs created for persons of low or  
489 moderate income, the degree of private-sector ~~private-sector~~  
490 financial commitment, and the economic feasibility of the  
491 proposed project and shall establish any other criteria the  
492 department deems appropriate. Assistance to a private, for-  
493 profit business may not be provided from a grant award unless  
494 sufficient evidence exists to demonstrate that without such  
495 public assistance the creation or retention of such jobs would  
496 not occur.

497 (c) 1. A local government ~~governments~~ with an open housing  
498 rehabilitation, neighborhood revitalization, or commercial  
499 revitalization contract is ~~shall~~ not be eligible to apply for  
500 another housing rehabilitation, neighborhood revitalization, or



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501 commercial revitalization grant until administrative closeout of  
502 its ~~their~~ existing contract. The department shall notify a local  
503 government of administrative closeout or of any outstanding  
504 closeout issues within 45 days after ~~of~~ receipt of a closeout  
505 package from the local government. A local government  
506 ~~governments~~ with an open housing rehabilitation, neighborhood  
507 revitalization, or commercial revitalization community  
508 development block grant contract whose activities are on  
509 schedule in accordance with the expenditure rates and  
510 accomplishments described in the contract may apply for an  
511 economic development grant.

512 2. A local government ~~governments~~ with an open economic  
513 development community development block grant contract whose  
514 activities are on schedule in accordance with the expenditure  
515 rates and accomplishments described in the contract may apply  
516 for a housing rehabilitation, ~~or~~ neighborhood revitalization, or  
517 ~~and a~~ commercial revitalization community development block  
518 grant. A local government ~~governments~~ with an open economic  
519 development contract whose activities are on schedule in  
520 accordance with the expenditure rates and accomplishments  
521 described in the contract may not receive ~~no~~ more than one  
522 additional economic development grant in each fiscal year.

523 (d) ~~Beginning October 1, 1988,~~ The department may not  
524 ~~shall~~ award a ~~no~~ grant until it ~~the department~~ has conducted  
525 ~~determined,~~ based upon a site visit to verify the information



526 contained in the local government's application, ~~that the~~  
527 ~~proposed area matches and adheres to the written description~~  
528 ~~contained within the applicant's request. If, based upon review~~  
529 ~~of the application or a site visit, the department determines~~  
530 ~~that any information provided in the application which affects~~  
531 ~~eligibility or scoring has been misrepresented, the applicant's~~  
532 ~~request shall be rejected by the department pursuant to s.~~  
533 ~~290.0475(7). Mathematical errors in applications which may be~~  
534 ~~discovered and corrected by readily computing available numbers~~  
535 ~~or formulas provided in the application shall not be a basis for~~  
536 ~~such rejection.~~

537 (3) (a) The department shall rank each application received  
538 during the application cycle according to criteria established  
539 by rule. The ranking system shall include a procedure to  
540 eliminate or reduce any population-related bias that places  
541 exceptionally small communities at a disadvantage in the  
542 competition for funds ~~Each application shall be ranked~~  
543 ~~competitively based on community need and program impact.~~  
544 ~~Community need shall be weighted 25 percent. Program impact~~  
545 ~~shall be weighted 65 percent. Outstanding performance in equal~~  
546 ~~opportunity employment and housing shall be weighted 10 percent.~~

547 (b) Funds shall be distributed according to the rankings  
548 established in each application cycle. If economic development  
549 funds remain available after the application cycle closes, the  
550 remaining funds shall be awarded to eligible projects on a



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551 first-come, first-served basis until such funds are fully  
552 obligated ~~The criteria used to measure community need shall~~  
553 ~~include, at a minimum, indicators of the extent of poverty in~~  
554 ~~the community and the condition of physical structures. Each~~  
555 ~~application, regardless of the program category for which it is~~  
556 ~~being submitted, shall be scored competitively on the same~~  
557 ~~community need criteria. In recognition of the benefits~~  
558 ~~resulting from the receipt of grant funds, the department shall~~  
559 ~~provide for the reduction of community need scores for specified~~  
560 ~~increments of grant funds provided to a local government since~~  
561 ~~the state began using the most recent census data. In the year~~  
562 ~~in which new census data are first used, no such reduction shall~~  
563 ~~occur.~~

564 (c) The application's program impact score, equal  
565 employment opportunity and fair housing score, and communitywide  
566 needs score may take into consideration scoring factors  
567 including, but not limited to, unemployment, poverty levels,  
568 low-income and moderate-income populations, benefits to low-  
569 income and moderate-income residents, use of minority-owned and  
570 woman-owned business enterprises in previous grants, health and  
571 safety issues, and the condition of physical structures ~~The~~  
572 ~~criteria used to measure the impact of an applicant's proposed~~  
573 ~~activities shall include, at a minimum, indicators of the direct~~  
574 ~~benefit received by persons of low income and persons of~~  
575 ~~moderate income, the extent to which the problem identified is~~



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576 ~~addressed by the proposed activities, and the extent to which~~  
577 ~~resources other than the funds being applied for under this~~  
578 ~~program are being used to carry out the proposed activities.~~

579 ~~(d) Applications shall be scored competitively on program~~  
580 ~~impact criteria that are uniquely tailored to the community~~  
581 ~~development objective established in each program category. The~~  
582 ~~criteria used to measure the direct benefit to persons of low~~  
583 ~~income and persons of moderate income shall represent no less~~  
584 ~~than 42 percent of the points assigned to the program impact~~  
585 ~~factor. For the housing and neighborhood revitalization~~  
586 ~~categories, the department shall also include the following~~  
587 ~~criteria in the scoring of applications:~~

588 ~~1. The proportion of very low income and low income~~  
589 ~~households served.~~

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

592 ~~(4) An applicant for a neighborhood revitalization or~~  
593 ~~commercial revitalization grant shall demonstrate that its~~  
594 ~~activities are to be carried out in distinct service areas which~~  
595 ~~are characterized by the existence of slums or blighted~~  
596 ~~conditions, or by the concentration of persons of low or~~  
597 ~~moderate income.~~

598 ~~(4)(5)~~ In order to provide citizens with information  
599 concerning an applicant's proposed project, the applicant shall  
600 make available to the public information concerning the amounts





601 of funds available for various activities and the range of  
602 activities that may be undertaken. In addition, the applicant  
603 shall hold a minimum of two public hearings in the local  
604 jurisdiction within which the project is to be implemented to  
605 obtain the views of citizens before submitting the final  
606 application to the department. The applicant shall conduct the  
607 initial hearing to solicit public input concerning community  
608 needs, inform the public about funding opportunities available  
609 to address community needs, and discuss activities that may be  
610 undertaken. Before a second public hearing is held, the  
611 applicant must publish a summary of the proposed application to  
612 provide citizens with an opportunity to examine the contents of  
613 the application and submit comments. The applicant shall conduct  
614 a second hearing to obtain comments from citizens concerning the  
615 proposed application and to modify the proposed application if  
616 appropriate ~~program before an application is submitted to the~~  
617 ~~department, the applicant shall:~~

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

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

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



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626 ~~(d) Consider any comments and views expressed by citizens~~  
627 ~~on the proposed application and, if appropriate, modify the~~  
628 ~~proposed application.~~

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

633 (5)~~(6)~~ The local government may ~~shall~~ establish a citizen  
634 advisory task force composed of citizens in the jurisdiction in  
635 which the proposed project is to be implemented to provide input  
636 relative to all phases of the project process. ~~The local~~  
637 ~~government must obtain consent from the department for any other~~  
638 ~~type of citizen participation plan upon a showing that such plan~~  
639 ~~is better suited to secure citizen participation for that~~  
640 ~~locality.~~

641 (6)~~(7)~~ The department shall, before ~~prior to~~ approving an  
642 application for a grant, determine whether ~~that~~ the applicant  
643 has the administrative capacity to carry out the proposed  
644 activities and has performed satisfactorily in carrying out past  
645 activities funded by community development block grants. The  
646 evaluation of past performance shall take into account  
647 procedural aspects of previous grants as well as substantive  
648 results. If the department determines that any applicant has  
649 failed to accomplish substantially the results it proposed in  
650 its last previously funded application, it may prohibit the



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651 applicant from receiving a grant or may penalize the applicant  
652 in the rating of the current application. An ~~No~~ application for  
653 grant funds may not be denied solely upon the basis of the past  
654 performance of the eligible applicant.

