

Amendment No. 7

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WITHDRAWN	_____	(Y/N)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: Ways & Means Committee  
 2 Representative Valdes offered the following:

**Amendment**

5 Remove everything after the enacting clause and insert:  
 6 Section 1. Subsection (22) of section 161.101, Florida  
 7 Statutes, is amended to read:

8 161.101 State and local participation in authorized  
 9 projects and studies relating to beach management and erosion  
 10 control.—

11 (22) Notwithstanding subsections (1), (15), and (16), and  
 12 for the 2022-2023 ~~2021-2022~~ fiscal year, for in the event that  
 13 ~~beaches are~~ impacted by hurricanes after January 1, 2012 ~~or~~  
 14 ~~other storm events within communities with a per capita annual~~  
 15 ~~income that is less than the state's per capita annual income as~~  
 16 ~~shown in the most recent release from the United States Census~~

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17 ~~Bureau of the United States Department of Commerce which~~  
18 ~~includes both measurements,~~ the department may waive or reduce  
19 the match requirements for local governments. This subsection  
20 expires July 1, 2023 ~~2022~~.

21 Section 2. Paragraph (b) of subsection (1) of section  
22 194.032, Florida Statutes, is amended to read:

23 194.032 Hearing purposes; timetable.—

24 (1)

25 (b) Notwithstanding the provisions of paragraph (a), the  
26 value adjustment board may meet prior to the approval of the  
27 assessment rolls by the Department of Revenue, but not earlier  
28 than July 1, to hear appeals pertaining to the denial by the  
29 property appraiser of exemptions, tax abatements under s.  
30 197.3195, tax refunds under ss. 197.3181 and 197.319 ~~s. 197.319~~,  
31 agricultural and high-water recharge classifications,  
32 classifications as historic property used for commercial or  
33 certain nonprofit purposes, and deferrals under subparagraphs  
34 (a)2., 3., and 4. In such event, however, the board may not  
35 certify any assessments under s. 193.122 until the Department of  
36 Revenue has approved the assessments in accordance with s.  
37 193.1142 and all hearings have been held with respect to the  
38 particular parcel under appeal.

39 Section 3. Section 197.3181, Florida Statutes, is created  
40 to read:

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41 197.3181 Refund of taxes for residential improvements  
42 rendered uninhabitable by hurricanes.-

43 (1) As used in this section, the term:

44 (a) "Damage differential" means the product arrived at by  
45 multiplying the percent change in value by a ratio, the  
46 numerator of which is the number of days the residential  
47 improvement was rendered uninhabitable in 2022, and the  
48 denominator of which is 365.

49 (b) "Disaster relief refund" means the product arrived at  
50 by multiplying the damage differential by the amount of timely  
51 paid taxes initially levied in 2022.

52 (c) "Percent change in value" means the difference between  
53 the just value of a residential parcel as of January 1, 2022,  
54 and its postdisaster just value, expressed as a percentage of  
55 the just value of the parcel as of January 1, 2022.

56 (d) "Postdisaster just value" means the just value of the  
57 residential parcel on January 1, 2022, adjusted by subtracting  
58 the just value of the residential improvement on January 1,  
59 2022.

60 (e) "Residential improvement" means a residential dwelling  
61 or house on real estate used and owned as a homestead as defined  
62 in s. 196.012(13) or used as nonhomestead residential property  
63 as defined in s. 193.1554(1). A residential improvement does not  
64 include a structure that is not essential to the use and  
65 occupancy of the residential dwelling or house, including, but

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66 not limited to, a detached utility building, detached carport,  
67 detached garage, bulkhead, fence, or swimming pool, and does not  
68 include land.

69 (f) "Uninhabitable" means the loss of use and occupancy of  
70 a residential improvement for the purpose for which it was  
71 constructed resulting from damage to or destruction of, or from  
72 a condition that compromises the structural integrity of, the  
73 residential improvement which was caused by a hurricane after  
74 January 1, 2012.

75 (2) If a residential improvement is rendered uninhabitable  
76 for at least 30 days, taxes originally levied and paid for 2022  
77 may be refunded in the following manner:

78 (a) The property owner must file an application for refund  
79 with the property appraiser on a form prescribed by the  
80 department and furnished by the property appraiser, no sooner  
81 than January 1, 2023, and no later than April 1, 2023. The  
82 property appraiser may allow applications to be filed  
83 electronically.

