

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/CS/HB 1209 Economic Development

SPONSOR(S): Commerce Committee, Ways & Means Committee, Regulatory Reform & Economic Development Subcommittee, Shoaf and others

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Regulatory Reform & Economic Development Subcommittee	15 Y, 0 N, As CS	Walsh	Anstead
2) Ways & Means Committee	22 Y, 0 N, As CS	Berg	Aldridge
3) Commerce Committee	17 Y, 0 N, As CS	Walsh	Hamon

SUMMARY ANALYSIS

Related to agreements funded with federal or state assistance, the bill requires an agency agreement that provides state of federal financial assistance to a recipient or subrecipient to include a provision allowing the agency to pay to the county or municipality for verified and eligible performance.

Related to the Regional Rural Development Grants Program, the bill:

- Removes the match requirements.
- Removes the requirement for local governments and private businesses to make financial or in-kind commitments to the regional organization.

Related to the Rural Infrastructure Fund, the bill:

- Allows DEO to award grants for up to 75 percent of the total infrastructure project cost.
- Allows DEO to award grants for up to 100 percent of the total infrastructure project cost for a project located in a rural community or a rural area of opportunity, if the county is also fiscally constrained.
- Removes the requirement related to infrastructure feasibility studies and other infrastructure planning activities that grants awarded be limited to 30 percent of the total project cost.

Related to the Florida Development Finance Corporation, the bill:

- Removes the repeal of the corporation in current law.
- Provides that after July 1, 2023, the corporation may not establish any new residential Property Assessed Clean Energy (PACE) agreements.

Related to Triumph Gulf Coast, Inc., the bill:

- Specifies that awards for public infrastructure projects may include projects for workforce housing.
- Defines workforce housing as rented or leased housing for residents of the eight disproportionately affected counties.
-

Related to the Everglades Restoration Agricultural Community Employment Training Program, the bill:

- Provides definitions and changes the phrase “areas of high agricultural unemployment” to “Everglades Agricultural Area and rural areas of opportunity.”
- Specifies that DEO, must prioritize grants under the Everglades Restoration Agricultural Community Employment Training Program that assist training programs located in Rural Areas of Opportunity within a certain area.

The bill provides an effective date of July 1, 2023.

The bill does not impact state or local government revenues or expenditures.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Agreements Funded with Federal or State Assistance

Present Situation

Current law requires an agency agreement that provides state financial assistance to a recipient or subrecipient,¹ or that provides federal financial assistance to a subrecipient,² to include the following:

- A provision specifying scope of work that clearly establishes the tasks the recipient or subrecipient is required to perform;
- A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the agency before payment. Each deliverable must be directly related to the scope of work and must specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable;
- A provision specifying the financial consequences that apply if the recipient or subrecipient fails to perform the minimum level of service required in the agreement. The provision can be excluded in specified situations;
- A provision specifying that a recipient or subrecipient of federal or state financial assistance may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period;
- A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the state agency;
- A provision specifying that any funds paid in excess of the amount to which the recipient or subrecipient is entitled must be refunded to the state agency; and
- Any additional information required pursuant to the Florida Single Audit Act.³

Effect of the Bill

Related to agreements funded with federal or state assistance, the bill requires an agency agreement that provides state financial assistance to a recipient or subrecipient, or that provides federal financial assistance to a subrecipient, to include a provision which allows the agency to provide for the payment of invoices to the county or municipality for verified and eligible performance, if the performance satisfies the terms and conditions set forth in the agreement. The bill further provides that this requirement is included to alleviate the financial hardships that certain rural counties and municipalities encounter when administering agreements, and the administering agency shall utilize the section based on financial hardship.

Regional Rural Development Grants Program

Present Situation

The Regional Rural Development Grants Program was established to provide funding, through matching grants, to build the professional capacity of regionally based economic development organizations located in rural communities. The concept of building the “professional capacity” of an economic development organization includes hiring professional staff to develop, deliver, and provide economic development professional services. Professional services include technical assistance, education and leadership development, marketing, and project recruitment.⁴

¹ Section 215.97, F.S., defines a “subrecipient” as a nonstate entity that receives state financial assistance through another nonstate entity.

² As defined by applicable United States Office of Management and Budget circulars.

³ S. 215.971(1)(a)-(g), F.S.

⁴ S. 288.018(1)(b), F.S.