655 Section 13. Subsections (3) and (6) of section 290.047,  
656 Florida Statutes, are amended to read:

657 290.047 Establishment of grant ceilings and maximum  
658 administrative cost percentages; elimination of population bias;  
659 loans in default.—

660 (3) The maximum percentage of block grant funds that can  
661 be spent on administrative costs by an eligible local government  
662 shall be 15 percent for the housing rehabilitation program  
663 category, 8 percent for both the neighborhood and the commercial  
664 revitalization program categories, and 8 percent for the  
665 economic development program category. The maximum amount of  
666 block grant funds that may be spent on administrative costs by  
667 an eligible local government for the economic development  
668 program category is \$120,000. The purpose of the ceiling is to  
669 maximize the amount of block grant funds actually going toward  
670 the redevelopment of the area. The department will continue to  
671 encourage eligible local governments to consider ways to limit  
672 the amount of block grant funds used for administrative costs,  
673 consistent with the need for prudent management and  
674 accountability in the use of public funds. However, this  
675 subsection does ~~shall not be construed, however, to prohibit~~



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676 eligible local governments from contributing their own funds or  
677 making in-kind contributions to cover administrative costs which  
678 exceed the prescribed ceilings, provided that all such  
679 contributions come from local government resources other than  
680 Community Development Block Grant funds.

681 (6) The maximum amount ~~percentage~~ of block grant funds  
682 that may be spent on engineering and architectural costs by an  
683 eligible local government shall be determined in accordance with  
684 a method ~~schedule~~ adopted by the department by rule. Any such  
685 method ~~schedule~~ so adopted shall be consistent with the schedule  
686 used by the United States Farmer's Home Administration as  
687 applied to projects in Florida or another comparable schedule as  
688 amended.

689 Section 14. Section 290.0475, Florida Statutes, is amended  
690 to read:

691 290.0475 Rejection of grant applications; penalties for  
692 failure to meet application conditions.—Applications ~~received~~  
693 for funding ~~under all program categories~~ shall be rejected if  
694 ~~without scoring only in the event that~~ any of the following  
695 circumstances arise:

696 (1) The application is not received by the department by  
697 the application deadline;—

698 (2) The proposed project does not meet one of the three  
699 national objectives as contained in federal and state  
700 legislation;—



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701 (3) The proposed project is not an eligible activity as  
702 contained in the federal legislation;~~-~~

703 (4) The application is not consistent with the local  
704 government's comprehensive plan adopted pursuant to s.  
705 163.3184;~~-~~

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

709 (6) The local government is not in compliance with the  
710 citizen participation requirements prescribed in ss. 104(a)(1)  
711 and (2) and 106(d)(5)(c) of Title I of the Housing and Community  
712 Development Act of 1974, s. 290.046(4), 1984 and department  
713 rules; or-

714 (7) Any information provided in the application that  
715 affects eligibility or scoring is found to have been  
716 misrepresented, and the information is not a mathematical error  
717 which may be discovered and corrected by readily computing  
718 available numbers or formulas provided in the application.

719 Section 15. Subsection (5) of section 290.048, Florida  
720 Statutes, is amended to read:

721 290.048 General powers of department under ss. 290.0401-  
722 290.048.—The department has all the powers necessary or  
723 appropriate to carry out the purposes and provisions of the  
724 program, including the power to:

725 ~~(5) Adopt and enforce strict requirements concerning an~~



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726 ~~applicant's written description of a service area. Each such~~  
727 ~~description shall contain maps which illustrate the location of~~  
728 ~~the proposed service area. All such maps must be clearly legible~~  
729 ~~and must:~~

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

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

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

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

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

737 Section 16. Subsection (5) and paragraph (b) of subsection  
738 (8) of section 331.3051, Florida Statutes, are amended to read:

739 331.3051 Duties of Space Florida.—Space Florida shall:

740 (5) Consult with the Florida Tourism Industry Marketing  
741 Corporation ~~Enterprise Florida, Inc.~~, in developing a space  
742 tourism marketing plan. Space Florida and the Florida Tourism  
743 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, may  
744 enter into a mutually beneficial agreement that provides funding  
745 to the corporation ~~Enterprise Florida, Inc.~~, for its services to  
746 implement this subsection.

747 (8) Carry out its responsibility for research and  
748 development by:

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



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751 ~~develop a proposal for a Center of Excellence for Aerospace that~~  
752 ~~will~~ foster and promote the research necessary to develop  
753 commercially promising, advanced, and innovative science and  
754 technology and ~~will~~ transfer those discoveries to the commercial  
755 sector. Space Florida may develop a proposal to establish a  
756 Center of Excellence for Aerospace in conjunction with this  
757 effort.

758 Section 17. Paragraphs (b) through (e) of subsection (1)  
759 of section 443.1116, Florida Statutes, are redesignated as  
760 paragraphs (c) through (f), respectively, a new paragraph (b) is  
761 added to that subsection, paragraphs (d), (g), and (h) of  
762 subsection (2) of that section are amended, paragraphs (i) and  
763 (j) are added to that subsection, paragraph (c) of subsection  
764 (5) of that section is redesignated as paragraph (d), and a new  
765 paragraph (c) is added to that subsection, to read:

766 443.1116 Short-time compensation.—

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

768 (b) "Employer-sponsored training" means a training  
769 component sponsored by an employer to improve the skills of the  
770 employer's employees.

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



776 (d) The plan includes a certified statement by the  
777 employer that the aggregate reduction in work hours is in lieu  
778 of ~~temporary~~ layoffs that would affect at least 10 percent of  
779 the employees in the affected unit and that would have resulted  
780 in an equivalent reduction in work hours;

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

784 (h) The plan certifies that fringe benefits provided by  
785 the employer to an employee whose workweek is reduced under the  
786 short-time compensation program will be provided by the employer  
787 under the same terms and conditions as though the workweek of  
788 the employee had not been reduced or to the same extent as other  
789 employees who are not participants in the program ~~the manner in~~  
790 ~~which the employer will treat fringe benefits of the individuals~~  
791 ~~in the affected unit if the hours of the individuals are reduced~~  
792 ~~to less than their normal weekly hours of work.~~ As used in this  
793 paragraph, the term "fringe benefits" includes, but is not  
794 limited to, health insurance, retirement benefits under defined  
795 benefit pension plans as defined in subsection 35 of s. 1002 of  
796 the Employee Retirement Income Security Act of 1974, 29 U.S.C.,  
797 contributions under a defined contribution plan as defined in s.  
798 414(i) of the Internal Revenue Code, paid vacation and holidays,  
799 and sick leave;

800 (i) The plan describes the manner in which the





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801 requirements of this subsection will be implemented. The  
802 description shall include a plan for providing notice, if  
803 feasible, to an employee whose workweek is to be reduced under  
804 the short-time compensation program. Such notice shall include  
805 an estimate of the number of layoffs that would have occurred if  
806 not for the program; and

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

810 (5) ELIGIBILITY REQUIREMENTS FOR SHORT-TIME COMPENSATION  
811 BENEFITS.—

812 (c) The department may not deny short-time compensation  
813 benefits to an individual who is otherwise eligible for these  
814 benefits for any week because the individual is participating in  
815 an employer-sponsored training or a training to improve job  
816 skills that is authorized under the Workforce Investment Act and  
817 approved by the department.

