

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to the Small Business Road
3 Construction Mitigation Grant Program; creating s.
4 339.28154, F.S.; providing legislative findings;
5 requiring the Department of Transportation to create a
6 Small Business Road Construction Mitigation Grant
7 Program; defining the terms "construction mitigation
8 zone" and "qualified business"; requiring the
9 department to disburse grants to qualified businesses
10 for the purpose of maintaining the businesses during a
11 road construction project; limiting the amount of each
12 grant; providing application and eligibility
13 requirements; requiring the Department of Economic
14 Opportunity to provide assistance under certain
15 circumstances; providing for prioritization of awards;
16 providing that any grant awarded offsets certain civil
17 damages against the Department of Transportation;
18 requiring the Department of Transportation to submit a
19 certain report to the Legislature and initiate
20 rulemaking by specified dates; providing an effective
21 date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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

27 339.28154 Small Business Road Construction Mitigation Grant
28 Program.—

29 (1) The Legislature finds that it is in the best interest

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30 of the state to support small businesses that are negatively
31 impacted by state road construction projects and to mitigate the
32 negative impacts of such construction on those businesses. While
33 the benefit of road construction and development by the state
34 ultimately promotes small business growth, in the short term,
35 small businesses may experience decreased revenue that may
36 decrease economic activity, state revenue, and employment.

37 (2) The department shall create, subject to legislative
38 appropriation, a Small Business Road Construction Mitigation
39 Grant Program to provide financial support for qualified
40 businesses that are impacted by state road construction
41 projects.

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

43 (a) "Construction mitigation zone" means a geographic area
44 with a high concentration of qualified businesses which is
45 designated by the department as being impacted by a department
46 road construction project.

47 (b) "Qualified business" means an entity located in a
48 construction mitigation zone which is engaged in a for-profit
49 business enterprise and employs up to 40 full-time or part-time
50 employees.

51 (4) (a) The department shall disburse grants to qualified
52 businesses for the purpose of maintaining the businesses during
53 a road construction project.

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

57 (c) A qualified business may apply to the department for a
58 grant only for a construction project lasting 90 days or more.

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59 To be eligible for a grant, the qualified business must
60 demonstrate in its application a significant decline in revenue,
61 including timelines connecting the project to such decline in
62 revenue, in a format and manner prescribed by the department.
63 The Department of Economic Opportunity shall, upon request and
64 at no cost to the applicant, assist an applicant in preparing
65 documentation to demonstrate such decline.

66 (5) The department shall prioritize the awarding of each
67 grant on a case-by-case basis using all of the following
68 criteria:

69 (a) Rate of decline in revenue.

70 (b) Duration of construction.

71 (c) Proximity to construction.

72 (d) Severity of traffic disruption during construction.

73 (e) Lack of access to parking during construction.

74 (f) Lack of access for pedestrian traffic during
75 construction.

76 (g) Any other criteria the department determines to be
77 relevant.

78 (6) If damages are awarded to a qualified business in a
79 civil action against the department relating to a road
80 construction project, any grant received must be applied to
81 offset those damages.

82 (7) On or before January 31, 2020, the department shall
83 submit a report to the President of the Senate and the Speaker
84 of the House of Representatives detailing best practices and
85 methods to reduce the negative impacts of state road
86 construction projects on qualified businesses, including a list
87 of recommendations.

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88 (8) By August 31, 2019, the department shall initiate
89 rulemaking to implement this section.

90 Section 2. This act shall take effect July 1, 2019.