

By Senator Simon

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1                   A bill to be entitled  
2       An act relating to rural development; amending s.  
3       215.971, F.S.; prohibiting certain agency agreements  
4       from requiring the expenditure of funds before  
5       reimbursement; authorizing agencies to undertake  
6       certain actions; providing construction; amending s.  
7       288.018, F.S.; specifying that funding provided under  
8       the Regional Rural Development Grants Program are not  
9       matching grants; revising the required criteria the  
10      Department of Economic Opportunity must consider to  
11      approve a participant in the program; amending s.  
12      288.065, F.S.; revising the conditions under which an  
13      applicant to the Rural Community Development Revolving  
14      Loan Fund may retain repayments of principal and  
15      interest; amending s. 288.0655, F.S.; revising the  
16      purpose of the Rural Infrastructure Fund; revising the  
17      percentages of total infrastructure project cost that  
18      the Department of Economic Opportunity may award  
19      through the fund; deleting a provision requiring  
20      eligible projects to be related to specified  
21      opportunities; providing authorized uses of eligible  
22      funds; authorizing the department to award grants up  
23      to a specified amount for specified planning and  
24      preparation activities; deleting a provision requiring  
25      authorized grants to be up to a specified amount for  
26      certain projects, under specified conditions; deleting  
27      a restriction on dual grant awards being used which  
28      would exceed a specified percentage threshold;  
29      deleting a provision that requires awarded funds be

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30 matched with a specified amount of local funds;  
31 revising the evaluation process of applications;  
32 providing an effective date.  
33

34 Be It Enacted by the Legislature of the State of Florida:  
35

36 Section 1. Present subsections (2) and (3) of section  
37 215.971, Florida Statutes, are redesignated as subsections (3)  
38 and (4), respectively, and a new subsection (2) is added to that  
39 section, to read:

40 215.971 Agreements funded with federal or state  
41 assistance.—

42 (2) (a) Notwithstanding any other law to the contrary, an  
43 agency agreement that provides state or federal financial  
44 assistance to a county or municipal entity within a rural area  
45 of opportunity, as defined in s. 288.0656(2), may not require  
46 the county or municipal entity to expend funds in order to be  
47 reimbursed. For such counties or municipal entities, an agency  
48 may advance funding based on an analysis of estimated costs, pay  
49 service providers and vendors directly, or undertake other  
50 options to meet the requirements of this section.

51 (b) This subsection may not be construed to alter or limit  
52 any other provision of this section.

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

55 288.018 Regional Rural Development Grants Program.—

56 (1) (a) For the purposes of this section, the term "regional  
57 economic development organization" means an economic development  
58 organization located in or contracted to serve a rural area of

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59 opportunity, as defined in s. 288.0656(2) (d).

60 (b) The department shall establish a ~~matching~~ grant program  
61 to provide funding to regional economic development  
62 organizations for the purpose of building the professional  
63 capacity of those organizations. Building the professional  
64 capacity of a regional economic development organization  
65 includes hiring professional staff to develop, deliver, and  
66 provide needed economic development professional services,  
67 including technical assistance, education and leadership  
68 development, marketing, and project recruitment. ~~Matching~~ Grants  
69 may also be used by a regional economic development organization  
70 to provide technical assistance to local governments, local  
71 economic development organizations, and existing and prospective  
72 businesses.

73 (c) A regional economic development organization may apply  
74 annually to the department for a ~~matching~~ grant. The department  
75 is authorized to approve, on an annual basis, grants to such  
76 regional economic development organizations. The maximum amount  
77 an organization may receive in any year will be \$50,000, or  
78 \$250,000 for any three regional economic development  
79 organizations that serve an entire region of a rural area of  
80 opportunity designated pursuant to s. 288.0656(7) if they are  
81 recognized by the department as serving such a region.

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

85 (2) In approving the participants, the department shall  
86 consider the demonstrated need of the applicant for assistance  
87 and require the following:

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88 (a) Documentation of official commitments of support from  
89 each of the units of local government represented by the  
90 regional organization.

91 ~~(b) Demonstration that each unit of local government has~~  
92 ~~made a financial or in-kind commitment to the regional~~  
93 ~~organization.~~

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

96 ~~(d)~~ Demonstration that the organization is in existence and  
97 actively involved in economic development activities serving the  
98 region.

99 (c) ~~(e)~~ Demonstration of the manner in which the  
100 organization is or will coordinate its efforts with those of  
101 other local and state organizations.

102 Section 3. Paragraph (c) of subsection (2) of section  
103 288.065, Florida Statutes, is amended to read:

104 288.065 Rural Community Development Revolving Loan Fund.—

105 (2)

106 (c) All repayments of principal and interest shall be  
107 returned to the loan fund and made available for loans to other  
108 applicants. However, in a rural area of opportunity designated  
109 by the Governor, and upon approval by the department, repayments  
110 of principal and interest may be retained by the applicant if  
111 such repayments are dedicated ~~and matched~~ to fund regionally  
112 based economic development organizations representing the rural  
113 area of opportunity.

114 Section 4. Subsection (1), paragraphs (b), (c), and (e) of  
115 subsection (2), and subsection (3) of section 288.0655, Florida  
116 Statutes, are amended to read:

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117 288.0655 Rural Infrastructure Fund.—

118 (1) There is created within the department the Rural  
119 Infrastructure Fund to facilitate the planning, preparing, and  
120 financing of infrastructure ~~projects~~ in rural communities which  
121 will encourage job creation, capital investment, and the  
122 strengthening and diversification of rural economies by  
123 promoting tourism, trade, and economic development.