818 Section 18. Paragraph (f) of subsection (1) of section  
819 443.141, Florida Statutes, is amended to read:

820 443.141 Collection of contributions and reimbursements.—

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

823 (f) Payments for ~~2012, 2013, and 2014~~ contributions.—For  
824 an annual administrative fee not to exceed \$5, a contributing  
825 employer may pay its quarterly contributions due for wages paid



826 in the first three quarters of each year ~~2012, 2013, and 2014~~ in  
827 equal installments if those contributions are paid as follows:

828 1. For contributions due for wages paid in the first  
829 quarter of each year, one-fourth of the contributions due must  
830 be paid on or before April 30, one-fourth must be paid on or  
831 before July 31, one-fourth must be paid on or before October 31,  
832 and one-fourth must be paid on or before December 31.

833 2. In addition to the payments specified in subparagraph  
834 1., for contributions due for wages paid in the second quarter  
835 of each year, one-third of the contributions due must be paid on  
836 or before July 31, one-third must be paid on or before October  
837 31, and one-third must be paid on or before December 31.

838 3. In addition to the payments specified in subparagraphs  
839 1. and 2., for contributions due for wages paid in the third  
840 quarter of each year, one-half of the contributions due must be  
841 paid on or before October 31, and one-half must be paid on or  
842 before December 31.

843 4. The annual administrative fee assessed for electing to  
844 pay under the installment method shall be collected at the time  
845 the employer makes the first installment payment each year. The  
846 fee shall be segregated from the payment and deposited into the  
847 Operating Trust Fund of the Department of Revenue.

848 5. Interest does not accrue on any contribution that  
849 becomes due for wages paid in the first three quarters of each  
850 year if the employer pays the contribution in accordance with



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851 subparagraphs 1.-4. Interest and fees continue to accrue on  
852 prior delinquent contributions and commence accruing on all  
853 contributions due for wages paid in the first three quarters of  
854 each year which are not paid in accordance with subparagraphs  
855 1.-3. Penalties may be assessed in accordance with this chapter.  
856 The contributions due for wages paid in the fourth quarter ~~of~~  
857 ~~2012, 2013, and 2014~~ are not affected by this paragraph and are  
858 due and payable in accordance with this chapter.

859 Section 19. Paragraph (a) of subsection (1) of section  
860 125.271, Florida Statutes, is amended to read:

861 125.271 Emergency medical services; county emergency  
862 medical service assessments.—

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

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

867

868 Once a county has qualified under this subsection, it always  
869 retains the qualification.

870 Section 20. Paragraphs (a), (b), and (e) of subsection (7)  
871 of section 163.3177, Florida Statutes, are amended to read:

872 163.3177 Required and optional elements of comprehensive  
873 plan; studies and surveys.—

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

875 1. There are a number of rural agricultural industrial



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876 centers in the state that process, produce, or aid in the  
877 production or distribution of a variety of agriculturally based  
878 products, including, but not limited to, fruits, vegetables,  
879 timber, and other crops, and juices, paper, and building  
880 materials. Rural agricultural industrial centers have a  
881 significant amount of existing associated infrastructure that is  
882 used for processing, producing, or distributing agricultural  
883 products.

884 2. Such rural agricultural industrial centers are often  
885 located within or near communities in which the economy is  
886 largely dependent upon agriculture and agriculturally based  
887 products. The centers significantly enhance the economy of such  
888 communities. However, these agriculturally based communities are  
889 often socioeconomically challenged and designated as rural areas  
890 of opportunity ~~critical economic concern~~. If such rural  
891 agricultural industrial centers are lost and not replaced with  
892 other job-creating enterprises, the agriculturally based  
893 communities will lose a substantial amount of their economies.

894 3. The state has a compelling interest in preserving the  
895 viability of agriculture and protecting rural agricultural  
896 communities and the state from the economic upheaval that would  
897 result from short-term or long-term adverse changes in the  
898 agricultural economy. To protect these communities and promote  
899 viable agriculture for the long term, it is essential to  
900 encourage and permit diversification of existing rural



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901 agricultural industrial centers by providing for jobs that are  
902 not solely dependent upon, but are compatible with and  
903 complement, existing agricultural industrial operations and to  
904 encourage the creation and expansion of industries that use  
905 agricultural products in innovative ways. However, the expansion  
906 and diversification of these existing centers must be  
907 accomplished in a manner that does not promote urban sprawl into  
908 surrounding agricultural and rural areas.

909 (b) As used in this subsection, the term "rural  
910 agricultural industrial center" means a developed parcel of land  
911 in an unincorporated area on which there exists an operating  
912 agricultural industrial facility or facilities that employ at  
913 least 200 full-time employees in the aggregate and process and  
914 prepare for transport a farm product, as defined in s. 163.3162,  
915 or any biomass material that could be used, directly or  
916 indirectly, for the production of fuel, renewable energy,  
917 bioenergy, or alternative fuel as defined by law. The center may  
918 also include land contiguous to the facility site which is not  
919 used for the cultivation of crops, but on which other existing  
920 activities essential to the operation of such facility or  
921 facilities are located or conducted. The parcel of land must be  
922 located within, or within 10 miles of, a rural area of  
923 opportunity ~~critical economic concern~~.

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



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

929 Section 21. Subsection (3) of section 163.3187, Florida  
930 Statutes, is amended to read:

931 163.3187 Process for adoption of small-scale comprehensive  
932 plan amendment.—

933 (3) If the small scale development amendment involves a  
934 site within a rural area of opportunity ~~critical-economic~~  
935 ~~concern~~ as defined under s. 288.0656(2)(d) for the duration of  
936 such designation, the 10-acre limit listed in subsection (1)  
937 shall be increased by 100 percent to 20 acres. The local  
938 government approving the small scale plan amendment shall  
939 certify to the Office of Tourism, Trade, and Economic  
940 Development that the plan amendment furthers the economic  
941 objectives set forth in the executive order issued under s.  
942 288.0656(7), and the property subject to the plan amendment  
943 shall undergo public review to ensure that all concurrency  
944 requirements and federal, state, and local environmental permit  
945 requirements are met.

946 Section 22. Subsection (10) of section 163.3246, Florida  
947 Statutes, is amended to read:

948 163.3246 Local government comprehensive planning  
949 certification program.—

950 (10) Notwithstanding subsections (2), (4), (5), (6), and



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951 (7), any municipality designated as a rural area of opportunity  
952 ~~critical economic concern~~ pursuant to s. 288.0656 which is  
953 located within a county eligible to levy the Small County Surtax  
954 under s. 212.055(3) shall be considered certified during the  
955 effectiveness of the designation of rural area of opportunity  
956 ~~critical economic concern~~. The state land planning agency shall  
957 provide a written notice of certification to the local  
958 government of the certified area, which shall be considered  
959 final agency action subject to challenge under s. 120.569. The  
960 notice of certification shall include the following components:

- 961 (a) The boundary of the certification area.
- 962 (b) A requirement that the local government submit ~~either~~  
963 an annual or biennial monitoring report to the state land  
964 planning agency according to the schedule provided in the  
965 written notice. The monitoring report shall, at a minimum,  
966 include the number of amendments to the comprehensive plan  
967 adopted by the local government, the number of plan amendments  
968 challenged by an affected person, and the disposition of those  
969 challenges.

970 Section 23. Paragraph (a) of subsection (6) of section  
971 211.3103, Florida Statutes, is amended to read:

972 211.3103 Levy of tax on severance of phosphate rock; rate,  
973 basis, and distribution of tax.—

974 (6) (a) Beginning July 1 of the 2011-2012 fiscal year, the  
975 proceeds of all taxes, interest, and penalties imposed under



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976 | this section are exempt from the general revenue service charge  
977 | provided in s. 215.20, and such proceeds shall be paid into the  
978 | State Treasury as follows:

979 |       1. To the credit of the Conservation and Recreation Lands  
980 | Trust Fund, 25.5 percent.

981 |       2. To the credit of the General Revenue Fund of the state,  
982 | 35.7 percent.

983 |       3. For payment to counties in proportion to the number of  
984 | tons of phosphate rock produced from a phosphate rock matrix  
985 | located within such political boundary, 12.8 percent. The  
986 | department shall distribute this portion of the proceeds  
987 | annually based on production information reported by the  
988 | producers on the annual returns for the taxable year. Any such  
989 | proceeds received by a county shall be used only for phosphate-  
990 | related expenses.

