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LEGISLATIVE ACTION

Senate

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House

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The Appropriations Committee on Transportation, Tourism, and Economic Development (Simon) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

215.971 Agreements funded with federal or state
assistance.—

(1) An agency agreement that provides state financial
assistance to a recipient or subrecipient, as those terms are



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11 defined in s. 215.97, or that provides federal financial
12 assistance to a subrecipient, as defined by applicable United
13 States Office of Management and Budget circulars, must include
14 all of the following:

15 (h) If the agency agreement provides federal or state
16 financial assistance to a county or municipality that is a rural
17 community or rural area of opportunity, as those terms are
18 defined in s. 288.0656(2), a provision that allows the agency to
19 provide for the payment of invoices to the county or
20 municipality for verified and eligible performance that has been
21 completed in accordance with the terms and conditions set forth
22 in the agreement. This provision is included to alleviate the
23 financial hardships that certain rural counties and
24 municipalities encounter when administering agreements, and must
25 be exercised by the agency when a county or municipality
26 demonstrates financial hardship, to the extent that federal or
27 state law, rule, or other regulation allows such payments. This
28 paragraph may not be construed to alter or limit any other
29 provisions of federal or state law, rule, or other regulation.

30 Section 2. Subsections (1) and (2) of section 288.018,
31 Florida Statutes, are amended to read:

32 288.018 Regional Rural Development Grants Program.—

33 (1) (a) For the purposes of this section, the term “regional
34 economic development organization” means an economic development
35 organization located in or contracted to serve a rural area of
36 opportunity, as defined in s. 288.0656(2) (d).

37 (b) The department shall establish a ~~matching~~ grant program
38 to provide funding to regional economic development
39 organizations for the purpose of building the professional



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40 capacity of those organizations. Building the professional
41 capacity of a regional economic development organization
42 includes hiring professional staff to develop, deliver, and
43 provide needed economic development professional services,
44 including technical assistance, education and leadership
45 development, marketing, and project recruitment. ~~Matching~~ Grants
46 may also be used by a regional economic development organization
47 to provide technical assistance to local governments, local
48 economic development organizations, and existing and prospective
49 businesses.

50 (c) A regional economic development organization may apply
51 annually to the department for a ~~matching~~ grant. The department
52 is authorized to approve, on an annual basis, grants to such
53 regional economic development organizations. The maximum amount
54 an organization may receive in any year will be \$50,000, or
55 \$250,000 for any three regional economic development
56 organizations that serve an entire region of a rural area of
57 opportunity designated pursuant to s. 288.0656(7) if they are
58 recognized by the department as serving such a region.

59 ~~(d) Grant funds received by a regional economic development~~
60 ~~organization must be matched each year by nonstate resources in~~
61 ~~an amount equal to 25 percent of the state contribution.~~

62 (2) In approving the participants, the department shall
63 consider the demonstrated need of the applicant for assistance
64 and require the following:

65 (a) Documentation of official commitments of support from
66 each of the units of local government represented by the
67 regional organization.

68 (b) Information about any financial or in-kind commitment



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69 ~~to the regional organization by a Demonstration that each unit~~
70 ~~of local government or has made a financial or in-kind~~
71 ~~commitment to the regional organization.~~

72 ~~(c) Demonstration that the private sector has made~~
73 ~~financial or in-kind commitments to the regional organization.~~

74 (c) ~~(d)~~ Demonstration that the organization is in existence
75 and actively involved in economic development activities serving
76 the region.

77 (d) ~~(e)~~ Demonstration of the manner in which the
78 organization is or will coordinate its efforts with those of
79 other local and state organizations.

80 Section 3. Subsection (1), paragraphs (b), (c), and (e) of
81 subsection (2), and subsection (3) of section 288.0655, Florida
82 Statutes, are amended to read:

83 288.0655 Rural Infrastructure Fund.—

84 (1) There is created within the department the Rural
85 Infrastructure Fund to facilitate the planning, preparing, and
86 financing of infrastructure ~~projects~~ in rural communities which
87 will encourage job creation, capital investment, and the
88 strengthening and diversification of rural economies by
89 promoting tourism, trade, and economic development.

90 (2)

91 (b) To facilitate access of rural communities and rural
92 areas of opportunity as defined by the Rural Economic
93 Development Initiative to infrastructure funding programs of the
94 Federal Government, such as those offered by the United States
95 Department of Agriculture and the United States Department of
96 Commerce, and state programs, including those offered by Rural
97 Economic Development Initiative agencies, and to facilitate



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98 local government or private infrastructure funding efforts, the
99 department may award grants for up to 75 ~~50~~ percent of the total
100 infrastructure project cost, or up to 100 percent of the total
101 infrastructure project cost for a project located in a rural
102 community as defined in s. 288.0656(2) which is also located in
103 a fiscally constrained county as defined in s. 218.67(1) or a
104 rural area of opportunity as defined in s. 288.0656(2). ~~Eligible~~
105 ~~projects must be related to specific job-creation or job-~~
106 ~~retention opportunities.~~ Eligible uses of funds ~~projects~~ may
107 also include improving any inadequate infrastructure that has
108 resulted in regulatory action that prohibits economic or
109 community growth, reducing the costs to community users of
110 proposed infrastructure improvements that exceed such costs in
111 comparable communities, and improving access to and the
112 availability of broadband Internet service. Eligible uses of
113 funds ~~shall~~ include improvements to public infrastructure for
114 industrial or commercial sites, upgrades to or development of
115 public tourism infrastructure, and improvements to broadband
116 Internet service and access in unserved or underserved rural
117 communities. Improvements to broadband Internet service and
118 access must be conducted through a partnership or partnerships
119 with one or more dealers, as defined in s. 202.11(2), and the
120 partnership or partnerships must be established through a
121 competitive selection process that is publicly noticed.
122 Authorized infrastructure may include the following public or
123 public-private partnership facilities: storm water systems;
124 telecommunications facilities; broadband facilities; roads or
125 other remedies to transportation impediments; nature-based
126 tourism facilities; or other physical requirements necessary to



