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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2018	.	
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The Committee on Transportation (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 339.28154, Florida Statutes, is created
to read:

339.28154 Small Business Road Construction Mitigation Grant
Program.—

(1) The Legislature finds that it is in the best interest
of the state to support small businesses that are negatively



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11 impacted by state road construction projects and to mitigate the
12 negative impacts on such businesses. While the benefit of road
13 construction and development by the state ultimately helps small
14 business growth, small businesses may experience, in the short
15 term, decreased revenue that may decrease economic activity,
16 state revenue, and employment.

17 (2) The department shall, subject to legislative
18 appropriation, create a Small Business Road Construction
19 Mitigation Grant Program to provide support for qualified
20 businesses that are impacted by state road construction
21 projects.

22 (3) As used in this section, the term:

23 (a) "Construction mitigation zone" means a geographic area
24 with a high concentration of qualified businesses which is
25 designated by the department as being impacted by a road
26 construction project of the department.

27 (b) "Qualified business" means an entity that:

- 28 1. Is engaged in a for-profit business enterprise;
29 2. Employs up to 40 full-time or part-time employees; and
30 3. Is located in a construction mitigation zone.

31 (4) (a) The department shall disburse grants to qualified
32 businesses for the purpose of maintaining the businesses during
33 a road construction project.

34 (b) The grant to each qualified business may not exceed the
35 decline in revenue demonstrated by the business or \$15,000 per
36 calendar year, whichever is less.

37 (c) A qualified business may apply to the department for a
38 grant only for a construction project lasting 90 days or more.
39 To be eligible for a grant, the qualified business must



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40 demonstrate in its application a significant decline in revenue,
41 including timelines connecting the project to such decline in
42 revenue, in a format and manner prescribed by the department.
43 The Department of Economic Opportunity shall, upon request and
44 at no cost to the applicant, assist an applicant in preparing
45 documentation to demonstrate such decline.

46 (5) The department shall prioritize the awarding of each
47 grant on a case-by-case basis using all of the following
48 criteria:

49 (a) Rate of decline in revenue.

50 (b) Duration of construction.

51 (c) Proximity to construction.

52 (d) Severity of traffic disruption.

53 (e) Lack of access to parking.

54 (f) Lack of access for pedestrian traffic.

55 (g) Any other criteria the department determines to be
56 relevant.

57 (6) Any grant received shall offset any damages awarded in
58 a civil action against the department relating to the road
59 construction project.

60 (7) On or before January 31, 2019, the department shall
61 submit a report to the President of the Senate and the Speaker
62 of the House of Representatives detailing best practices and
63 methods to reduce the negative impacts of road construction
64 projects on qualified businesses, including a list of
65 recommendations.

66 (8) By August 31, 2018, the department shall initiate
67 rulemaking to implement this section.

68 Section 2. This act shall take effect July 1, 2018.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to the Small Business Road
Construction Mitigation Grant Program; creating s.
339.28154, F.S.; providing legislative findings;
requiring the Department of Transportation to create a
Small Business Road Construction Mitigation Grant
Program; defining the terms "construction mitigation
zone" and "qualified business"; requiring the
department to disburse grants to qualified businesses
for the purpose of maintaining the businesses during a
road construction project; limiting the amount of each
grant; providing application and eligibility
requirements; requiring the Department of Economic
Opportunity to provide assistance under certain
circumstances; providing for prioritization of awards;
providing that any grant awarded offsets any civil
damages against the Department of Transportation;
requiring the Department of Transportation to submit a
certain report to the Legislature and initiate
rulemaking by specified dates; providing an effective
date.