991 |       4. For payment to counties that have been designated as a  
992 | rural area of opportunity ~~critical economic concern~~ pursuant to  
993 | s. 288.0656 in proportion to the number of tons of phosphate  
994 | rock produced from a phosphate rock matrix located within such  
995 | political boundary, 10.0 percent. The department shall  
996 | distribute this portion of the proceeds annually based on  
997 | production information reported by the producers on the annual  
998 | returns for the taxable year. Payments under this subparagraph  
999 | shall be made to the counties unless the Legislature by special  
1000 | act creates a local authority to promote and direct the economic





1001 development of the county. If such authority exists, payments  
 1002 shall be made to that authority.

1003 5. To the credit of the Nonmandatory Land Reclamation  
 1004 Trust Fund, 6.2 percent.

1005 6. To the credit of the Phosphate Research Trust Fund in  
 1006 the Division of Universities of the Department of Education, 6.2  
 1007 percent.

1008 7. To the credit of the Minerals Trust Fund, 3.6 percent.

1009 Section 24. Paragraph (c) of subsection (1) of section  
 1010 212.098, Florida Statutes, is amended to read:

1011 212.098 Rural Job Tax Credit Program.—

1012 (1) As used in this section, the term:

1013 (c) "Qualified area" means any area that is contained  
 1014 within a rural area of opportunity ~~critical economic concern~~  
 1015 designated under s. 288.0656, a county that has a population of  
 1016 fewer than 75,000 persons, or a county that has a population of  
 1017 125,000 or less and is contiguous to a county that has a  
 1018 population of less than 75,000, selected in the following  
 1019 manner: every third year, the Department of Economic Opportunity  
 1020 shall rank and tier the state's counties according to the  
 1021 following four factors:

1022 1. Highest unemployment rate for the most recent 36-month  
 1023 period.

1024 2. Lowest per capita income for the most recent 36-month  
 1025 period.



1026 | 3. Highest percentage of residents whose incomes are below  
 1027 | the poverty level, based upon the most recent data available.

1028 | 4. Average weekly manufacturing wage, based upon the most  
 1029 | recent data available.

1030 | Section 25. Subsection (1) of section 218.67, Florida  
 1031 | Statutes, is amended to read:

1032 | 218.67 Distribution for fiscally constrained counties.—

1033 | (1) Each county that is entirely within a rural area of  
 1034 | opportunity ~~critical economic concern~~ as designated by the  
 1035 | Governor pursuant to s. 288.0656 or each county for which the  
 1036 | value of a mill will raise no more than \$5 million in revenue,  
 1037 | based on the taxable value certified pursuant to s.  
 1038 | 1011.62(4)(a)1.a., from the previous July 1, shall be considered  
 1039 | a fiscally constrained county.

1040 | Section 26. Paragraphs (a) and (c) of subsection (2) of  
 1041 | section 288.065, Florida Statutes, are amended to read:

1042 | 288.065 Rural Community Development Revolving Loan Fund.—

1043 | (2)(a) The program shall provide for long-term loans, loan  
 1044 | guarantees, and loan loss reserves to units of local  
 1045 | governments, or economic development organizations substantially  
 1046 | underwritten by a unit of local government, within counties with  
 1047 | populations of 75,000 or fewer, or within any county with a  
 1048 | population of 125,000 or fewer which is contiguous to a county  
 1049 | with a population of 75,000 or fewer, based on the most recent  
 1050 | official population estimate as determined under s. 186.901,



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1051 including those residing in incorporated areas and those  
1052 residing in unincorporated areas of the county, or to units of  
1053 local government, or economic development organizations  
1054 substantially underwritten by a unit of local government, within  
1055 a rural area of opportunity ~~critical economic concern~~.

1056 (c) All repayments of principal and interest shall be  
1057 returned to the loan fund and made available for loans to other  
1058 applicants. However, in a rural area of opportunity ~~critical~~  
1059 ~~economic concern~~ designated by the Governor, and upon approval  
1060 by the department, repayments of principal and interest may be  
1061 retained by the applicant if such repayments are dedicated and  
1062 matched to fund regionally based economic development  
1063 organizations representing the rural area of opportunity  
1064 ~~critical economic concern~~.

1065 Section 27. Paragraphs (b), (c), and (e) of subsection (2)  
1066 of section 288.0655, Florida Statutes, are amended to read:

1067 288.0655 Rural Infrastructure Fund.—

1068 (2)

1069 (b) To facilitate access of rural communities and rural  
1070 areas of opportunity ~~critical economic concern~~ as defined by the  
1071 Rural Economic Development Initiative to infrastructure funding  
1072 programs of the Federal Government, such as those offered by the  
1073 United States Department of Agriculture and the United States  
1074 Department of Commerce, and state programs, including those  
1075 offered by Rural Economic Development Initiative agencies, and



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1076 | to facilitate local government or private infrastructure funding  
1077 | efforts, the department may award grants for up to 30 percent of  
1078 | the total infrastructure project cost. If an application for  
1079 | funding is for a catalyst site, as defined in s. 288.0656, the  
1080 | department may award grants for up to 40 percent of the total  
1081 | infrastructure project cost. Eligible projects must be related  
1082 | to specific job-creation or job-retention opportunities.  
1083 | Eligible projects may also include improving any inadequate  
1084 | infrastructure that has resulted in regulatory action that  
1085 | prohibits economic or community growth or reducing the costs to  
1086 | community users of proposed infrastructure improvements that  
1087 | exceed such costs in comparable communities. Eligible uses of  
1088 | funds shall include improvements to public infrastructure for  
1089 | industrial or commercial sites and upgrades to or development of  
1090 | public tourism infrastructure. Authorized infrastructure may  
1091 | include the following public or public-private partnership  
1092 | facilities: storm water systems; telecommunications facilities;  
1093 | broadband facilities; roads or other remedies to transportation  
1094 | impediments; nature-based tourism facilities; or other physical  
1095 | requirements necessary to facilitate tourism, trade, and  
1096 | economic development activities in the community. Authorized  
1097 | infrastructure may also include publicly or privately owned  
1098 | self-powered nature-based tourism facilities, publicly owned  
1099 | telecommunications facilities, and broadband facilities, and  
1100 | additions to the distribution facilities of the existing natural



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1101 gas utility as defined in s. 366.04(3)(c), the existing electric  
1102 utility as defined in s. 366.02, or the existing water or  
1103 wastewater utility as defined in s. 367.021(12), or any other  
1104 existing water or wastewater facility, which owns a gas or  
1105 electric distribution system or a water or wastewater system in  
1106 this state where:

1107 1. A contribution-in-aid of construction is required to  
1108 serve public or public-private partnership facilities under the  
1109 tariffs of any natural gas, electric, water, or wastewater  
1110 utility as defined herein; and

1111 2. Such utilities as defined herein are willing and able  
1112 to provide such service.

1113 (c) To facilitate timely response and induce the location  
1114 or expansion of specific job creating opportunities, the  
1115 department may award grants for infrastructure feasibility  
1116 studies, design and engineering activities, or other  
1117 infrastructure planning and preparation activities. Authorized  
1118 grants shall be up to \$50,000 for an employment project with a  
1119 business committed to create at least 100 jobs; up to \$150,000  
1120 for an employment project with a business committed to create at  
1121 least 300 jobs; and up to \$300,000 for a project in a rural area  
1122 of opportunity ~~critical economic concern~~. Grants awarded under  
1123 this paragraph may be used in conjunction with grants awarded  
1124 under paragraph (b), provided that the total amount of both  
1125 grants does not exceed 30 percent of the total project cost. In



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1126 evaluating applications under this paragraph, the department  
1127 shall consider the extent to which the application seeks to  
1128 minimize administrative and consultant expenses.