Applications submitted to the Department of Economic Opportunity (DEO) for funding through this program must provide proof:⁵

- Of official commitments of support from each of the units of local government represented by the regional organization;
- That each local government has made financial or in-kind commitments to the regional organization;
- That the private sector has made financial or in-kind commitment to the regional organization;
- That the regional organization is in existence and actively involved in economic development activities serving the region; and
- Of the manner in which the organization coordinates its efforts with those other local and state organizations.

An organization may receive up to \$50,000 a year or \$250,000 if located in an RAO.⁶ Grants must be matched by an amount of non-state resources equal to 25 percent of the state contribution. DEO is authorized to spend up to \$750,000 each fiscal year from funds appropriated to the Rural Community Development Revolving Loan Fund to carry out this program.⁷

Effect of the Bill

Related to the Regional Rural Development Grants Program, the bill:

- Removes the match requirements.
- Removes the requirement for local governments and private businesses to make financial or in-kind commitments to the regional organization.

Rural Infrastructure Fund

Present Situation

The Rural Infrastructure Fund is a grant program created to facilitate the planning, preparing, and financing of infrastructure projects in rural communities.⁸ The program provides access to federal and state infrastructure funding programs, including, but not limited to, those offered by the United States Departments of Agriculture and Commerce.⁹ The program funds total infrastructure project grants, infrastructure feasibility grants, and preclearance review grants.

DEO may award grants for up to 50 percent of the total infrastructure project cost.¹⁰ Projects must be related to specific job-creation or job-retention opportunities. Additionally, projects may include improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth or reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities, and improving the access availability of broadband Internet service.

Eligible uses of funds include improvements to public infrastructure for industrial or commercial sites, upgrades to or development of public tourism infrastructure, and improvements to broadband Internet service and access in unserved or underserved rural communities.¹¹ Infrastructure can include public or public-private partnership facilities, like storm water systems, telecommunication, broadband, roads, and nature-based tourism.¹²

⁵ S. 288.018(2), F.S.

⁶ S. 288.018(1)(c), F.S.

⁷ S. 288.018(4), F.S.

⁸ See s. 288.0655, F.S.

⁹ S. 288.0655(2)(b), F.S.

¹⁰ *Id.*

¹¹ *Id.*

¹² Broadband Internet service must be provided in partnership with one or more dealers of communications services. S. 288.0655(2)(b), F.S.

The infrastructure feasibility grant provides awards of up to 30 percent of the total project costs for infrastructure feasibility studies, design and engineering activities, or other infrastructure planning and preparation activities.¹³ Maximum awards are dependent on the number of jobs that a business commits to create and may be up to \$300,000 if the project is located in a RAO. The total project participation grant may be used in conjunction with the infrastructure feasibility grant.

The preclearance review grant provides awards to help a local government participate in expedited permitting processes through technical assistance in preparing permit applications and local comprehensive plan amendments.¹⁴ Grants may be used for surveys, feasibility studies, and other activities related to the identification and preclearance review of land use modifications. Grants are limited to \$75,000 and must be matched 50 percent with local funds. However, projects in a RAO may receive up to \$300,000 and must be matched 33 percent with local funds.¹⁵

Grant applications are reviewed and certified by DEO in consultation with Enterprise Florida, Inc., the Florida Tourism Industry Marketing Corporation, the Department of Environmental Protection, and the Florida Fish and Wildlife Conservation Commission.¹⁶ Reviews include an evaluation of the economic benefit of the projects and their long-term viability.

A total of \$30 million in funding was made through the Rural Infrastructure Fund for Fiscal Year 2022-2023. Twenty-five million was available for eligible rural communities statewide and an additional \$5 million was available specifically for Florida Panhandle counties.¹⁷

Rural Areas of Opportunity

A rural area of opportunity (RAO) is a rural community,¹⁸ or region comprised of rural communities, designated by the Governor, that has been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster.¹⁹ An area may also be designated as an RAO if it presents a unique economic development opportunity of regional impact. The designation of an RAO must be agreed upon by the Department of Economic Opportunity (DEO), as well as the county and municipal governments to be included in the RAO.²⁰

Based on recommendations of the Rural Economic Development Initiative (REDI),²¹ the Governor may designate up to three RAOs by executive order.²² This designation establishes these areas as priority assignments for REDI and allows the Governor, acting through REDI, to waive criteria, requirements, or similar provisions of any economic development initiative.