84 (b) The application for refund must identify the  
85 residential parcel upon which the residential improvement was  
86 rendered uninhabitable and the number of days that the  
87 residential improvement was uninhabitable during 2022. For  
88 purposes of determining uninhabitability, the application must  
89 be accompanied by supporting documentation, including, but not  
90 limited to, utility bills, insurance information, contractors'

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91 statements, building permit applications, or building inspection  
92 certificates of occupancy.

93 (c) The application for refund must be verified under oath  
94 and is subject to penalty of perjury.

95 (d) The property appraiser shall review the application  
96 and determine if the applicant is entitled to a refund of taxes.  
97 No later than June 1, 2023, the property appraiser must:

98 1. Notify the applicant if the property appraiser  
99 determines that the applicant is not entitled to receive a  
100 refund. If the property appraiser determines that the applicant  
101 is not entitled to a refund, the applicant may file a petition  
102 with the value adjustment board, pursuant to s. 194.011(3),  
103 requesting that the refund be granted. The petition must be  
104 filed with the value adjustment board on or before the 30th day  
105 following the issuance of the notice by the property appraiser.

106 2. Issue an official written statement to the tax  
107 collector and the applicant if the property appraiser determines  
108 that the applicant is entitled to a refund. The statement must  
109 provide:

110 a. The just value of the residential improvement as  
111 determined by the property appraiser on January 1, 2022.

112 b. The number of days during 2022 that the residential  
113 improvement was uninhabitable.

114 c. The postdisaster just value of the residential parcel  
115 as determined by the property appraiser.

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116 d. The percent change in value applicable to the  
117 residential parcel.

118 (3) Upon receipt of the written statement from the  
119 property appraiser, the tax collector shall calculate the damage  
120 differential pursuant to this section.

121 (a) If the property taxes for 2022 have been paid, the tax  
122 collector must process a refund in an amount equal to the  
123 disaster relief refund.

124 (b) If, at the time of receipt of the written statement  
125 from the property appraiser under this subsection, the property  
126 taxes have not yet been paid pursuant to s. 197.3182, the tax  
127 collector must process a refund in an amount equal to the  
128 disaster relief refund upon receipt of timely payment of the  
129 property taxes for 2022 in accordance with s. 197.3182.

130 (4) A property owner who fails to file an application by  
131 April 1, 2023, waives a claim for a refund of taxes under this  
132 section.

133 (5) By September 1, 2023, the tax collector shall notify:

134 (a) The department of the total reduction in taxes for all  
135 properties that qualified for a refund pursuant to this section.

136 (b) The governing board of each affected local government  
137 of the reduction in such local government's taxes which occurred  
138 pursuant to this section.

139 (6) For purposes of this section, a residential  
140 improvement that is uninhabitable has no value.

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141 (7) The disaster relief refund is determined only for  
142 purposes of calculating tax refunds for 2022 under this section  
143 and does not determine a parcel's just value as of January 1,  
144 2023, or any subsequent year.

145 (8) This section does not affect the requirements of s.  
146 197.333.

147 (9) This section applies retroactively to January 1, 2022,  
148 and expires January 1, 2024.

149 Section 4. Section 197.3182, Florida Statutes, is created  
150 to read:

151 197.3182 Tax deadlines for real property destroyed or  
152 rendered uninhabitable by a hurricane.—

153 (1) Notwithstanding any other law, for ad valorem taxes  
154 and non-ad valorem assessments levied in 2022, for all real  
155 property that has been completely destroyed or otherwise  
156 rendered uninhabitable due to damage or destruction caused by a  
157 hurricane after January 1, 2012:

158 (a) The deadlines set forth in s. 197.333 are suspended  
159 and extended as follows:

160 1. Ad valorem taxes and non-ad valorem assessments levied  
161 in 2022, shall be due and payable on January 1, 2023.

162 2. Ad valorem taxes and non-ad valorem assessments shall  
163 become delinquent on June 1, 2023.

