

By Senator Wright

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1 A bill to be entitled
2 An act relating to seaports; amending s. 311.07, F.S.;
3 increasing the minimum amount of funds to be made
4 available for the Florida Seaport Transportation and
5 Economic Development Program from the State
6 Transportation Trust Fund beginning in a specified
7 fiscal year; amending s. 311.09, F.S.; increasing the
8 amount the Department of Transportation is required to
9 include in its annual legislative budget request for
10 the program; removing obsolete language; amending s.
11 311.10, F.S.; increasing the amount of funds to be
12 made available from the State Transportation Trust
13 Fund to fund the Strategic Port Investment Initiative
14 beginning in a specified fiscal year; reenacting ss.
15 320.20(3) and 339.0801(1)(f), F.S., relating to the
16 disposition of license tax moneys and the allocation
17 of increased revenues from certain provisions,
18 respectively, to incorporate the amendment made to s.
19 311.07, F.S., in references thereto; providing an
20 effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Subsection (2) of section 311.07, Florida
25 Statutes, is amended to read:

26 311.07 Florida seaport transportation and economic
27 development funding.—

28 (2) Beginning in fiscal year 2025-2026, a minimum of \$50
29 ~~\$25~~ million per year shall be made available from the State

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30 Transportation Trust Fund to fund the Florida Seaport
31 Transportation and Economic Development Program. The Florida
32 Seaport Transportation and Economic Development Council created
33 in s. 311.09 shall develop guidelines for project funding.
34 Council staff, the Department of Transportation, and the
35 Department of Economic Opportunity shall work in cooperation to
36 review projects and allocate funds in accordance with the
37 schedule required for the Department of Transportation to
38 include these projects in the tentative work program developed
39 pursuant to s. 339.135(4).

40 Section 2. Subsections (9), (12), and (13) of section
41 311.09, Florida Statutes, are amended to read:

42 311.09 Florida Seaport Transportation and Economic
43 Development Council.—

44 (9) The Department of Transportation shall include at least
45 \$50 ~~\$25~~ million per year in its annual legislative budget
46 request for the Florida Seaport Transportation and Economic
47 Development Program funded under s. 311.07. Such budget must
48 include funding for projects approved by the council which have
49 been determined by each agency to be consistent. The department
50 shall include the specific approved Florida Seaport
51 Transportation and Economic Development Program projects to be
52 funded under s. 311.07 during the ensuing fiscal year in the
53 tentative work program developed pursuant to s. 339.135(4). The
54 total amount of funding to be allocated to Florida Seaport
55 Transportation and Economic Development Program projects under
56 s. 311.07 during the successive 4 fiscal years must ~~shall~~ also
57 be included in the tentative work program developed pursuant to
58 s. 339.135(4). The council may submit to the department a list

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59 of approved projects that could be made production-ready within
60 the next 2 years. The department shall submit the list ~~shall be~~
61 ~~submitted by the department~~ as part of the needs and project
62 list prepared pursuant to s. 339.135(2) (b). However, the
63 department shall, upon written request of the Florida Seaport
64 Transportation and Economic Development Council, submit work
65 program amendments pursuant to s. 339.135(7) to the Governor
66 within 10 days after the later of the date the request is
67 received by the department or the effective date of the
68 amendment, termination, or closure of the applicable funding
69 agreement between the department and the affected seaport, as
70 required to release the funds from the existing commitment.
71 Notwithstanding s. 339.135(7) (c), any work program amendment to
72 transfer prior year funds from one approved seaport project to
73 another seaport project is subject to the procedures in s.
74 339.135(7) (d). Notwithstanding any provision of law to the
75 contrary, the department may transfer unexpended budget between
76 the seaport projects as identified in the approved work program
77 amendments.

78 ~~(12) Until July 1, 2014, Citrus County may apply for a~~
79 ~~grant through the Florida Seaport Transportation and Economic~~
80 ~~Development Council to perform a feasibility study regarding the~~
81 ~~establishment of a port in Citrus County. The council shall~~
82 ~~evaluate such application pursuant to subsections (5)–(8) and,~~
83 ~~if approved, the Department of Transportation shall include the~~
84 ~~feasibility study in its budget request pursuant to subsection~~
85 ~~(9). If the study determines that a port in Citrus County is not~~
86 ~~feasible, the membership of Port Citrus on the council shall~~
87 ~~terminate.~~

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88 ~~(13) Until July 1, 2024, Putnam County may apply for a~~
89 ~~grant through the Florida Seaport Transportation and Economic~~
90 ~~Development Council to perform a study examining the economic,~~
91 ~~technical, and operational viability of the establishment of a~~
92 ~~port in Putnam County. The council shall evaluate the grant~~
93 ~~application pursuant to subsections (5) (8), and, if approved,~~
94 ~~the Department of Transportation must include the feasibility~~
95 ~~study in its budget request pursuant to subsection (9). The~~
96 ~~council shall review the study upon completion to determine if a~~
97 ~~port in Putnam County is viable. If the council does not approve~~
98 ~~the study, the membership of Putnam County on the council must~~
99 ~~terminate.~~