Currently, there are three designated RAO areas:

- Northwest RAO: Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington counties, and portions of Walton County (the City of Freeport and lands north of the Choctawhatchee Bay and intercoastal waterway).

¹³ S. 288.0655(2)(c), F.S.

¹⁴ S. 288.0655(2)(e), F.S. Expedited permitting is pursuant to s. 403.9739(18), F.S.

¹⁵ S. 288.0655(2)(e), F.S.

¹⁶ S. 288.0655(3), F.S.

¹⁷ Department of Economic Opportunity, *Rural Infrastructure Fund*, <https://floridajobs.org/community-planning-and-development/rural-community-programs/rural-infrastructure-fund> (last visited March 24, 2023).

¹⁸ Section 288.0656(2)(e), F.S., defines a "rural community" as is any county with a population of 75,000 or fewer, any county with a population of 125,000 or fewer that is contiguous to a county with a population of 75,000 or fewer, a municipality in a county that meets either of the aforementioned criteria, or an unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors.

¹⁹ S. 288.0656(2)(d), F.S.

²⁰ S. 288.0656(7)(b), F.S.

²¹ S. 288.0656(1)(a), F.S. REDI was established by the Legislature to encourage and facilitate the location and expansion of major economic development projects of significant scale in rural communities.

²² S. 288.0656(7)(a), F.S.

- South Central RAO: DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the cities of Pahokee, Belle Glade, and South Bay in Palm Beach County and the city of Immokalee in Collier County.
- North Central RAO: Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor, and Union counties.²³

Fiscally Constrained Counties

Fiscally Constrained Counties are counties entirely within a rural area of opportunity or where a 1 mill levy would raise no more than \$5 million in annual tax revenue.²⁴ A rural area of opportunity is a rural community²⁵ or region that has been adversely affected by an extraordinary economic event, severe distress, natural disaster, or that presents a unique economic development opportunity of regional impact, as designated by the Governor.²⁶ Florida's fiscally constrained counties are: Baker, Bradford, Calhoun, Columbia, Desoto, Dixie, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Highlands, Holmes, Jackson, Jefferson, Lafayette, Levy, Liberty, Madison, Okeechobee, Putnam, Suwannee, Taylor, Union, Wakulla, and Washington.²⁷

Effect of the Bill

Related to the Rural Infrastructure Fund, the bill:

- Allows DEO to award grants for up to 75 percent of the total infrastructure project cost, an increase from 50 percent.
- Allows DEO to award grants for up to 100 percent of the total infrastructure project cost for a project located in a rural community or a rural area of opportunity, if the county is also fiscally constrained.
- Removes the requirement related to infrastructure feasibility studies and other infrastructure planning activities that grants awarded be limited to 30 percent of the total project cost.

Florida Development Finance Corporation

Present Situation

The Florida Development Finance Corporation (FDFC) is a statewide development financing authority created by the Legislature.²⁸ The FDFC operates as a conduit bond issuer that issues bonds on behalf of borrowers.²⁹ While the FDFC functions as a mechanism to help borrowers access capital markets, it does not take on responsibility of debt repayment, even when a borrower fails to repay. Conversely, the FDFC does not guarantee the bonds it issues but certain borrowers may opt in to the guaranty fund established by the FDFC pursuant to s. 288.9607, F.S., which guarantees that the bonds issued will be repaid. This guaranty fund consists of premiums paid by businesses that wish to participate in the fund and by a property interest in the infrastructure built with the insured bond's proceeds.³⁰

²³ Department of Economic Opportunity, *Rural Areas of Opportunity*, <https://floridajobs.org/community-planning-and-development/rural-community-programs/rural-areas-of-opportunity> (last visited March 24, 2023). The economic development organizations for these RAOs are named Opportunity Florida, Florida's Heartland Regional Economic Development Initiative, and the North Florida Economic Development Partnership, respectively.

²⁴ S. 218.67(1), F.S.

²⁵ A "rural community" as the term relates to counties means a county with a population of 75,000 or fewer, or a county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer. See s. 288.0656(1)(e), F.S.

²⁶ S. 288.0656(1)(d), F.S.

²⁷ Florida Department of Revenue, *Fiscally Constrained Counties*, <https://floridarevenue.com/property/Documents/fcco081210.pdf> (last visited Apr. 7, 2023).

