

1 A bill to be entitled
 2 An act relating to infrastructure project funding;
 3 creating s. 216.3492, F.S.; providing definitions;
 4 prohibiting an administering agency from disbursing
 5 funds from any category of the General Appropriations
 6 Act for infrastructure projects under certain
 7 conditions; requiring a grantee to use the revenues
 8 for infrastructure projects for certain activities;
 9 amending s. 373.501, F.S.; prohibiting water
 10 management districts from disbursing funds to grantees
 11 for water-related projects unless certain conditions
 12 are met; prohibiting potential grantees from seeking
 13 funds for water-related projects under certain
 14 conditions; amending s. 403.885, F.S.; prohibiting
 15 certain entities from applying for water project
 16 grant funding; prohibiting applicants from seeking
 17 water project grant funding under certain conditions;
 18 providing an effective date.

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

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 22 Section 1. Section 216.3492, Florida Statutes, is created
 23 to read:

24 216.3492 Limitation on disbursements to certain local
 25 governments and special districts for infrastructure projects.-

- 26 (1) As used in this section, the term:
- 27 (a) "Administering agency" means the governmental agency
 28 or entity charged in any category of the General Appropriations
 29 Act with administering or disbursing an appropriation.
- 30 (b) "General governmental functions" means all the
 31 services, other than provision of utility services, provided by
 32 a grantee. However, for the purposes of this section, the term
 33 does not include administrative and support services provided by
 34 the grantee to a government-owned utility under an approved cost
 35 allocation plan.
- 36 (c) "Government-owned utility" means any electric, water,
 37 stormwater, or wastewater utility system owned by a
 38 municipality, a county, a rural electric cooperative, or a
 39 special district created to own and operate a government-owned
 40 utility.
- 41 (d) "Grantee" means a county, a municipality, a rural
 42 electric cooperative, or a special district created to own and
 43 operate a government-owned utility, which applies for funds
 44 appropriated by the Legislature in the General Appropriations
 45 Act.
- 46 (e) "Infrastructure project" means a project related to
 47 coastal resiliency, flood control, stormwater management,
 48 wastewater management, water supply, or power generation,
 49 including the construction, renovation, maintenance, operations
 50 or repair of building or facility, fixtures and equipment.

51 (2) An administering agency may not disburse funds from
52 any category of the General Appropriations Act related to
53 infrastructure projects to a grantee if the grantee uses any
54 revenues collected in providing utility services to finance the
55 grantee's general governmental functions or to lend money to
56 finance the grantee's general governmental functions. To be
57 eligible for a disbursement of an appropriation or a grant by an
58 administering agency, the grantee must use the revenues of the
59 government-owned utility exclusively for construction,
60 operations, maintenance, and administrative costs directly
61 associated with providing utility services to its customers.

62 Section 2. Subsection (3) is added to section 373.501,
63 Florida Statutes, to read:

64 373.501 Appropriation of funds to water management
65 districts; appropriation of funds from water management
66 districts.—

67 (3) A water management district may not appropriate or
68 disburse funds to a grantee from any source for any water-
69 related project, including, but not limited to, a coastal
70 resiliency, flood control, stormwater management, wastewater
71 management, or water supply project, if the recipient uses
72 revenues it collects in providing utility services to finance
73 the grantee's general governmental functions or to lend money to
74 finance the grantee's general governmental functions, as defined
75 in s. 216.3492(1)(b). A potential grantee may not seek funds if

76 any of the revenues it collects in providing utility services
 77 are transferred to another fund to finance the grantee's general
 78 governmental functions or if the revenues collected are used to
 79 provide loans to finance its general governmental functions. For
 80 purposes of this subsection, the term "grantee" means a county
 81 or municipality that provides water, stormwater, or wastewater
 82 services, or a special district created to own and operate a
 83 utility that provides water, stormwater, or wastewater services.

84 Section 3. Subsection (1) of section 403.885, Florida
 85 Statutes, is amended to read:

86 403.885 Water Projects Grant Program.—

87 (1) The Department of Environmental Protection shall
 88 administer a grant program to use funds appropriated by the
 89 Legislature for water quality improvement, stormwater
 90 management, wastewater management, and water restoration and
 91 other water projects as specifically appropriated by the
 92 Legislature. Eligible recipients of such grants include
 93 counties, municipalities, water management districts, and
 94 special districts that have legal responsibilities for water
 95 quality improvement, water management, stormwater management,
 96 wastewater management, lake and river water restoration
 97 projects, and drinking water projects pursuant to this section.
 98 To be eligible for grant funding, a recipient of grant funds
 99 must verify to the department that it will use the revenues
 100 received exclusively for construction, operations, maintenance

HB 621

2022

101 or administrative costs directly associated with providing
102 utility services to its customers. A recipient may not apply for
103 grant funding if any of the revenues it collects from providing
104 utility services are transferred to any other fund to finance
105 the recipient's general governmental functions, as defined in s.
106 216.3492(1)(b), or if the revenues collected are used to lend
107 funds to finance the recipient's general governmental functions.

108 Section 4. This act shall take effect July 1, 2022.