1129 (e) To enable local governments to access the resources  
1130 available pursuant to s. 403.973(18), the department may award  
1131 grants for surveys, feasibility studies, and other activities  
1132 related to the identification and preclearance review of land  
1133 which is suitable for preclearance review. Authorized grants  
1134 under this paragraph may ~~shall~~ not exceed \$75,000 each, except  
1135 in the case of a project in a rural area of opportunity ~~critical~~  
1136 ~~economic concern~~, in which case the grant may ~~shall~~ not exceed  
1137 \$300,000. Any funds awarded under this paragraph must be matched  
1138 at a level of 50 percent with local funds, except that any funds  
1139 awarded for a project in a rural area of opportunity ~~critical~~  
1140 ~~economic concern~~ must be matched at a level of 33 percent with  
1141 local funds. If an application for funding is for a catalyst  
1142 site, as defined in s. 288.0656, the requirement for local match  
1143 may be waived pursuant to the process in s. 288.06561. In  
1144 evaluating applications under this paragraph, the department  
1145 shall consider the extent to which the application seeks to  
1146 minimize administrative and consultant expenses.

1147 Section 28. Paragraphs (a), (b), and (d) of subsection (2)  
1148 and subsection (7) of section 288.0656, Florida Statutes, are  
1149 amended to read:

1150 288.0656 Rural Economic Development Initiative.—



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1151 (2) As used in this section, the term:

1152 (a) "Catalyst project" means a business locating or  
1153 expanding in a rural area of opportunity ~~critical economic~~  
1154 ~~concern~~ to serve as an economic generator of regional  
1155 significance for the growth of a regional target industry  
1156 cluster. The project must provide capital investment on a scale  
1157 significant enough to affect the entire region and result in the  
1158 development of high-wage and high-skill jobs.

1159 (b) "Catalyst site" means a parcel or parcels of land  
1160 within a rural area of opportunity ~~critical economic concern~~  
1161 that has been prioritized as a geographic site for economic  
1162 development through partnerships with state, regional, and local  
1163 organizations. The site must be reviewed by REDI and approved by  
1164 the department for the purposes of locating a catalyst project.

1165 (d) "Rural area of opportunity ~~critical economic concern~~"  
1166 means a rural community, or a region composed of rural  
1167 communities, designated by the Governor, which ~~that~~ has been  
1168 adversely affected by an extraordinary economic event, severe or  
1169 chronic distress, or a natural disaster or which ~~that~~ presents a  
1170 unique economic development opportunity of regional impact.

1171 (7) (a) REDI may recommend to the Governor up to three  
1172 rural areas of opportunity ~~critical economic concern~~. The  
1173 Governor may by executive order designate up to three rural  
1174 areas of opportunity ~~critical economic concern~~ which will  
1175 establish these areas as priority assignments for REDI as well



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1176 as to allow the Governor, acting through REDI, to waive  
1177 criteria, requirements, or similar provisions of any economic  
1178 development incentive. Such incentives shall include, but not be  
1179 limited to, ~~the~~ the Qualified Target Industry Tax Refund Program  
1180 under s. 288.106, the Quick Response Training Program under s.  
1181 288.047, the Quick Response Training Program for participants in  
1182 the welfare transition program under s. 288.047(8),  
1183 transportation projects under s. 339.2821, the brownfield  
1184 redevelopment bonus refund under s. 288.107, and the rural job  
1185 tax credit program under ss. 212.098 and 220.1895.

1186 (b) Designation as a rural area of opportunity ~~critical~~  
1187 ~~economic concern~~ under this subsection shall be contingent upon  
1188 the execution of a memorandum of agreement among the department;  
1189 the governing body of the county; and the governing bodies of  
1190 any municipalities to be included within a rural area of  
1191 opportunity ~~critical economic concern~~. Such agreement shall  
1192 specify the terms and conditions of the designation, including,  
1193 but not limited to, the duties and responsibilities of the  
1194 county and any participating municipalities to take actions  
1195 designed to facilitate the retention and expansion of existing  
1196 businesses in the area, as well as the recruitment of new  
1197 businesses to the area.

1198 (c) Each rural area of opportunity ~~critical economic~~  
1199 ~~concern~~ may designate catalyst projects, provided that each  
1200 catalyst project is specifically recommended by REDI, identified





1201 as a catalyst project by Enterprise Florida, Inc., and confirmed  
 1202 as a catalyst project by the department. All state agencies and  
 1203 departments shall use all available tools and resources to the  
 1204 extent permissible by law to promote the creation and  
 1205 development of each catalyst project and the development of  
 1206 catalyst sites.

1207 Section 29. Paragraph (a) of subsection (3) of section  
 1208 288.1088, Florida Statutes, is amended to read:

1209 288.1088 Quick Action Closing Fund.—

1210 (3)(a) The department and Enterprise Florida, Inc., shall  
 1211 jointly review applications pursuant to s. 288.061 and determine  
 1212 the eligibility of each project consistent with the criteria in  
 1213 subsection (2). Waiver of these criteria may be considered under  
 1214 the following criteria:

- 1215 1. Based on extraordinary circumstances;
- 1216 2. In order to mitigate the impact of the conclusion of  
 1217 the space shuttle program; or
- 1218 3. In rural areas of opportunity ~~critical economic concern~~  
 1219 if the project would significantly benefit the local or regional  
 1220 economy.

1221 Section 30. Paragraphs (b), (c), and (d) of subsection (4)  
 1222 of section 288.1089, Florida Statutes, are amended to read:

1223 288.1089 Innovation Incentive Program.—

1224 (4) To qualify for review by the department, the applicant  
 1225 must, at a minimum, establish the following to the satisfaction



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1226 of the department:

1227 (b) A research and development project must:

1228 1. Serve as a catalyst for an emerging or evolving  
1229 technology cluster.

1230 2. Demonstrate a plan for significant higher education  
1231 collaboration.

1232 3. Provide the state, at a minimum, a cumulative break-  
1233 even economic benefit within a 20-year period.

1234 4. Be provided with a one-to-one match from the local  
1235 community. The match requirement may be reduced or waived in  
1236 rural areas of opportunity ~~critical economic concern~~ or reduced  
1237 in rural areas, brownfield areas, and enterprise zones.

1238 (c) An innovation business project in this state, other  
1239 than a research and development project, must:

1240 1.a. Result in the creation of at least 1,000 direct, new  
1241 jobs at the business; or

1242 b. Result in the creation of at least 500 direct, new jobs  
1243 if the project is located in a rural area, a brownfield area, or  
1244 an enterprise zone.

1245 2. Have an activity or product that is within an industry  
1246 that is designated as a target industry business under s.  
1247 288.106 or a designated sector under s. 288.108.

1248 3.a. Have a cumulative investment of at least \$500 million  
1249 within a 5-year period; or

1250 b. Have a cumulative investment that exceeds \$250 million



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1251 within a 10-year period if the project is located in a rural  
1252 area, brownfield area, or an enterprise zone.

1253 4. Be provided with a one-to-one match from the local  
1254 community. The match requirement may be reduced or waived in  
1255 rural areas of opportunity ~~critical economic concern~~ or reduced  
1256 in rural areas, brownfield areas, and enterprise zones.

1257 (d) For an alternative and renewable energy project in  
1258 this state, the project must:

1259 1. Demonstrate a plan for significant collaboration with  
1260 an institution of higher education;

1261 2. Provide the state, at a minimum, a cumulative break-  
1262 even economic benefit within a 20-year period;

1263 3. Include matching funds provided by the applicant or  
1264 other available sources. The match requirement may be reduced or  
1265 waived in rural areas of opportunity ~~critical economic concern~~  
1266 or reduced in rural areas, brownfield areas, and enterprise  
1267 zones;

1268 4. Be located in this state; and

1269 5. Provide at least 35 direct, new jobs that pay an  
1270 estimated annual average wage that equals at least 130 percent  
1271 of the average private sector wage.

1272 Section 31. Paragraph (d) of subsection (6) of section  
1273 290.0055, Florida Statutes, is amended to read:

1274 290.0055 Local nominating procedure.—

1275 (6)



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1276 (d)1. The governing body of a jurisdiction which has  
1277 nominated an application for an enterprise zone that is at least  
1278 15 square miles and less than 20 square miles and includes a  
1279 portion of the state designated as a rural area of opportunity  
1280 ~~critical economic concern~~ under s. 288.0656(7) may apply to the  
1281 department to expand the boundary of the existing enterprise  
1282 zone by not more than 3 square miles.