164 3. All dates or time periods and their associated  
165 provisions relative to the collection of, or administrative

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166 procedures regarding, delinquent taxes and non-ad valorem  
167 assessments, including, but not limited to, the sale of tax  
168 certificates, are extended based on the June 1, 2023,  
169 delinquency date, in accordance with s. 197.333.

170 (b) The deadlines set forth in s. 197.162 governing  
171 discounts for payments of all taxes assessed on the county tax  
172 rolls and collected by the county tax collector before the  
173 delinquency date are extended as follows:

174 1. Four percent in November 2022, December 2022, and  
175 January 2023.

176 2. Three percent in February 2023.

177 3. Two percent in March 2023.

178 4. One percent in April 2023.

179 5. Zero percent in May 2023.

180 (c) The deadlines set forth in s. 197.222(1)(c) and (d)  
181 governing ad valorem taxes prepaid in installments and the  
182 discounts applied to those payments are suspended and extended  
183 for 60 days.

184 (2) This section operates retroactively to January 1,  
185 2022, and expires January 1, 2024.

186 Section 5. Paragraph (c) is added to subsection (5) of  
187 section 252.37, Florida Statutes, to read:

188 252.37 Financing.—

189 (5) Unless otherwise specified in the General  
190 Appropriations Act:



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191 (c) Subject to appropriation, and notwithstanding  
192 paragraph (a), the Legislature intends to provide the entire  
193 match requirement for Public Assistance Program grants to local  
194 governments within a county designated in the Federal Emergency  
195 Management Agency disaster declarations for any hurricane after  
196 January 1, 2012. Local governments named in such Federal  
197 Emergency Management Agency disaster declarations must enter  
198 into agreements with the division to have their portions of the  
199 match requirements waived and must agree to use an equal amount  
200 of funds toward further disaster recovery or mitigation. Funds  
201 shall be allocated on a first-come, first-served basis.  
202 Notwithstanding paragraph (a), a local government in an  
203 agreement with the division under this paragraph is not required  
204 to provide one-half of the required match prior to receipt of  
205 Public Assistance Program financial assistance. The division  
206 shall report quarterly to the Executive Office of the Governor  
207 and the chair of each legislative appropriations committee on  
208 the amount of match requirements waived, agreements entered into  
209 with local governments, and the amount of remaining appropriated  
210 funds. This paragraph expires June 30, 2027.

211 Section 6. Section 252.71, Florida Statutes, is created to  
212 read:

213 252.71 Florida Emergency Management Assistance  
214 Foundation.—

215 (1) As used in this section, the term:

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216 (a) "Foundation" means the Florida Emergency Management  
217 Assistance Foundation for the division.

218 (b) "Personal services" includes full-time or part-time  
219 personnel of the division.

220 (2) The foundation is hereby created as a direct-support  
221 organization of the division to provide assistance, funding, and  
222 support to the division in its disaster response, recovery, and  
223 relief efforts for natural emergencies.

224 (a) The foundation must be an organization that is a  
225 Florida nonprofit corporation incorporated under chapter 617,  
226 approved by the Department of State, and recognized under s.  
227 501(c)(3) of the Internal Revenue Code. The foundation is exempt  
228 from paying fees under s. 617.0122.

229 (b) The foundation is organized and operated exclusively  
230 to obtain funds; request and receive grants, gifts, and bequests  
231 of moneys or other items; acquire, receive, hold, invest, and  
232 administer in its own name securities, funds, or property; and  
233 make expenditures to or for the direct or indirect benefit of  
234 the division, political subdivisions of this state, and  
235 individuals adversely impacted by a natural emergency occurring  
236 within this state.

237 (c) The division must determine that the foundation is  
238 operating in a manner consistent with the goals of the division  
239 and in the best interest of the state.

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240       (3) The foundation shall be governed by a board of  
241 directors.

242       (a) The board of directors shall consist of five members  
243 appointed by the director of the division. A majority of the  
244 members must be knowledgeable about emergency management  
245 activities and programs. The importance of geographic  
246 representation shall be considered in appointing members.  
247 Members must be residents of this state at the time of  
248 appointment and throughout their terms.