²⁸ S. 288.9604, F.S.

²⁹ S. 288.9605, F.S.

³⁰ The guaranty may not exceed 5 percent of the aggregate principal amount of bonds or other indebtedness relating to any capital project. S. 288.9607, F.S.

A majority of the FDFC's financial assistance results from the issuance of municipal bonds, of which it may issue either a taxable revenue bond or a tax-exempt bond.³¹ The bonds issued can provide financing for projects that further public purposes and are issued on behalf of a range of organizations. The FDFC also administers the PACE program, for which it may issue bonds and other financial assistance that supports energy conservation.³² PACE allows for the repayment of debt to be paid through a property tax bill and typical measures funded by the program include HVAC, lighting, solar, and water fixtures.³³

The FDFC is governed by a seven-member board of directors. The Secretary of DEO must serve as chair of the board of directors, and the director of the Division of Bond Finance of the State Board of Administration must serve as a director.³⁴

Under current law, the FDFC will be repealed on July 1, 2023.³⁵

Effect of the Bill

Related to the Florida Development Finance Corporation, the bill:

- Removes the repeal of the corporation in current law.
- Provides that after July 1, 2023, the corporation may not establish any new residential PACE agreements.

Triumph Gulf Coast, Inc.

Present Situation

Pursuant to the Gulf Coast Economic Corridor Act,³⁶ Triumph Gulf Coast, Inc.,³⁷ a nonprofit corporation, oversees the expenditure of the immediate transfer of 75 percent of all funds recovered by the Attorney General³⁸ for economic damages to the state that resulted from the 2010 Deepwater Horizon oil spill. Triumph Gulf Coast, Inc., must use the funds for the recovery, diversification, and enhancement of the following eight counties disproportionately affected by the oil spill: Bay, Escambia, Gulf, Franklin, Okaloosa, Santa Rosa, Wakulla, and Walton.³⁹

The awards for projects or programs within the boundaries of each disproportionately affected county are based on the following minimum allocations:

- At least 40 percent of the moneys transferred to Triumph Gulf Coast, Inc., before July, 2017, must be allocated equally among the eight disproportionately affected counties based on a minimum allocation of at least 5 percent per county.
- For each subsequent transfer of funds to Triumph Gulf Coast, Inc., at least 32 percent of the moneys must be allocated equally among the eight disproportionately affected counties based on a minimum allocation of at least 4 percent per county.⁴⁰

³¹ Florida Development Finance Corporation, *About Us*, available at <https://www.fdfcbonds.com/about> (last visited April 7, 2023).

³² Florida Development Finance Corporation, *Property Assessed Clean Energy "PACE" – Commercial PACE*, available at <https://www.fdfcbonds.com/cpace> (last visited April 7, 2023).

³³ *Id.*

³⁴ S. 288.9604(2), F.S.

³⁵ S. 288.9604, F.S.

³⁶ Chapter 2013-39, s. 51, Laws of Fla.

³⁷ Section 288.8013, F.S., establishes the corporation.

³⁸ Following the oil spill, the State of Florida sued B.P. for the economic damages it sustained; entered into a settlement agreement whereby the State will receive a total of \$2 Billion dollars over an 18-year period. Attorney General Pam Bondi received BP's initial settlement payment of \$400 million in July of 2016, and the funds were placed into the state General Revenue Fund. Thirteen subsequent settlement payments are scheduled to be paid annually to the state in the amount of \$106,666,666 from 2019 until 2033. See s. 288.8013(2), F.S.

³⁹ Triumph Gulf Coast, Inc., *Home*, available at <https://www.myfloridatriumph.com/> (last visited Apr. 7, 2023).

⁴⁰ S. 288.8013(2)(b), F.S.

