



375396

LEGISLATIVE ACTION

Senate

.

House

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Floor: 1/AD/2R

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04/03/2023 02:08 PM

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Senator Martin moved the following:

Senate Amendment (with title amendment)

Delete lines 330 - 470

and insert:

(c) The term of the loan is up to 24 months ~~1 year, unless otherwise extended by the department.~~ However, the department may extend loan terms for up to 6 months based on the local government's financial condition.

(4) APPLICATION.—The department shall prescribe a loan application and may request any other information determined necessary by the department to review and evaluate the



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12 application. The eligible local government must submit a loan
13 application within the 12 months after the date that the federal
14 disaster was declared. Upon receipt of an application, the
15 department shall review the application and may request
16 additional information as necessary to complete the review and
17 evaluation. If the loan application is approved, the department
18 shall determine the amount to be loaned, which may be a lower
19 amount than requested, based on the information provided and the
20 total amount of funds available to be loaned and in relation to
21 demonstrated need from other eligible applicants. If the loan
22 application is denied, reasons for the denial may include, but
23 are not limited to, the loan risk, an incomplete application,
24 failure to demonstrate need, or the fact that receiving a loan
25 may negatively affect the local government's eligibility for
26 other federal programs.

27 (5) ~~(4)~~ USE OF LOAN FUNDS.—A local government may use loan
28 funds only to continue local governmental operations or to
29 expand or modify such operations to meet disaster-related needs.
30 The funds may not be used to finance or supplant funding for
31 capital improvements or to repair or restore damaged public
32 facilities or infrastructure.

33 (6) ~~(5)~~ LOAN REPAYMENT.—

34 (a) The local government may make payments against the loan
35 at any time without penalty. Early repayment is encouraged as
36 other funding sources or revenues become available to the local
37 government.

38 (b) Loans become due and payable in accordance with the
39 terms of the agreement.

40 (7) ~~(6)~~ ADMINISTRATION.—



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41 (a) Upon the issuance of a federal disaster declaration,
42 the department shall provide notice of application requirements
43 and the total amount of funds available and shall make loan
44 information available to eligible local governments. Based upon
45 the amount of funds in the Economic Development Trust Fund
46 available to be loaned and anticipated balances, the department
47 may make funds available in an amount reasonably related to the
48 anticipated need, based upon the impacts of the federal
49 disaster, up to the total amount available ~~The department may~~
50 ~~approve loans in the 2022-2023 fiscal year or the 2023-2024~~
51 ~~fiscal year up to the total amount appropriated.~~

52 (b) The department must coordinate with the Division of
53 Emergency Management or other applicable state agencies to
54 assess whether such loans would affect reimbursement under
55 federal programs for disaster-related expenses.

56 (c) All repayments of principal and interest must be
57 returned to the loan fund and made available as provided in this
58 section. Notwithstanding s. 216.301, funds appropriated for this
59 program are not subject to reversion ~~Upon receipt of any loan~~
60 ~~payment from a local government, the department shall transfer~~
61 ~~the funds to the General Revenue Fund.~~

62 (8)(7) RULES.—The department may adopt rules to implement
63 this section.

64 (9)(8) EXPIRATION.—This section expires July 1, 2038 ~~June~~
65 ~~30, 2027~~. A loan may not be awarded after June 30, 2038. Upon
66 expiration, all unencumbered funds and loan repayments made on
67 or after July 1, 2038, must be transferred ~~revert~~ to the General
68 Revenue Fund.

69 Section 11. Effective upon becoming a law, subsection (5)



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70 is added to section 489.117, Florida Statutes, to read:
71 489.117 Registration; specialty contractors.—
72 (5) Notwithstanding paragraph (1)(b), a registered
73 contractor may engage in contracting only for work covered by
74 the registration within an area for which a state of emergency
75 is declared pursuant to s. 252.36 for a natural emergency. This
76 authorization terminates 24 months after the expiration of the
77 declared state of emergency. The local jurisdiction that
78 licenses the registered contractor may discipline the registered
79 contractor for violations occurring outside the licensing
80 jurisdiction which occur during the period such work is
81 authorized under this subsection.

82 Section 12. Section 553.7922, Florida Statutes, is created
83 to read:

84 553.7922 Local government-expedited approval of certain
85 permits.—Following a state of emergency declared pursuant to s.
86 252.36 for a natural emergency, local governments impacted by
87 the emergency shall approve special processing procedures to
88 expedite permit issuance for permits that do not require
89 technical review, including, but not limited to, roof repairs,
90 reroofing, electrical repairs, service changes, or the
91 replacement of one window or one door. Local governments may
92 waive application and inspection fees for permits expedited
93 under this section.

94 Section 13. Effective upon becoming a law, present
95 subsections (8) and (9) of section 553.80, Florida Statutes, are
96 redesignated as subsections (9) and (10), respectively, and a
97 new subsection (8) is added to that section, to read:

98 553.80 Enforcement.—



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99 (8) Effective January 1, 2023, local governments located in
100 areas designated in the Federal Emergency Management Agency
101 disaster declarations for Hurricane Ian or Hurricane Nicole may
102 not raise building inspection fees, as authorized by s.
103 125.56(2) or s. 166.222 and this section, before October 1,
104 2024. This subsection expires June 30, 2025.

105 Section 14. (1) A county or municipality located entirely
106 or partially within 100 miles of where either Hurricane Ian or
107 Hurricane Nicole made landfall shall not propose or adopt more
108 restrictive or burdensome amendments to its comprehensive plan
109 or land development regulations, nor propose or adopt more
110 restrictive or burdensome procedures concerning review,
111 approval, or issuance of a site plan, development permit, or
112 development order, to the extent that those terms are defined by
113 s. 163.3164, Florida Statutes, before October 1, 2024, and any
114 such restrictive or burdensome comprehensive plan amendment,
115 land development regulation, or procedure shall be null and void
116 ab initio. This subsection applies retroactively to September
117 29, 2022.

118 (2) Notwithstanding subsection (1), any comprehensive plan
119 amendment, land development regulation amendment, site plan,
120 development permit, or development order approved or adopted by
121 a county or municipality before or after the effective date of
122 this section may be enforced if:

123 (a) The associated application is initiated by a private
124 party other than the county or municipality; and

125 (b) The property that is the subject of the application is
126 owned by the initiating private party.

127 (3) This section shall take effect upon becoming a law and



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128 expires June 30, 2025.

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

131 And the title is amended as follows:

132 Delete lines 72 - 87

133 and insert:

134 municipalities located within a certain area from
135 adopting or amending certain amendments or procedures
136 for a specified period; declaring that such amendments
137 or procedures are null and void; providing for
138 retroactive application; providing that certain
139 comprehensive plan amendments, land development
140 regulations, site plans, and development permits or
141 orders may be enforced; providing for expiration;
142 amending s. 823.11, F.S.; authorizing