

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	___	(Y/N)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

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1 Committee/Subcommittee hearing bill: Transportation &  
2 Infrastructure Subcommittee

3 Representative Duran offered the following:  
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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

9 339.28154 Small Business Road Construction Mitigation

10 Grant Program.—

11 (1) The Legislature finds that it is in the best interest  
12 of the state to support small businesses that are negatively  
13 impacted by state road construction projects and to mitigate the  
14 negative impacts on such businesses. While the benefit of road  
15 construction and development by the state ultimately helps small  
16 business growth, small businesses may experience, in the short

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17 term, decreased revenue that may decrease economic activity,  
18 state revenue, and employment.

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

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

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

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

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

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

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

38 (c) A qualified business may apply to the department for a  
39 grant only for a construction project lasting 90 days or more.  
40 To be eligible for a grant, the qualified business must  
41 demonstrate in its application a significant decline in revenue,

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

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

50 (a) Rate of decline in revenue.

51 (b) Duration of construction.

52 (c) Proximity to construction.

53 (d) Severity of traffic disruption.

54 (e) Lack of access to parking.

55 (f) Lack of access for pedestrian traffic.

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

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

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

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

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

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72                           **T I T L E   A M E N D M E N T**

73           Remove everything before the enacting clause and insert:  
74 An act relating to the Small Business Road Construction  
75 Mitigation Grant Program; creating s. 339.28154, F.S.; providing  
76 legislative findings; requiring the Department of Transportation  
77 to create a Small Business Road Construction Mitigation Grant  
78 Program; defining the terms "construction mitigation zone" and  
79 "qualified business"; requiring the department to disburse  
80 grants to qualified businesses for the purpose of maintaining  
81 the businesses during a construction project of the department;  
82 limiting the amount of each grant; providing application and  
83 eligibility requirements; requiring the Department of Economic  
84 Opportunity to provide assistance under certain circumstances;  
85 providing for prioritization of awards; providing that any grant  
86 awarded offsets any civil damages against the department;  
87 requiring the Department of Transportation to report to the  
88 Legislature and initiate rulemaking by specified dates;  
89 providing an effective date.