Awards may be provided for:

- Ad valorem tax rate reduction within disproportionately affected counties;
- Local match requirements for Rural Infrastructure Fund projects in the disproportionately affected counties;
- Public infrastructure projects for construction, expansion, or maintenance which are shown to enhance economic recovery, diversification, and enhancement of the disproportionately affected counties;
- Grants to local governments in the disproportionately affected counties to establish and maintain equipment and trained personnel for local action plans of response to respond to disasters, such as plans created for the Coastal Impacts Assistance Program;
- Grants to support programs that prepare students for future occupations and careers at K-20 institutions that have campuses in the disproportionately affected counties. Eligible programs include those that increase students' technology skills and knowledge; encourage industry certifications; provide rigorous, alternative pathways for students to meet high school graduation requirements; strengthen career readiness initiatives; fund high-demand programs of emphasis at the bachelor's and master's level designated by the Board of Governors; and, similar to or the same as talent retention programs created by the Chancellor of the State University System and the Commission of Education, encourage students with interest or aptitude for science, technology, engineering, mathematics, and medical disciplines to pursue postsecondary education at a state university or a Florida College System institution within the disproportionately affected counties;
- Grants to support programs that provide participants in the disproportionately affected counties with transferable, sustainable workforce skills that are not confined to a single employer; and
- Grants to Visit Florida for the purpose of advertising and promoting tourism and Fresh From Florida, and grants to promote workforce and infrastructure, on behalf of all of the disproportionately affected counties.⁴¹

Effect of the Bill

Related to Triumph Gulf Coast, Inc., the bill:

- Specifies that awards for public infrastructure projects may include projects for workforce housing properties owned by local governments and located in disproportionately affected counties.
- Defines workforce housing, for purposes of the bill, as rented or leased housing for residents of the eight disproportionately affected counties who:
 - Are employed full time or who are active duty servicemembers of a branch of the United States Armed Forces.
 - Have a household income that does not exceed 150 percent of the local median income.
 - Provide documentation of full-time employment, or full-time status for self-employed individuals, of 35 hours or more per week.

Everglades Restoration Agricultural Community Employment Training Program

Present Situation

The Everglades Restoration Agricultural Community Employment Training Program (Everglades Training Program) requires DEO, in cooperation with CareerSource Florida, Inc., to use funds to provide grants to stimulate and support training and employment programs that seek to match persons who complete such training programs to nonagricultural employment opportunities in areas of high agricultural unemployment. The program also provides other training, educational, and information services necessary to stimulate the creation of jobs in the areas of high agricultural unemployment.⁴²

Funds may be used for grants for tuition for public or private technical or vocational programs and matching grants to employers to conduct employer-based training programs, or for the purchase of

⁴¹ S. 288.8017(1), F.S.

⁴² S. 446.71(1), F.S.

equipment to be used for training purposes, the hiring of instructors, or any other purpose directly associated with the program.⁴³

DEO is prohibited from awarding a grant to any given training program which exceeds 50 percent of the total cost of the program, unless the training program is located within a RAO, in which case the grant may exceed 50 percent of the total cost of the program and up to 100 percent.⁴⁴ Matching contributions may include in-kind services, including, but not limited to, the provision of training instructors, equipment, and training facilities.

DEO may grant up to 100 percent of the tuition for a participant who resides, and has resided for at least three of the last five immediately preceding years, within the Everglades Agricultural Area (EAA)⁴⁵ and in counties that provide for water storage and dispersed water storage that are located in RAOs.⁴⁶

Programs established in the EAA must include opportunities to obtain the qualifications and skills necessary for jobs related to federal and state restoration projects, the Airglades Airport in Hendry County, or an inland port in Palm Beach County, or other industries with verifiable, demonstrated interest in operating within the EAA, as well as in counties that provide for water storage and dispersed water storage that are located in RAOs.⁴⁷

In 2022, the Legislature awarded more than \$700,000 to the program.⁴⁸

Effect of the Bill

Related to the Everglades Restoration Agricultural Community Employment Training Program, the bill:

- Creates definitions for "Employer-based training program," "Everglades Agricultural Area" and "Institution-based training program."
- Changes the phrase "areas of high agricultural unemployment" to "Everglades Agricultural Area and rural areas of opportunity."
- Provides legislative findings to include rural areas of opportunity that provide water storage and dispersed water storage for Everglades restoration efforts.
- Requires that for the first six months of each fiscal year, DEO has to set aside up to 50 percent of the Legislature's appropriation to fund employer-based training programs; undisbursed funds after six months may be used for tuition.
- Requires DEO to prioritize awarding employer-based grants to training programs located in rural areas of opportunity in counties with a boundary that is within 75 miles of the Everglades Agricultural Area.
- Allows DEO to use a national accreditation or licensure program by the Commission for Independent Education to meet certain requirements.
- Revises the amount of time a resident must reside in the area to receive a grant for tuition to a training program under the Everglades Restoration Agricultural Community Employment Training Program.

