

1                   A bill to be entitled  
2           An act relating to rural development; amending s.  
3           215.971, F.S.; requiring certain agency agreements to  
4           include a provision authorizing the agency to provide  
5           for the payment of specified invoices to certain  
6           counties or municipalities for certain verified and  
7           eligible performance; providing intent; providing  
8           construction; amending s. 288.0655, F.S.; revising the  
9           percentages of total infrastructure project cost which  
10          the Department of Economic Opportunity may award  
11          through grants from the Rural Infrastructure Fund;  
12          revising authorized uses of eligible funds; deleting a  
13          provision requiring that eligible projects be related  
14          to specified opportunities; deleting provisions  
15          allowing eligible funds to be used for broadband  
16          Internet service and access; authorizing the  
17          department to award grants up to a specified amount  
18          for specified planning and preparation activities;  
19          deleting a restriction on dual grant awards being used  
20          which would exceed a specified percentage threshold;  
21          revising a provision that requires that awarded funds  
22          for specified surveys or other activities be matched  
23          with a specified amount of local funds; providing an  
24          effective date.

25

26 | Be It Enacted by the Legislature of the State of Florida:

27 |

28 |       Section 1. Paragraph (h) is added to subsection (1) of  
29 | section 215.971, Florida Statutes, to read:

30 |           215.971 Agreements funded with federal or state  
31 | assistance.—

32 |       (1) An agency agreement that provides state financial  
33 | assistance to a recipient or subrecipient, as those terms are  
34 | defined in s. 215.97, or that provides federal financial  
35 | assistance to a subrecipient, as defined by applicable United  
36 | States Office of Management and Budget circulars, must include  
37 | all of the following:

38 |       (h) If the agency agreement provides federal or state  
39 | financial assistance to a county or municipality that is a rural  
40 | community or rural area of opportunity as those terms are  
41 | defined in s. 288.0656(2), a provision allowing the agency to  
42 | provide for the payment of invoices to the county, municipality,  
43 | or rural area of opportunity as that term is defined in s.  
44 | 288.0656(2), for verified and eligible performance that has been  
45 | completed in accordance with the terms and conditions set forth  
46 | in the agreement. This provision is included to alleviate the  
47 | financial hardships that certain rural counties and  
48 | municipalities encounter when administering agreements, and must  
49 | be exercised by the agency when a county or municipality  
50 | demonstrates financial hardship, to the extent that federal or

51 state law, rule, or other regulation allows such payments. This  
52 paragraph may not be construed to alter or limit any other  
53 provisions of federal or state law, rule, or other regulation.

54 Section 2. Paragraphs (b), (c), and (e) of subsection (2)  
55 and subsection (3) of section 288.0655, Florida Statutes, are  
56 amended to read:

57 288.0655 Rural Infrastructure Fund.—

58 (2)

59 (b) To facilitate access of rural communities and rural  
60 areas of opportunity as defined by the Rural Economic  
61 Development Initiative to infrastructure funding programs of the  
62 Federal Government, such as those offered by the United States  
63 Department of Agriculture and the United States Department of  
64 Commerce, and state programs, including those offered by Rural  
65 Economic Development Initiative agencies, and to facilitate  
66 local government or private infrastructure funding efforts, the  
67 department may award grants for up to 75 ~~50~~ percent of the total  
68 infrastructure project cost, or up to 100 percent of the total  
69 infrastructure project cost for a project located in a rural  
70 community as defined in s. 288.0656(2) which is also located in  
71 a fiscally constrained county as defined in s. 218.67(1) or a  
72 rural area of opportunity as defined in s. 288.0656(2). ~~Eligible~~  
73 ~~projects must be related to specific job-creation or job-~~  
74 ~~retention opportunities.~~ Eligible uses of funds ~~projects~~ may  
75 ~~also~~ include improving any inadequate infrastructure that has