124 (2)

125 (b) To facilitate access of rural communities and rural  
126 areas of opportunity as defined by the Rural Economic  
127 Development Initiative to infrastructure funding programs of the  
128 Federal Government, such as those offered by the United States  
129 Department of Agriculture and the United States Department of  
130 Commerce, and state programs, including those offered by Rural  
131 Economic Development Initiative agencies, and to facilitate  
132 local government or private infrastructure funding efforts, the  
133 department may award grants for up to 75 ~~50~~ percent of the total  
134 infrastructure project cost, or up to 100 percent of the total  
135 infrastructure project cost for a project located in a rural  
136 community as defined in s. 288.0656(2)(e) or a rural area of  
137 opportunity as defined in s. 288.0656(2)(d), either of which is  
138 also located in a fiscally constrained county as defined in s.  
139 218.67(1). Eligible projects must be related to specific job-  
140 creation or job-retention opportunities. Eligible uses of funds  
141 ~~projects~~ may also include improving any inadequate  
142 infrastructure that has resulted in regulatory action that  
143 prohibits economic or community growth, reducing the costs to  
144 community users of proposed infrastructure improvements that  
145 exceed such costs in comparable communities, and improving

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146 access to and the availability of broadband Internet service.  
147 Eligible uses of funds shall include improvements to public  
148 infrastructure for industrial or commercial sites, upgrades to  
149 or development of public tourism infrastructure, and  
150 improvements to broadband Internet service and access in  
151 unserved or underserved rural communities. Improvements to  
152 broadband Internet service and access must be conducted through  
153 a partnership or partnerships with one or more dealers, as  
154 defined in s. 202.11(2), and the partnership or partnerships  
155 must be established through a competitive selection process that  
156 is publicly noticed. Authorized infrastructure may include the  
157 following public or public-private partnership facilities: storm  
158 water systems; telecommunications facilities; broadband  
159 facilities; roads or other remedies to transportation  
160 impediments; nature-based tourism facilities; or other physical  
161 requirements necessary to facilitate tourism, trade, and  
162 economic development activities in the community. Authorized  
163 infrastructure may also include publicly or privately owned  
164 self-powered nature-based tourism facilities, publicly owned  
165 telecommunications facilities, and broadband facilities, and  
166 additions to the distribution facilities of the existing natural  
167 gas utility as defined in s. 366.04(3)(c), the existing electric  
168 utility as defined in s. 366.02, or the existing water or  
169 wastewater utility as defined in s. 367.021(12), or any other  
170 existing water or wastewater facility, which owns a gas or  
171 electric distribution system or a water or wastewater system in  
172 this state where:

173 1. A contribution-in-aid of construction is required to  
174 serve public or public-private partnership facilities under the

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175 tariffs of any natural gas, electric, water, or wastewater  
176 utility as defined herein; and

177 2. Such utilities as defined herein are willing and able to  
178 provide such service.

179 (c) ~~To facilitate timely response and induce the location~~  
180 ~~or expansion of specific job creating opportunities,~~ The  
181 department may award grants of up to \$300,000 for infrastructure  
182 feasibility studies, design and engineering activities, or other  
183 infrastructure planning and preparation activities. ~~Authorized~~  
184 ~~grants shall be up to \$50,000 for an employment project with a~~  
185 ~~business committed to create at least 100 jobs; up to \$150,000~~  
186 ~~for an employment project with a business committed to create at~~  
187 ~~least 300 jobs; and up to \$300,000 for a project in a rural area~~  
188 ~~of opportunity.~~ Grants awarded under this paragraph may be used  
189 in conjunction with grants awarded under paragraph (b), ~~provided~~  
190 ~~that the total amount of both grants does not exceed 30 percent~~  
191 ~~of the total project cost.~~ In evaluating applications under this  
192 paragraph, the department shall consider the extent to which the  
193 application seeks to minimize administrative and consultant  
194 expenses.

195 (e) To enable local governments to access the resources  
196 available pursuant to s. 403.973(18), the department may award  
197 grants for surveys, feasibility studies, and other activities  
198 related to the identification and preclearance review of land  
199 which is suitable for preclearance review. Authorized grants  
200 under this paragraph do not require a local match and may not  
201 exceed \$75,000 each, except in the case of a project in a rural  
202 area of opportunity, in which case the grant may not exceed  
203 \$300,000. ~~Any funds awarded under this paragraph must be matched~~

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204 ~~at a level of 50 percent with local funds, except that any funds~~  
205 ~~awarded for a project in a rural area of opportunity must be~~  
206 ~~matched at a level of 33 percent with local funds. If an~~  
207 ~~application for funding is for a catalyst site, as defined in s.~~  
208 ~~288.0656, the requirement for local match may be waived pursuant~~  
209 ~~to the process in s. 288.06561. In evaluating applications under~~  
210 this paragraph, the department shall consider the extent to  
211 which the application seeks to minimize administrative and  
212 consultant expenses.

213 (3) The department, in consultation with Enterprise  
214 Florida, Inc., the Florida Tourism Industry Marketing  
215 Corporation, the Department of Environmental Protection, and the  
216 Florida Fish and Wildlife Conservation Commission, as  
217 appropriate, shall review and certify applications pursuant to  
218 s. 288.061. The review shall include an evaluation of the  
219 economic benefit ~~of the projects and their~~ long-term viability.  
220 The department shall have final approval for any grant under  
221 this section.

222 Section 5. This act shall take effect July 1, 2023.