Implementation Directions

⁴³ S. 446.71(3), F.S.

⁴⁴ S. 446.71(4), F.S.

⁴⁵ The Everglades Agricultural Area is an approximately 1,160 square-mile area south of Lake Okeechobee of productive agricultural land. See s. 373.4592(15), F.S., for the property description. See also Lake Okeechobee Business Alliance, *The Everglades Agricultural Area*, [http://www.lakeoalliance.org/everglades-agricultural-area#:~:text=The%20Everglades%20Everglades%20Agricultural%20Area,vibrant%20and%20sustianable%20local%20economies](http://www.lakeoalliance.org/everglades-agricultural-area#:~:text=The%20Everglades%20Everglades%20Agricultural%20Area,vibrant%20and%20sustianable%20local%20economies.). (last visited March 24, 2023).

⁴⁶ S. 446.71(6), F.S.

⁴⁷ S. 446.71(7), F.S.

⁴⁸ Department of Economic Opportunity, DEO Press Releases, *Governor DeSantis Awards More Than \$700,000 for Workforce Training in Everglades Agricultural Communities*, [https://www.floridajobs.org/news-center/DEO-Press/2022/04/18/governor-desantis-awards-more-than-\\$700-000-for-workforce-training-in-everglades-agricultural-communities](https://www.floridajobs.org/news-center/DEO-Press/2022/04/18/governor-desantis-awards-more-than-$700-000-for-workforce-training-in-everglades-agricultural-communities) (last visited March 24, 2023).

The bill provides that in the event of a conflict with any of the provisions of House Bill 5, 2023 regular session, or similar legislation, the provisions of House Bill 5, 2023 regular session, or similar legislation, will control.

The bill provides an effective date of July 1, 2023.

B. SECTION DIRECTORY:

Section 1: Amends s. 215.971, agreements funded with federal or state assistance.

Section 2: Amends s. 288.018, F.S., relating to the Regional Rural Development Grants Program.

Section 3: Amends s. 288.0655, F.S., relating to the Rural Infrastructure Fund.

Section 4: Amends s. 288.9604, F.S., relating to the Florida Development Finance Corporation.

Section 5: Amends s. 288.8017, F.S., relating to Triumph Gulf Coast, Inc.

Section 6: Amends s. 446.71, F.S., relating to the Everglades Restoration Agricultural Community Employment Training Program.

Section 7: Provides implementation directions based on certain conflicts.

Section 8: Provides an effective date of July 1, 2023.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill could increase private sector investment in rural areas.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On March 30, 2023, the Regulatory Reform & Economic Development Subcommittee adopted a proposed committee substitute (PCS) and reported the bill favorably as a committee substitute. The PCS differs from the original bill by removing provisions of the bill relating to:

- The appointment of DEO division directors;
- Reporting on certain military installations;
- The Florida Defense Support Task Force;
- Certain loans made with funds administered by DEO;
- The Florida Development Finance Corporation; and
- The Space Florida board of directors.

On April 12, 2023, the Ways & Means Committee adopted a PCS and reported the bill favorably as a committee substitute. The PCS differs from CS/HB 1209 by adding provisions of the bill related to:

- The Florida Development Finance Corporation; and
- Triumph Gulf Coast, Inc.

On April 17, 2023, the Commerce Committee adopted two amendments and reported the bill favorably as a committee substitute. The amendments:

- Required agency agreements that provide state or federal financial assistance to a county or municipality which is a rural community or rural area of opportunity to include a provision allowing for the payment of certain invoices for verified performance;
- Clarified that awards by Triumph Gulf Coast, Inc., for public infrastructure projects may include support for workforce housing properties owned by a local government in a disproportionately affected county.
- Redefined the term “workforce housing” to mean rented or leased housing for specified individuals.
- Clarified the areas that the Department of Economic Opportunity must prioritize when awarding funds to programs as part of the Everglades Restoration Agricultural Community Employment Training Program.
- Provided definitions for “employer-based training program,” “Everglades Agricultural Area,” and “institution-based training program;” and
- Revised the amount of time a resident must reside in the area to receive a grant for tuition to a training program under the Everglades Restoration Agricultural Community Employment Training Program.

This analysis is drafted to the committee substitute as passed by the Commerce Committee.