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127 facilitate tourism, trade, and economic development activities
128 in the community. Authorized infrastructure may also include
129 publicly or privately owned self-powered nature-based tourism
130 facilities, publicly owned telecommunications facilities, and
131 broadband facilities, and additions to the distribution
132 facilities of the existing natural gas utility as defined in s.
133 366.04(3)(c), the existing electric utility as defined in s.
134 366.02, or the existing water or wastewater utility as defined
135 in s. 367.021(12), or any other existing water or wastewater
136 facility, which owns a gas or electric distribution system or a
137 water or wastewater system in this state when ~~where~~:

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

142 2. Such utilities as defined herein are willing and able to
143 provide such service.

144 ~~(c) To facilitate timely response and induce the location~~
145 ~~or expansion of specific job creating opportunities,~~ The
146 department may award grants of up to \$300,000 for infrastructure
147 feasibility studies, design and engineering activities, or other
148 infrastructure planning and preparation activities. ~~Authorized~~
149 ~~grants shall be up to \$50,000 for an employment project with a~~
150 ~~business committed to create at least 100 jobs; up to \$150,000~~
151 ~~for an employment project with a business committed to create at~~
152 ~~least 300 jobs; and up to \$300,000 for a project in a rural area~~
153 ~~of opportunity.~~ Grants awarded under this paragraph may be used
154 in conjunction with grants awarded under paragraph (b), ~~provided~~
155 ~~that the total amount of both grants does not exceed 30 percent~~



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156 ~~of the total project cost.~~ In evaluating applications under this
157 paragraph, the department shall consider the extent to which the
158 application seeks to minimize administrative and consultant
159 expenses.

160 (e) To enable local governments to access the resources
161 available pursuant to s. 403.973(18), the department may award
162 grants for surveys, feasibility studies, and other activities
163 related to the identification and preclearance review of land
164 which is suitable for preclearance review. Authorized grants
165 under this paragraph may not exceed \$75,000 each, except in the
166 case of a project in a rural area of opportunity, in which case
167 the grant may not exceed \$300,000. Any funds awarded under this
168 paragraph must be matched at a level of 50 percent with local
169 funds, except that any funds awarded for a project in a rural
170 area of opportunity do not require a match of ~~must be matched at~~
171 ~~a level of 33 percent with~~ local funds. If an application for
172 funding is for a catalyst site, as defined in s. 288.0656, the
173 requirement for local match may be waived pursuant to the
174 process in s. 288.06561. In evaluating applications under this
175 paragraph, the department shall consider the extent to which the
176 application seeks to minimize administrative and consultant
177 expenses.

178 (3) The department, in consultation with Enterprise
179 Florida, Inc., the Florida Tourism Industry Marketing
180 Corporation, the Department of Environmental Protection, and the
181 Florida Fish and Wildlife Conservation Commission, as
182 appropriate, shall review and certify applications pursuant to
183 s. 288.061. The review must ~~shall~~ include an evaluation of the
184 economic benefit ~~of the projects~~ and ~~their~~ long-term viability.



185 The department shall have final approval for any grant under
186 this section.

187 Section 4. This act shall take effect July 1, 2023.

188

189 ===== T I T L E A M E N D M E N T =====

190 And the title is amended as follows:

191 Delete everything before the enacting clause
192 and insert:

193 A bill to be entitled

194 An act relating to rural development; amending s.
195 215.971, F.S.; requiring certain agency agreements to
196 include a provision authorizing the agency to provide
197 for the payment of specified invoices to certain
198 counties or municipalities for certain verified and
199 eligible performance; providing intent; providing
200 construction; amending s. 288.018, F.S.; specifying
201 that funding provided under the Regional Rural
202 Development Grants Program is not a matching grant;
203 revising the required criteria the Department of
204 Economic Opportunity must consider in approving a
205 participant in the program; amending s. 288.0655,
206 F.S.; revising the purpose of the Rural Infrastructure
207 Fund; revising the percentages of total infrastructure
208 project cost that the Department of Economic
209 Opportunity may award through the fund; providing
210 authorized uses of eligible funds; deleting a
211 provision requiring that eligible projects be related
212 to specified opportunities; authorizing the department
213 to award grants up to a specified amount for specified



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214 planning and preparation activities; deleting a
215 restriction on dual grant awards being used which
216 would exceed a specified percentage threshold;
217 revising a provision that requires that awarded funds
218 for specified surveys or other activities be matched
219 with a specified amount of local funds; revising the
220 evaluation process for applications; providing an
221 effective date.