249       (b) The term of office of the appointed members of the  
250 board of directors shall be 3 years, except that the initial  
251 terms of appointment shall be two members for 1 year, two  
252 members for 2 years, and one member for 3 years. A member may be  
253 reappointed when his or her term expires and may continue to  
254 serve in such capacity upon expiration of his or her term until  
255 an appointment is made to fill the vacancy. However, a member  
256 may not serve more than two consecutive terms.

257       (c) Upon a finding based on a majority vote of the board  
258 of directors, the director of the division may remove any member  
259 of the board for cause.

260       (d) Any vacancy that occurs shall be filled in the same  
261 manner as the original appointment for the unexpired term of  
262 that seat.

263       (e) Members of the board of directors shall serve without  
264 compensation, but are entitled to receive reimbursement for per

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265 diem and travel expenses in accordance with s. 112.061, and  
266 shall be paid from funds managed by the foundation.

267 (f) Moneys of the foundation must be held in a separate  
268 depository account in the name of the foundation, subject to the  
269 provisions of the contract with the division, and shall be used  
270 in a manner consistent with the goals of the foundation.

271 (4) The foundation shall operate under a written contract  
272 with the division. The written contract must, at a minimum,  
273 provide for:

274 (a) Approval of the articles of incorporation and bylaws  
275 of the foundation by the director of the division.

276 (b) Certification by the division that the foundation is  
277 complying with the terms of the contract and is doing so  
278 consistent with the goals and purposes of the division and in  
279 the best interests of the state. The division must make this  
280 certification annually and it must be reported in the official  
281 minutes of a meeting of the foundation.

282 (c) Reversion of moneys and property held by the  
283 foundation to the:

284 1. Division if the foundation is no longer approved to  
285 operate by the division;

286 2. Division if the foundation fails to maintain its tax-  
287 exempt status pursuant to s. 501(c)(3) of the Internal Revenue  
288 Code;

289 3. Division if the foundation ceases to exist; or

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- 290       4. State if the division ceases to exist.
- 291       (d) Prominent disclosure of the distinction between the  
292 division and the foundation to donors, including such disclosure  
293 in all promotional and fundraising publications or activities.
- 294       (e) Approval by the board of directors of an annual  
295 operating budget for the foundation.
- 296       (f) Adoption of an ethics code as required by s. 112.3251.
- 297       (5) The division may permit the use of its property,  
298 facilities, and personal services by the foundation and shall  
299 set forth any requirements or conditions on such use in the  
300 contract between the division and the foundation, including  
301 provisions governing the use of such property, facilities, and  
302 personal services during a declared state of emergency for a  
303 natural emergency. However, the division may not permit the use  
304 of such property, facilities, or personal services by the  
305 foundation if it does not provide equal employment opportunities  
306 to all persons regardless of race, color, national origin,  
307 gender, age, or religion.
- 308       (6)(a) The fiscal year of the foundation shall begin on  
309 July 1 of each year and end on June 30 of the following year.
- 310       (b) By August 1 of each year, the foundation shall submit  
311 to the division its federal Internal Revenue Service Application  
312 for Recognition of Exemption form (Form 1023) and federal  
313 Internal Revenue Service Return of Organization Exempt from  
314 Income Tax form (Form 990).

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315 (c) By September 30 of each year, the foundation shall  
316 submit the budget and a report of contributions and expenditures  
317 to the division in a manner prescribed by the division.

318 (7) The foundation shall provide for an annual financial  
319 audit in accordance with s. 215.981.

320 (8) This section is repealed December 31, 2024, unless  
321 reviewed and saved from repeal by the Legislature.

322 Section 7. The Department of Revenue may, and all  
323 conditions are deemed met to, adopt emergency rules pursuant to  
324 s. 120.54(4), Florida Statutes, to administer the creation of  
325 ss. 197.3181 and 197.3182, Florida Statutes, and the amendment  
326 made to s. 194.032, Florida Statutes, by this act.

327 Notwithstanding any other law, emergency rules adopted pursuant  
328 to this section are effective for 6 months after adoption and  
329 may be renewed during the pendency of procedures to adopt  
330 permanent rules addressing the subject of the emergency rules.  
331 This section expires July 1, 2024.

