

By the Appropriations Committee on Transportation, Tourism, and Economic Development; and Senator Simon

606-03934-23

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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. 288.018, F.S.; specifying
9 that funding provided under the Regional Rural
10 Development Grants Program is not a matching grant;
11 revising the required criteria the Department of
12 Economic Opportunity must consider in approving a
13 participant in the program; amending s. 288.0655,
14 F.S.; revising the purpose of the Rural Infrastructure
15 Fund; revising the percentages of total infrastructure
16 project cost that the Department of Economic
17 Opportunity may award through the fund; providing
18 authorized uses of eligible funds; deleting a
19 provision requiring that eligible projects be related
20 to specified opportunities; authorizing the department
21 to award grants up to a specified amount for specified
22 planning and preparation activities; deleting a
23 restriction on dual grant awards being used which
24 would exceed a specified percentage threshold;
25 revising a provision that requires that awarded funds
26 for specified surveys or other activities be matched
27 with a specified amount of local funds; revising the
28 evaluation process for applications; providing an
29 effective date.

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

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

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

Section 2. Subsections (1) and (2) of section 288.018,

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59 Florida Statutes, are amended to read:

60 288.018 Regional Rural Development Grants Program.—

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

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

78 (c) A regional economic development organization may apply
79 annually to the department for a ~~matching~~ grant. The department
80 is authorized to approve, on an annual basis, grants to such
81 regional economic development organizations. The maximum amount
82 an organization may receive in any year will be \$50,000, or
83 \$250,000 for any three regional economic development
84 organizations that serve an entire region of a rural area of
85 opportunity designated pursuant to s. 288.0656(7) if they are
86 recognized by the department as serving such a region.

87 ~~(d) Grant funds received by a regional economic development~~

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88 ~~organization must be matched each year by nonstate resources in~~
89 ~~an amount equal to 25 percent of the state contribution.~~

90 (2) In approving the participants, the department shall
91 consider the demonstrated need of the applicant for assistance
92 and require the following:

93 (a) Documentation of official commitments of support from
94 each of the units of local government represented by the
95 regional organization.

96 (b) Information about any financial or in-kind commitment
97 to the regional organization by a ~~Demonstration that each unit~~
98 ~~of local government or has made a financial or in-kind~~
99 ~~commitment to the regional organization.~~

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

102 (c) ~~(d)~~ Demonstration that the organization is in existence
103 and actively involved in economic development activities serving
104 the region.

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

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

111 288.0655 Rural Infrastructure Fund.—

112 (1) There is created within the department the Rural
113 Infrastructure Fund to facilitate the planning, preparing, and
114 financing of infrastructure ~~projects~~ in rural communities which
115 will encourage job creation, capital investment, and the
116 strengthening and diversification of rural economies by

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117 promoting tourism, trade, and economic development.

118 (2)

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

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

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

170 2. Such utilities as defined herein are willing and able to
171 provide such service.

172 (c) ~~To facilitate timely response and induce the location~~
173 ~~or expansion of specific job creating opportunities,~~ The
174 department may award grants of up to \$300,000 for infrastructure

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175 feasibility studies, design and engineering activities, or other
176 infrastructure planning and preparation activities. ~~Authorized~~
177 ~~grants shall be up to \$50,000 for an employment project with a~~
178 ~~business committed to create at least 100 jobs; up to \$150,000~~
179 ~~for an employment project with a business committed to create at~~
180 ~~least 300 jobs; and up to \$300,000 for a project in a rural area~~
181 ~~of opportunity.~~ Grants awarded under this paragraph may be used
182 in conjunction with grants awarded under paragraph (b), ~~provided~~
183 ~~that the total amount of both grants does not exceed 30 percent~~
184 ~~of the total project cost.~~ In evaluating applications under this
185 paragraph, the department shall consider the extent to which the
186 application seeks to minimize administrative and consultant
187 expenses.

188 (e) To enable local governments to access the resources
189 available pursuant to s. 403.973(18), the department may award
190 grants for surveys, feasibility studies, and other activities
191 related to the identification and preclearance review of land
192 which is suitable for preclearance review. Authorized grants
193 under this paragraph may not exceed \$75,000 each, except in the
194 case of a project in a rural area of opportunity, in which case
195 the grant may not exceed \$300,000. Any funds awarded under this
196 paragraph must be matched at a level of 50 percent with local
197 funds, except that any funds awarded for a project in a rural
198 area of opportunity do not require a match of ~~must be matched at~~
199 ~~a level of 33 percent with local funds.~~ If an application for
200 funding is for a catalyst site, as defined in s. 288.0656, the
201 requirement for local match may be waived pursuant to the
202 process in s. 288.06561. In evaluating applications under this
203 paragraph, the department shall consider the extent to which the

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204 application seeks to minimize administrative and consultant
205 expenses.

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

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