1283 2. The governing body of a jurisdiction which has  
1284 nominated an application for an enterprise zone that is at least  
1285 20 square miles and includes a portion of the state designated  
1286 as a rural area of opportunity ~~critical economic concern~~ under  
1287 s. 288.0656(7) may apply to the department to expand the  
1288 boundary of the existing enterprise zone by not more than 5  
1289 square miles.

1290 3. An application to expand the boundary of an enterprise  
1291 zone under this paragraph must be submitted by December 31,  
1292 2013.

1293 4. Notwithstanding the area limitations specified in  
1294 subsection (4), the department may approve the request for a  
1295 boundary amendment if the area continues to satisfy the  
1296 remaining requirements of this section.

1297 5. The department shall establish the initial effective  
1298 date of an enterprise zone designated under this paragraph.

1299 Section 32. Paragraph (c) of subsection (4) of section  
1300 339.2819, Florida Statutes, is amended to read:



1301 | 339.2819 Transportation Regional Incentive Program.—  
 1302 | (4)  
 1303 | (c) The department shall give priority to projects that:  
 1304 | 1. Provide connectivity to the Strategic Intermodal System  
 1305 | developed under s. 339.64.  
 1306 | 2. Support economic development and the movement of goods  
 1307 | in rural areas of opportunity ~~critical economic concern~~  
 1308 | designated under s. 288.0656(7).  
 1309 | 3. Are subject to a local ordinance that establishes  
 1310 | corridor management techniques, including access management  
 1311 | strategies, right-of-way acquisition and protection measures,  
 1312 | appropriate land use strategies, zoning, and setback  
 1313 | requirements for adjacent land uses.  
 1314 | 4. Improve connectivity between military installations and  
 1315 | the Strategic Highway Network or the Strategic Rail Corridor  
 1316 | Network.  
 1317 |  
 1318 | The department shall also consider the extent to which local  
 1319 | matching funds are available to be committed to the project.  
 1320 | Section 33. Paragraph (b) of subsection (5) of section  
 1321 | 339.63, Florida Statutes, is amended to read:  
 1322 | 339.63 System facilities designated; additions and  
 1323 | deletions.—  
 1324 | (5)  
 1325 | (b) A facility designated part of the Strategic Intermodal



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1326 System pursuant to paragraph (a) that is within the jurisdiction  
1327 of a local government that maintains a transportation  
1328 concurrency system shall receive a waiver of transportation  
1329 concurrency requirements applicable to Strategic Intermodal  
1330 System facilities in order to accommodate any development at the  
1331 facility which occurs pursuant to a building permit issued on or  
1332 before December 31, 2017, but only if such facility is located:

1333 1. Within an area designated pursuant to s. 288.0656(7) as  
1334 a rural area of opportunity ~~critical economic concern~~;

1335 2. Within a rural enterprise zone as defined in s.  
1336 290.004(5); or

1337 3. Within 15 miles of the boundary of a rural area of  
1338 opportunity ~~critical economic concern~~ or a rural enterprise  
1339 zone.

1340 Section 34. Paragraph (c) of subsection (3) of section  
1341 373.4595, Florida Statutes, is amended to read:

1342 373.4595 Northern Everglades and Estuaries Protection  
1343 Program.—

1344 (3) LAKE OKEECHOBEE WATERSHED PROTECTION PROGRAM.—A  
1345 protection program for Lake Okeechobee that achieves phosphorus  
1346 load reductions for Lake Okeechobee shall be immediately  
1347 implemented as specified in this subsection. The program shall  
1348 address the reduction of phosphorus loading to the lake from  
1349 both internal and external sources. Phosphorus load reductions  
1350 shall be achieved through a phased program of implementation.



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1351 Initial implementation actions shall be technology-based, based  
1352 upon a consideration of both the availability of appropriate  
1353 technology and the cost of such technology, and shall include  
1354 phosphorus reduction measures at both the source and the  
1355 regional level. The initial phase of phosphorus load reductions  
1356 shall be based upon the district's Technical Publication 81-2  
1357 and the district's WOD program, with subsequent phases of  
1358 phosphorus load reductions based upon the total maximum daily  
1359 loads established in accordance with s. 403.067. In the  
1360 development and administration of the Lake Okeechobee Watershed  
1361 Protection Program, the coordinating agencies shall maximize  
1362 opportunities provided by federal cost-sharing programs and  
1363 opportunities for partnerships with the private sector.

1364 (c) Lake Okeechobee Watershed Phosphorus Control Program.—  
1365 The Lake Okeechobee Watershed Phosphorus Control Program is  
1366 designed to be a multifaceted approach to reducing phosphorus  
1367 loads by improving the management of phosphorus sources within  
1368 the Lake Okeechobee watershed through implementation of  
1369 regulations and best management practices, development and  
1370 implementation of improved best management practices,  
1371 improvement and restoration of the hydrologic function of  
1372 natural and managed systems, and utilization of alternative  
1373 technologies for nutrient reduction. The coordinating agencies  
1374 shall facilitate the application of federal programs that offer  
1375 opportunities for water quality treatment, including



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1376 preservation, restoration, or creation of wetlands on  
1377 agricultural lands.

1378 1. Agricultural nonpoint source best management practices,  
1379 developed in accordance with s. 403.067 and designed to achieve  
1380 the objectives of the Lake Okeechobee Watershed Protection  
1381 Program, shall be implemented on an expedited basis. The  
1382 coordinating agencies shall develop an interagency agreement  
1383 pursuant to ss. 373.046 and 373.406(5) that assures the  
1384 development of best management practices that complement  
1385 existing regulatory programs and specifies how those best  
1386 management practices are implemented and verified. The  
1387 interagency agreement shall address measures to be taken by the  
1388 coordinating agencies during any best management practice  
1389 reevaluation performed pursuant to sub-subparagraph d. The  
1390 department shall use best professional judgment in making the  
1391 initial determination of best management practice effectiveness.

1392 a. As provided in s. 403.067(7)(c), the Department of  
1393 Agriculture and Consumer Services, in consultation with the  
1394 department, the district, and affected parties, shall initiate  
1395 rule development for interim measures, best management  
1396 practices, conservation plans, nutrient management plans, or  
1397 other measures necessary for Lake Okeechobee watershed total  
1398 maximum daily load reduction. The rule shall include thresholds  
1399 for requiring conservation and nutrient management plans and  
1400 criteria for the contents of such plans. Development of





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1401 agricultural nonpoint source best management practices shall  
1402 initially focus on those priority basins listed in subparagraph  
1403 (b)1. The Department of Agriculture and Consumer Services, in  
1404 consultation with the department, the district, and affected  
1405 parties, shall conduct an ongoing program for improvement of  
1406 existing and development of new interim measures or best  
1407 management practices for the purpose of adoption of such  
1408 practices by rule. The Department of Agriculture and Consumer  
1409 Services shall work with the University of Florida's Institute  
1410 of Food and Agriculture Sciences to review and, where  
1411 appropriate, develop revised nutrient application rates for all  
1412 agricultural soil amendments in the watershed.

1413 b. Where agricultural nonpoint source best management  
1414 practices or interim measures have been adopted by rule of the  
1415 Department of Agriculture and Consumer Services, the owner or  
1416 operator of an agricultural nonpoint source addressed by such  
1417 rule shall either implement interim measures or best management  
1418 practices or demonstrate compliance with the district's WOD  
1419 program by conducting monitoring prescribed by the department or  
1420 the district. Owners or operators of agricultural nonpoint  
1421 sources who implement interim measures or best management  
1422 practices adopted by rule of the Department of Agriculture and  
1423 Consumer Services shall be subject to the provisions of s.  
1424 403.067(7). The Department of Agriculture and Consumer Services,  
1425 in cooperation with the department and the district, shall



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1426 provide technical and financial assistance for implementation of  
1427 agricultural best management practices, subject to the  
1428 availability of funds.