332 Section 8. For the 2022-2023 fiscal year, the nonrecurring  
333 sum of \$350,000,000 from the General Revenue Fund is  
334 appropriated to the Division of Emergency Management within the  
335 Executive Office of the Governor to provide the match  
336 requirement for Public Assistance Program grants pursuant to s.  
337 252.37(5)(c), Florida Statutes, as created by this act.  
338 Appropriated funds may only be used to meet federal match  
339 requirements as provided in s. 252.37(5)(c), Florida Statutes,

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340 as created by this act. Notwithstanding s. 216.301, Florida  
341 Statutes, and pursuant to s. 216.351, Florida Statutes, the  
342 balance of this appropriation which is not disbursed by June 30,  
343 2023, may be carried forward for up to 5 years after the  
344 effective date of this act.

345 Section 9. For the 2022-2023 fiscal year, the nonrecurring  
346 sum of \$150,000,000 from the General Revenue Fund is  
347 appropriated in the Affordable Housing for Hurricane Recovery  
348 appropriation category to the Florida Housing Finance  
349 Corporation.

350 (1) From these funds, \$60,000,000 shall be used to fund  
351 the Hurricane Housing Recovery Program for eligible counties and  
352 municipalities based on Federal Emergency Management Agency  
353 damage assessment data for a hurricane after January 1, 2012,  
354 and population. Hurricane recovery purposes may include, but are  
355 not limited to, repair and replacement of housing; repair,  
356 replacement, and relocation assistance for manufactured homes;  
357 acquisition of building materials for home repair and  
358 construction; or housing reentry assistance, such as security  
359 deposits, utility deposits, and temporary storage of household  
360 furnishings. Of this amount for the Hurricane Housing Recovery  
361 Program, up to \$25,000,000 may be used to provide assistance to  
362 homeowners to pay insurance deductibles.

363 (2) From these funds, \$90,000,000 shall be used to fund  
364 the Rental Recovery Loan Program for eligible counties and

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365 municipalities based on Federal Emergency Management Agency  
366 damage assessment data for any hurricane after January 1, 2012,  
367 and population.

368 (3) The Florida Housing Finance Corporation shall  
369 coordinate with the Executive Office of the Governor's Division  
370 of Emergency Management and the Department of Economic  
371 Opportunity to prevent duplication of benefits related to other  
372 state or federal programs for recipients of funds appropriated  
373 under this section.

374 Section 10. Hurricane Restoration Reimbursement Grant  
375 Program.—

376 (1) There is hereby created within the Department of  
377 Environmental Protection the Hurricane Restoration Reimbursement  
378 Grant Program for the purpose of providing financial assistance  
379 to mitigate coastal beach erosion for coastal homeowners whose  
380 property was significantly impacted by a hurricane after January  
381 1, 2012.

382 (2) The department may provide grants to property owners  
383 to mitigate for coastal beach erosion caused by a hurricane  
384 after January 1, 2012. Grant funding may only be used to  
385 reimburse a property owner for construction costs:

386 (a) Related to sand placement and temporary or permanent  
387 coastal armoring construction projects to mitigate coastal beach  
388 erosion and may not be used for the repair of residential  
389 structures.

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390 (b) Incurred as a result of preparation for or damage  
391 sustained from a hurricane after January 1, 2012.

392 (c) Related to a project that has been permitted, is  
393 exempt from permitting requirements, or is otherwise authorized  
394 by law.

395 (3) Financial assistance grants may only be provided to  
396 mitigate damage to property that is a:

397 (a) Residential property that meets the following  
398 requirements:

399 1. The parcel must be a single-family, site-built,  
400 residential property; and

401 2. The homeowner must have been granted a homestead  
402 exemption on the home under chapter 196, Florida Statutes;

403 (b) Residential condominium, as defined in chapter 718,  
404 Florida Statutes; or

405 (c) Cooperative, as defined in chapter 719, Florida  
406 Statutes.

407 (4) (a) The department shall cost-share with \$1 provided by  
408 the property owner for every \$1 provided by the state with a  
409 maximum of \$150,000 in state funding toward the actual cost of  
410 an eligible project. The department shall prioritize applicants  
411 who are low-income or moderate-income persons, as defined in s.  
412 420.0004, Florida Statutes. Grants will be awarded to property  
413 owners for eligible projects following the receipt of a

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414 completed application on a first-come, first-served basis until  
415 funding is exhausted.