76 | resulted in regulatory action that prohibits economic or  
 77 | community growth and, reducing the costs to community users of  
 78 | proposed infrastructure improvements that exceed such costs in  
 79 | comparable communities, ~~and improving access to and the~~  
 80 | ~~availability of broadband Internet service~~. Eligible uses of  
 81 | funds ~~shall~~ include improvements to public infrastructure for  
 82 | industrial or commercial sites and, upgrades to or development  
 83 | of public tourism infrastructure, ~~and improvements to broadband~~  
 84 | ~~Internet service and access in unserved or underserved rural~~  
 85 | ~~communities. Improvements to broadband Internet service and~~  
 86 | ~~access must be conducted through a partnership or partnerships~~  
 87 | ~~with one or more dealers, as defined in s. 202.11(2), and the~~  
 88 | ~~partnership or partnerships must be established through a~~  
 89 | ~~competitive selection process that is publicly noticed.~~  
 90 | Authorized infrastructure may include the following public or  
 91 | public-private partnership facilities: storm water systems;  
 92 | telecommunications facilities; ~~broadband facilities~~; roads or  
 93 | other remedies to transportation impediments; nature-based  
 94 | tourism facilities; or other physical requirements necessary to  
 95 | facilitate tourism, trade, and economic development activities  
 96 | in the community. Authorized infrastructure may also include  
 97 | publicly or privately owned self-powered nature-based tourism  
 98 | facilities, publicly owned telecommunications facilities, ~~and~~  
 99 | ~~broadband facilities~~, and additions to the distribution  
 100 | facilities of the existing natural gas utility as defined in s.

101 366.04(3) (c), the existing electric utility as defined in s.  
 102 366.02, or the existing water or wastewater utility as defined  
 103 in s. 367.021(12), or any other existing water or wastewater  
 104 facility, which owns a gas or electric distribution system or a  
 105 water or wastewater system in this state when ~~where~~:

106 1. A contribution-in-aid of construction is required to  
 107 serve public or public-private partnership facilities under the  
 108 tariffs of any natural gas, electric, water, or wastewater  
 109 utility as defined herein; and

110 2. Such utilities as defined herein are willing and able  
 111 to provide such service.

112 (c) ~~To facilitate timely response and induce the location~~  
 113 ~~or expansion of specific job creating opportunities,~~ The  
 114 department may award grants of up to \$300,000 for infrastructure  
 115 feasibility studies, design and engineering activities, or other  
 116 infrastructure planning and preparation activities. ~~Authorized~~  
 117 ~~grants shall be up to \$50,000 for an employment project with a~~  
 118 ~~business committed to create at least 100 jobs; up to \$150,000~~  
 119 ~~for an employment project with a business committed to create at~~  
 120 ~~least 300 jobs; and up to \$300,000 for a project in a rural area~~  
 121 ~~of opportunity.~~ Grants awarded under this paragraph may be used  
 122 in conjunction with grants awarded under paragraph (b), ~~provided~~  
 123 ~~that the total amount of both grants does not exceed 30 percent~~  
 124 ~~of the total project cost.~~ In evaluating applications under this  
 125 paragraph, the department shall consider the extent to which the

126 application seeks to minimize administrative and consultant  
127 expenses.

128 (e) To enable local governments to access the resources  
129 available pursuant to s. 403.973(18), the department may award  
130 grants for surveys, feasibility studies, and other activities  
131 related to the identification and preclearance review of land  
132 which is suitable for preclearance review. Authorized grants  
133 under this paragraph may not exceed \$75,000 each, except in the  
134 case of a project in a rural area of opportunity, in which case  
135 the grant may not exceed \$300,000. Any funds awarded under this  
136 paragraph must be matched at a level of 50 percent with local  
137 funds, except that any funds awarded for a project in a rural  
138 area of opportunity do not require a match of ~~must be matched at~~  
139 ~~a level of 33 percent with~~ local funds. If an application for  
140 funding is for a catalyst site, as defined in s. 288.0656, the  
141 requirement for local match may be waived pursuant to the  
142 process in s. 288.06561. In evaluating applications under this  
143 paragraph, the department shall consider the extent to which the  
144 application seeks to minimize administrative and consultant  
145 expenses.

146 (3) The department, in consultation with Enterprise  
147 Florida, Inc., the Florida Tourism Industry Marketing  
148 Corporation, the Department of Environmental Protection, and the  
149 Florida Fish and Wildlife Conservation Commission, as  
150 appropriate, shall review and certify applications pursuant to

151 | s. 288.061. The review must ~~shall~~ include an evaluation of the  
152 | economic benefit ~~of the projects~~ and ~~their~~ long-term viability.  
153 | The department shall have final approval for any grant under  
154 | this section.

155 |       Section 3. This act shall take effect July 1, 2023.