

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 of the department; limiting  
 12          the amount of each grant; providing application and  
 13          eligibility requirements; requiring the Department of  
 14          Economic Opportunity to provide assistance under  
 15          certain circumstances; providing for prioritization of  
 16          awards; providing that any grant awarded offsets any  
 17          civil damages against the Department of  
 18          Transportation; requiring the department to report to  
 19          the Legislature and initiate rulemaking by specified  
 20          dates; providing an effective date.

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

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

26 339.28154 Small Business Road Construction Mitigation  
 27 Grant Program.—

28 (1) The Legislature finds that it is in the best interest  
 29 of the state to support small businesses that are negatively  
 30 impacted by state road construction projects and to mitigate the  
 31 negative impacts on such businesses. While the benefit of road  
 32 construction and development by the state ultimately helps small  
 33 business growth, small businesses may experience, in the short  
 34 term, decreased revenue that may decrease economic activity,  
 35 state revenue, and employment.

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

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

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

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

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

50 (4) (a) The department shall disburse grants to qualified

51 businesses for the purpose of maintaining the businesses during  
52 the road construction project.

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

56 (c) A qualified business may apply to the department for a  
57 grant only for a road construction project lasting 90 days or  
58 more. To be eligible for a grant, the qualified business must  
59 demonstrate in its application a significant decline in revenue,  
60 including timelines connecting the project to such decline in  
61 revenue, in a format and manner prescribed by the department.  
62 The Department of Economic Opportunity shall, upon request and  
63 at no cost to the applicant, assist an applicant in preparing  
64 documentation to demonstrate such decline.

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

68 (a) Rate of decline in revenue.

69 (b) Duration of construction.

70 (c) Proximity to construction.

71 (d) Severity of traffic disruption.

72 (e) Lack of access to parking.

73 (f) Lack of access for pedestrian traffic.

74 (g) Any other criteria the department determines to be  
75 relevant.

HB 61

2019

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

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

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

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