1429 c. The district or department shall conduct monitoring at  
1430 representative sites to verify the effectiveness of agricultural  
1431 nonpoint source best management practices.

1432 d. Where water quality problems are detected for  
1433 agricultural nonpoint sources despite the appropriate  
1434 implementation of adopted best management practices, the  
1435 Department of Agriculture and Consumer Services, in consultation  
1436 with the other coordinating agencies and affected parties, shall  
1437 institute a reevaluation of the best management practices and  
1438 make appropriate changes to the rule adopting best management  
1439 practices.

1440 2. Nonagricultural nonpoint source best management  
1441 practices, developed in accordance with s. 403.067 and designed  
1442 to achieve the objectives of the Lake Okeechobee Watershed  
1443 Protection Program, shall be implemented on an expedited basis.  
1444 The department and the district shall develop an interagency  
1445 agreement pursuant to ss. 373.046 and 373.406(5) that assures  
1446 the development of best management practices that complement  
1447 existing regulatory programs and specifies how those best  
1448 management practices are implemented and verified. The  
1449 interagency agreement shall address measures to be taken by the  
1450 department and the district during any best management practice



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1451 reevaluation performed pursuant to sub-subparagraph d.

1452       a. The department and the district are directed to work  
1453 with the University of Florida's Institute of Food and  
1454 Agricultural Sciences to develop appropriate nutrient  
1455 application rates for all nonagricultural soil amendments in the  
1456 watershed. As provided in s. 403.067(7)(c), the department, in  
1457 consultation with the district and affected parties, shall  
1458 develop interim measures, best management practices, or other  
1459 measures necessary for Lake Okeechobee watershed total maximum  
1460 daily load reduction. Development of nonagricultural nonpoint  
1461 source best management practices shall initially focus on those  
1462 priority basins listed in subparagraph (b)1. The department, the  
1463 district, and affected parties shall conduct an ongoing program  
1464 for improvement of existing and development of new interim  
1465 measures or best management practices. The district shall adopt  
1466 technology-based standards under the district's WOD program for  
1467 nonagricultural nonpoint sources of phosphorus. Nothing in this  
1468 sub-subparagraph shall affect the authority of the department or  
1469 the district to adopt basin-specific criteria under this part to  
1470 prevent harm to the water resources of the district.

1471       b. Where nonagricultural nonpoint source best management  
1472 practices or interim measures have been developed by the  
1473 department and adopted by the district, the owner or operator of  
1474 a nonagricultural nonpoint source shall implement interim  
1475 measures or best management practices and be subject to the



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1476 provisions of s. 403.067(7). The department and district shall  
1477 provide technical and financial assistance for implementation of  
1478 nonagricultural nonpoint source best management practices,  
1479 subject to the availability of funds.

1480 c. The district or the department shall conduct monitoring  
1481 at representative sites to verify the effectiveness of  
1482 nonagricultural nonpoint source best management practices.

1483 d. Where water quality problems are detected for  
1484 nonagricultural nonpoint sources despite the appropriate  
1485 implementation of adopted best management practices, the  
1486 department and the district shall institute a reevaluation of  
1487 the best management practices.

1488 3. ~~The provisions of~~ Subparagraphs 1. and 2. do ~~shall~~ not  
1489 preclude the department or the district from requiring  
1490 compliance with water quality standards or with current best  
1491 management practices requirements set forth in any applicable  
1492 regulatory program authorized by law for the purpose of  
1493 protecting water quality. Additionally, subparagraphs 1. and 2.  
1494 are applicable only to the extent that they do not conflict with  
1495 any rules adopted ~~promulgated~~ by the department that are  
1496 necessary to maintain a federally delegated or approved program.

1497 4. Projects that reduce the phosphorus load originating  
1498 from domestic wastewater systems within the Lake Okeechobee  
1499 watershed shall be given funding priority in the department's  
1500 revolving loan program under s. 403.1835. The department shall



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1501 coordinate and provide assistance to those local governments  
1502 seeking financial assistance for such priority projects.

1503 5. Projects that make use of private lands, or lands held  
1504 in trust for Indian tribes, to reduce nutrient loadings or  
1505 concentrations within a basin by one or more of the following  
1506 methods: restoring the natural hydrology of the basin, restoring  
1507 wildlife habitat or impacted wetlands, reducing peak flows after  
1508 storm events, increasing aquifer recharge, or protecting range  
1509 and timberland from conversion to development, are eligible for  
1510 grants available under this section from the coordinating  
1511 agencies. For projects of otherwise equal priority, special  
1512 funding priority will be given to those projects that make best  
1513 use of the methods outlined above that involve public-private  
1514 partnerships or that obtain federal match money. Preference  
1515 ranking above the special funding priority will be given to  
1516 projects located in a rural area of opportunity ~~critical~~  
1517 ~~economic concern~~ designated by the Governor. Grant applications  
1518 may be submitted by any person or tribal entity, and eligible  
1519 projects may include, but are not limited to, the purchase of  
1520 conservation and flowage easements, hydrologic restoration of  
1521 wetlands, creating treatment wetlands, development of a  
1522 management plan for natural resources, and financial support to  
1523 implement a management plan.

1524 6.a. The department shall require all entities disposing  
1525 of domestic wastewater residuals within the Lake Okeechobee



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1526 watershed and the remaining areas of Okeechobee, Glades, and  
1527 Hendry Counties to develop and submit to the department an  
1528 agricultural use plan that limits applications based upon  
1529 phosphorus loading. ~~By July 1, 2005,~~ Phosphorus concentrations  
1530 originating from these application sites may ~~shall~~ not exceed  
1531 the limits established in the district's WOD program. ~~After~~  
1532 ~~December 31, 2007,~~ The department may not authorize the disposal  
1533 of domestic wastewater residuals within the Lake Okeechobee  
1534 watershed unless the applicant can affirmatively demonstrate  
1535 that the phosphorus in the residuals will not add to phosphorus  
1536 loadings in Lake Okeechobee or its tributaries. This  
1537 demonstration shall be based on achieving a net balance between  
1538 phosphorus imports relative to exports on the permitted  
1539 application site. Exports shall include only phosphorus removed  
1540 from the Lake Okeechobee watershed through products generated on  
1541 the permitted application site. This prohibition does not apply  
1542 to Class AA residuals that are marketed and distributed as  
1543 fertilizer products in accordance with department rule.

1544 b. Private and government-owned utilities within Monroe,  
1545 Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian  
1546 River, Okeechobee, Highlands, Hendry, and Glades Counties that  
1547 dispose of wastewater residual sludge from utility operations  
1548 and septic removal by land spreading in the Lake Okeechobee  
1549 watershed may use a line item on local sewer rates to cover  
1550 wastewater residual treatment and disposal if such disposal and



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1551 treatment is done by approved alternative treatment methodology  
1552 at a facility located within the areas designated by the  
1553 Governor as rural areas of opportunity ~~critical economic concern~~  
1554 pursuant to s. 288.0656. This additional line item is an  
1555 environmental protection disposal fee above the present sewer  
1556 rate and may ~~shall~~ not be considered a part of the present sewer  
1557 rate to customers, notwithstanding provisions to the contrary in  
1558 chapter 367. The fee shall be established by the county  
1559 commission or its designated assignee in the county in which the  
1560 alternative method treatment facility is located. The fee shall  
1561 be calculated to be no higher than that necessary to recover the  
1562 facility's prudent cost of providing the service. Upon request  
1563 by an affected county commission, the Florida Public Service  
1564 Commission will provide assistance in establishing the fee.  
1565 Further, for utilities and utility authorities that use the  
1566 additional line item environmental protection disposal fee, such  
1567 fee may ~~shall~~ not be considered a rate increase under the rules  
1568 of the Public Service Commission and shall be exempt from such  
1569 rules. Utilities using the provisions of this section may  
1570 immediately include in their sewer invoicing the new  
1571 environmental protection disposal fee. Proceeds from this  
1572 environmental protection disposal fee shall be used for  
1573 treatment and disposal of wastewater residuals, including any  
1574 treatment technology that helps reduce the volume of residuals  
1575 that require final disposal, but such proceeds may ~~shall~~ not be



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1576 used for transportation or shipment costs for disposal or any  
1577 costs relating to the land application of residuals in the Lake  
1578 Okeechobee watershed.