416 1. Applications may be submitted beginning February 1,  
417 2023.

418 2. Applicants must include evidence that the project meets  
419 the criteria in subsections (2) and (3).

420 (b) If the department determines that an application meets  
421 the requirements of this section, the department shall enter  
422 into a cost-share grant agreement with the applicant consistent  
423 with this section.

424 (c) The department shall disburse grant funds on a  
425 reimbursement basis. In order to receive reimbursement, property  
426 owners must submit, at a minimum:

427 1. If applicable, the permit issued under chapter 161,  
428 Florida Statutes, or applicable statute, and evidence that the  
429 project complies with all permitting requirements.

430 2. All invoices and payment receipts for eligible  
431 projects.

432 3. If applicable, documentation that the eligible project  
433 was completed by a licensed professional or contractor.

434 (5) No later than January 31, 2023, the department shall  
435 adopt emergency rules prescribing the procedures,  
436 administration, and criteria for approving the applications for  
437 the Hurricane Restoration Reimbursement Grant Program. The  
438 department is authorized, and all conditions are deemed met, to

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439 adopt emergency rules under ss. 120.536(1) and 120.54(4),  
440 Florida Statutes, to implement this section. The Legislature  
441 finds that such emergency rulemaking authority is necessary to  
442 address critical shoreline erosion which may result in the loss  
443 of property by homeowners in those areas of the state that  
444 sustained damage due to a hurricane. Such rules shall remain  
445 effective for 6 months after the date of adoption.

446 (6) This section expires July 1, 2023.

447 Section 11. Hurricane Stormwater and Wastewater Assistance  
448 Grant Program.—

449 (1) There is hereby created within the Department of  
450 Environmental Protection the Hurricane Stormwater and Wastewater  
451 Assistance Grant Program for the purpose of providing financial  
452 assistance to local governments impacted by a hurricane after  
453 January 1, 2012.

454 (2) The department shall administer the Hurricane  
455 Stormwater and Wastewater Assistance Grant Program to remediate  
456 damage to stormwater and wastewater systems resulting from a  
457 hurricane after January 1, 2012.

458 (3) Eligible recipients of such grants include counties,  
459 municipalities, and special taxing districts that operate a  
460 stormwater or wastewater management system.

461 (4) All information pertaining to the grant application  
462 process must be provided on the department's website no later  
463 than February 1, 2023.

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464       (5) No later than January 31, 2023, the department must  
465 adopt emergency rules prescribing the procedure and application  
466 for the Hurricane Stormwater and Wastewater Assistance Grant  
467 Program. All conditions are deemed met to adopt such emergency  
468 rules under ss. 120.536(1) and 120.54(4), Florida Statutes, to  
469 implement this section. Such rules shall remain effective for 6  
470 months after the date of adoption.

471       (6) Grant applications must be submitted to the department  
472 on or before March 31, 2023.

473       (7) To be eligible for the program, the applicant must  
474 provide proof that:

475           (a) The applicant's stormwater or wastewater systems  
476 sustained damages as a result of a hurricane after January 1,  
477 2012.

478           (b) The damage to the stormwater or wastewater system  
479 poses an immediate threat to the public health or the  
480 environment if not immediately addressed.

481       (8) Grants may not exceed \$10 million per project.

482       (9) Grants must be awarded by May 1, 2023.

483       (10) This section expires July 1, 2023.

484       Section 12. For the 2022-2023 fiscal year, the sum of  
485 \$251.5 million in nonrecurring funds is appropriated from the  
486 General Revenue Fund to the Department of Environmental  
487 Protection as follows: \$250 million as Fixed Capital Outlay for  
488 damages related to a hurricane after January 1, 2012, including

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489 \$100 million for beach erosion projects as identified in s.  
490 161.101(22), Florida Statutes; \$50 million for the Hurricane  
491 Restoration Reimbursement Grant Program; \$100 million for the  
492 Hurricane Stormwater and Wastewater Assistance Grant Program;  
493 and \$1.5 million as administrative costs for the department to  
494 implement this section.

495 Section 13. This act shall take effect upon becoming a  
496 law.