

**By** the Committee on Fiscal Policy; the Appropriations Committee on Transportation, Tourism, and Economic Development; and 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.; 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      providing authorized uses of eligible funds; deleting  
13      a provision requiring that eligible projects be  
14      related to specified opportunities; deleting  
15      provisions allowing eligible funds to be used for  
16      broadband 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:

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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 that allows the agency to  
42 provide for the payment of invoices to the county or  
43 municipality for verified and eligible performance that has been  
44 completed in accordance with the terms and conditions set forth  
45 in the agreement. This provision is included to alleviate the  
46 financial hardships that certain rural counties and  
47 municipalities encounter when administering agreements, and must  
48 be exercised by the agency when a county or municipality  
49 demonstrates financial hardship, to the extent that federal or  
50 state law, rule, or other regulation allows such payments. This  
51 paragraph may not be construed to alter or limit any other  
52 provisions of federal or state law, rule, or other regulation.

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

56 288.0655 Rural Infrastructure Fund.—

57 (2)

58 (b) To facilitate access of rural communities and rural

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59 areas of opportunity as defined by the Rural Economic  
60 Development Initiative to infrastructure funding programs of the  
61 Federal Government, such as those offered by the United States  
62 Department of Agriculture and the United States Department of  
63 Commerce, and state programs, including those offered by Rural  
64 Economic Development Initiative agencies, and to facilitate  
65 local government or private infrastructure funding efforts, the  
66 department may award grants for up to 75 ~~50~~ percent of the total  
67 infrastructure project cost, or up to 100 percent of the total  
68 infrastructure project cost for a project located in a rural  
69 community as defined in s. 288.0656(2) which is also located in  
70 a fiscally constrained county as defined in s. 218.67(1) or a  
71 rural area of opportunity as defined in s. 288.0656(2). Eligible  
72 ~~projects must be related to specific job creation or job-~~  
73 ~~retention opportunities.~~ Eligible uses of funds ~~projects~~ may  
74 also include improving any inadequate infrastructure that has  
75 resulted in regulatory action that prohibits economic or  
76 community growth, reducing the costs to community users of  
77 proposed infrastructure improvements that exceed such costs in  
78 comparable communities, ~~and improving access to and the~~  
79 ~~availability of broadband Internet service.~~ Eligible uses of  
80 funds ~~shall~~ include improvements to public infrastructure for  
81 industrial or commercial sites and, ~~upgrades to or development~~  
82 ~~of public tourism infrastructure, and improvements to broadband~~  
83 ~~Internet service and access in unserved or underserved rural~~  
84 ~~communities. Improvements to broadband Internet service and~~  
85 ~~access must be conducted through a partnership or partnerships~~  
86 ~~with one or more dealers, as defined in s. 202.11(2), and the~~  
87 ~~partnership or partnerships must be established through a~~

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88 ~~competitive selection process that is publicly noticed.~~  
89 Authorized infrastructure may include the following public or  
90 public-private partnership facilities: storm water systems;  
91 telecommunications facilities; ~~broadband facilities~~; roads or  
92 other remedies to transportation impediments; nature-based  
93 tourism facilities; or other physical requirements necessary to  
94 facilitate tourism, trade, and economic development activities  
95 in the community. Authorized infrastructure may also include  
96 publicly or privately owned self-powered nature-based tourism  
97 facilities, publicly owned telecommunications facilities, ~~and~~  
98 ~~broadband facilities~~, and additions to the distribution  
99 facilities of the existing natural gas utility as defined in s.  
100 366.04(3)(c), the existing electric utility as defined in s.  
101 366.02, or the existing water or wastewater utility as defined  
102 in s. 367.021(12), or any other existing water or wastewater  
103 facility, which owns a gas or electric distribution system or a  
104 water or wastewater system in this state when ~~where~~:

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

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

111 (c) ~~To facilitate timely response and induce the location~~  
112 ~~or expansion of specific job creating opportunities,~~ The  
113 department may award grants of up to \$300,000 for infrastructure  
114 feasibility studies, design and engineering activities, or other  
115 infrastructure planning and preparation activities. ~~Authorized~~  
116 ~~grants shall be up to \$50,000 for an employment project with a~~

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117 ~~business committed to create at least 100 jobs; up to \$150,000~~  
118 ~~for an employment project with a business committed to create at~~  
119 ~~least 300 jobs; and up to \$300,000 for a project in a rural area~~  
120 ~~of opportunity.~~ Grants awarded under this paragraph may be used  
121 in conjunction with grants awarded under paragraph (b), ~~provided~~  
122 ~~that the total amount of both grants does not exceed 30 percent~~  
123 ~~of the total project cost.~~ In evaluating applications under this  
124 paragraph, the department shall consider the extent to which the  
125 application seeks to minimize administrative and consultant  
126 expenses.

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

145 (3) The department, in consultation with Enterprise

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146 Florida, Inc., the Florida Tourism Industry Marketing  
147 Corporation, the Department of Environmental Protection, and the  
148 Florida Fish and Wildlife Conservation Commission, as  
149 appropriate, shall review and certify applications pursuant to  
150 s. 288.061. The review must ~~shall~~ include an evaluation of the  
151 economic benefit ~~of the projects~~ and ~~their~~ long-term viability.  
152 The department shall have final approval for any grant under  
153 this section.

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