1579 c. No less frequently than once every 3 years, the Florida  
1580 Public Service Commission or the county commission through the  
1581 services of an independent auditor shall perform a financial  
1582 audit of all facilities receiving compensation from an  
1583 environmental protection disposal fee. The Florida Public  
1584 Service Commission or the county commission through the services  
1585 of an independent auditor shall also perform an audit of the  
1586 methodology used in establishing the environmental protection  
1587 disposal fee. The Florida Public Service Commission or the  
1588 county commission shall, within 120 days after completion of an  
1589 audit, file the audit report with the President of the Senate  
1590 and the Speaker of the House of Representatives and shall  
1591 provide copies to the county commissions of the counties set  
1592 forth in sub-subparagraph b. The books and records of any  
1593 facilities receiving compensation from an environmental  
1594 protection disposal fee shall be open to the Florida Public  
1595 Service Commission and the Auditor General for review upon  
1596 request.

1597 7. The Department of Health shall require all entities  
1598 disposing of septage within the Lake Okeechobee watershed to  
1599 develop and submit to that agency an agricultural use plan that  
1600 limits applications based upon phosphorus loading. ~~By July 1,~~





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1601 | ~~2005,~~ Phosphorus concentrations originating from these  
1602 | application sites may ~~shall~~ not exceed the limits established in  
1603 | the district's WOD program.

1604 |       8. The Department of Agriculture and Consumer Services  
1605 | shall initiate rulemaking requiring entities within the Lake  
1606 | Okeechobee watershed which land-apply animal manure to develop  
1607 | resource management system level conservation plans, according  
1608 | to United States Department of Agriculture criteria, which limit  
1609 | such application. Such rules may include criteria and thresholds  
1610 | for the requirement to develop a conservation or nutrient  
1611 | management plan, requirements for plan approval, and  
1612 | recordkeeping requirements.

1613 |       9. The district, the department, or the Department of  
1614 | Agriculture and Consumer Services, as appropriate, shall  
1615 | implement those alternative nutrient reduction technologies  
1616 | determined to be feasible pursuant to subparagraph (d)6.

1617 |       Section 35. Paragraph (e) of subsection (2) and paragraph  
1618 | (b) of subsection (26) of section 380.06, Florida Statutes, are  
1619 | amended to read:

1620 |       380.06 Developments of regional impact.—

1621 |       (2) STATEWIDE GUIDELINES AND STANDARDS.—

1622 |       (e) With respect to residential, hotel, motel, office, and  
1623 | retail developments, the applicable guidelines and standards  
1624 | shall be increased by 50 percent in urban central business  
1625 | districts and regional activity centers of jurisdictions whose



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1626 | local comprehensive plans are in compliance with part II of  
1627 | chapter 163. With respect to multiuse developments, the  
1628 | applicable individual use guidelines and standards for  
1629 | residential, hotel, motel, office, and retail developments and  
1630 | multiuse guidelines and standards shall be increased by 100  
1631 | percent in urban central business districts and regional  
1632 | activity centers of jurisdictions whose local comprehensive  
1633 | plans are in compliance with part II of chapter 163, if one land  
1634 | use of the multiuse development is residential and amounts to  
1635 | not less than 35 percent of the jurisdiction's applicable  
1636 | residential threshold. With respect to resort or convention  
1637 | hotel developments, the applicable guidelines and standards  
1638 | shall be increased by 150 percent in urban central business  
1639 | districts and regional activity centers of jurisdictions whose  
1640 | local comprehensive plans are in compliance with part II of  
1641 | chapter 163 and where the increase is specifically for a  
1642 | proposed resort or convention hotel located in a county with a  
1643 | population greater than 500,000 and the local government  
1644 | specifically designates that the proposed resort or convention  
1645 | hotel development will serve an existing convention center of  
1646 | more than 250,000 gross square feet built before ~~prior to~~ July  
1647 | 1, 1992. The applicable guidelines and standards shall be  
1648 | increased by 150 percent for development in any area designated  
1649 | by the Governor as a rural area of opportunity ~~critical economic~~  
1650 | ~~concern~~ pursuant to s. 288.0656 during the effectiveness of the



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1651 designation.

1652 (26) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.—

1653 (b) Upon receipt of written confirmation from the state  
1654 land planning agency that any required mitigation applicable to  
1655 completed development has occurred, an industrial development of  
1656 regional impact located within the coastal high-hazard area of a  
1657 rural area of opportunity ~~county of economic concern~~ which was  
1658 approved before ~~prior to~~ the adoption of the local government's  
1659 comprehensive plan required under s. 163.3167 and which plan's  
1660 future land use map and zoning designates the land use for the  
1661 development of regional impact as commercial may be unilaterally  
1662 abandoned without the need to proceed through the process  
1663 described in paragraph (a) if the developer or owner provides a  
1664 notice of abandonment to the local government and records such  
1665 notice with the applicable clerk of court. Abandonment shall be  
1666 deemed to have occurred upon the recording of the notice. All  
1667 development following abandonment shall be fully consistent with  
1668 the current comprehensive plan and applicable zoning.

1669 Section 36. Paragraph (g) of subsection (3) of section  
1670 380.0651, Florida Statutes, is amended to read:

1671 380.0651 Statewide guidelines and standards.—

1672 (3) The following statewide guidelines and standards shall  
1673 be applied in the manner described in s. 380.06(2) to determine  
1674 whether the following developments shall be required to undergo  
1675 development-of-regional-impact review:



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1676 (g) Residential development.—A ~~No~~ rule may not be adopted  
1677 concerning residential developments which treats a residential  
1678 development in one county as being located in a less populated  
1679 adjacent county unless more than 25 percent of the development  
1680 is located within 2 ~~or less~~ miles or less of the less populated  
1681 adjacent county. The residential thresholds of adjacent counties  
1682 with less population and a lower threshold are ~~shall not be~~  
1683 controlling on any development wholly located within areas  
1684 designated as rural areas of opportunity ~~critical economic~~  
1685 ~~concern~~.

1686 Section 37. Paragraph (b) of subsection (2) of section  
1687 985.686, Florida Statutes, is amended to read:

1688 985.686 Shared county and state responsibility for  
1689 juvenile detention.—

1690 (2) As used in this section, the term:

1691 (b) "Fiscally constrained county" means a county within a  
1692 rural area of opportunity ~~critical economic concern~~ as  
1693 designated by the Governor pursuant to s. 288.0656 or each  
1694 county for which the value of a mill will raise no more than \$5  
1695 million in revenue, based on the certified school taxable value  
1696 certified pursuant to s. 1011.62(4)(a)1.a., from the previous  
1697 July 1.

1698 Section 38. Subsection (2) of section 1011.76, Florida  
1699 Statutes, is amended to read:

1700 1011.76 Small School District Stabilization Program.—



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1701           (2) In order to participate in this program, a school  
1702 district must be located in a rural area of opportunity ~~critical~~  
1703 ~~economic concern~~ designated by the Executive Office of the  
1704 Governor, and the district school board must submit a resolution  
1705 to the Department of Economic Opportunity requesting  
1706 participation in the program. A rural area of opportunity  
1707 ~~critical economic concern~~ must be a rural community, or a region  
1708 composed of such, that has been adversely affected by an  
1709 extraordinary economic event or a natural disaster or that  
1710 presents a unique economic development concern or opportunity of  
1711 regional impact. The resolution must be accompanied by ~~with~~  
1712 documentation of the economic conditions in the community and  
1713 provide information indicating the negative impact of these  
1714 conditions on the school district's financial stability, and the  
1715 school district must participate in a best financial management  
1716 practices review to determine potential efficiencies that could  
1717 be implemented to reduce program costs in the district.

1718           Section 39. This act shall take effect July 1, 2014.