100 Section 3. Subsection (1) of section 311.10, Florida
101 Statutes, is amended to read:

102 311.10 Strategic Port Investment Initiative.—

103 (1) There is created the Strategic Port Investment
104 Initiative within the Department of Transportation. Beginning in
105 fiscal year 2025-2026 ~~2012-2013~~, a minimum of \$70 ~~\$35~~ million
106 annually shall be made available from the State Transportation
107 Trust Fund to fund the Strategic Port Investment Initiative. The
108 Department of Transportation shall work with the deepwater ports
109 listed in s. 311.09 to develop and maintain a priority list of
110 strategic investment projects. Project selection must ~~shall~~ be
111 based on projects that meet the state's economic development
112 goal of becoming a hub for trade, logistics, and export-oriented
113 activities by doing all of the following:

114 (a) Providing important access and major on-port capacity
115 improvements.†

116 (b) Providing capital improvements to strategically

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117 position the state to maximize opportunities in international
118 trade, logistics, or the cruise industry.†

119 (c) Achieving state goals of an integrated intermodal
120 transportation system.†~~and~~

121 (d) Demonstrating the feasibility and availability of
122 matching funds through local or private partners.

123 Section 4. For the purpose of incorporating the amendment
124 made by this act to section 311.07, Florida Statutes, in
125 references thereto, subsection (3) of section 320.20, Florida
126 Statutes, is reenacted to read:

127 320.20 Disposition of license tax moneys.—The revenue
128 derived from the registration of motor vehicles, including any
129 delinquent fees and excluding those revenues collected and
130 distributed under the provisions of s. 320.081, must be
131 distributed monthly, as collected, as follows:

132 (3) Notwithstanding any other provision of law except
133 subsections (1) and (2), \$15 million shall be deposited annually
134 into the State Transportation Trust Fund solely for the purposes
135 of funding the Florida Seaport Transportation and Economic
136 Development Program as provided in chapter 311. Such revenues
137 shall be distributed on a 50-50 matching basis to any port
138 listed in s. 311.09(1) to be used for funding projects as
139 described in s. 311.07(3)(b). Such revenues may be assigned,
140 pledged, or set aside as a trust for the payment of principal or
141 interest on bonds, tax anticipation certificates, or any other
142 form of indebtedness issued by an individual port or appropriate
143 local government having jurisdiction thereof, or collectively by
144 interlocal agreement among any of the ports, or used to purchase
145 credit support to permit such borrowings. However, such debt is

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146 not a general obligation of the state. The state covenants with
147 holders of such revenue bonds or other instruments of
148 indebtedness issued that it will not repeal or impair or amend
149 in any manner that will materially and adversely affect the
150 rights of such holders so long as bonds authorized by this
151 section are outstanding. Any revenues that are not pledged to
152 the repayment of bonds authorized by this section may be used
153 for purposes authorized under the Florida Seaport Transportation
154 and Economic Development Program. This revenue source is in
155 addition to any amounts provided and appropriated in accordance
156 with s. 311.07. The Florida Seaport Transportation and Economic
157 Development Council shall approve the distribution of funds to
158 ports for projects that have been approved pursuant to s.
159 311.09(5)-(8). The council and the Department of Transportation
160 may perform acts required to facilitate and implement this
161 subsection. To better enable the ports to cooperate to their
162 mutual advantage, the governing body of each port may exercise
163 powers provided to municipalities or counties in s. 163.01(7)(d)
164 subject to chapter 311 and special acts, if any, pertaining to a
165 port. The use of funds provided pursuant to this subsection are
166 limited to eligible projects listed in this subsection. Income
167 derived from a project completed with the use of program funds,
168 beyond operating costs and debt service, is restricted solely to
169 further port capital improvements consistent with maritime
170 purposes. Use of such income for nonmaritime purposes is
171 prohibited. The revenues available under this subsection may not
172 be pledged to the payment of any bonds other than the Florida
173 Ports Financing Commission Series 1996 and Series 1999 Bonds
174 currently outstanding; however, such revenues may be pledged to

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175 secure payment of refunding bonds to refinance the Florida Ports
176 Financing Commission Series 1996 and Series 1999 Bonds.
177 Refunding bonds secured by revenues available under this
178 subsection may not be issued with a final maturity later than
179 the final maturity of the Florida Ports Financing Commission
180 Series 1996 and Series 1999 Bonds or which provide for higher
181 debt service in any year than is currently payable on such
182 bonds. Any revenue bonds or other indebtedness issued after July
183 1, 2000, other than refunding bonds shall be issued by the
184 Division of Bond Finance at the request of the Department of
185 Transportation pursuant to the State Bond Act.

186 Section 5. For the purpose of incorporating the amendment
187 made by this act to section 311.07, Florida Statutes, in a
188 reference thereto, paragraph (f) of subsection (1) of section
189 339.0801, Florida Statutes, is reenacted to read:

190 339.0801 Allocation of increased revenues derived from
191 amendments to s. 319.32(5) (a) by ch. 2012-128.—Funds that result
192 from increased revenues to the State Transportation Trust Fund
193 derived from the amendments to s. 319.32(5) (a) made by this act
194 must be used annually, first as set forth in subsection (1) and
195 then as set forth in subsections (2)-(5), notwithstanding any
196 other provision of law:

197 (1)

198 (f) Any revenues that are not used for the payment of bonds
199 as authorized by this subsection may be used for purposes
200 authorized under the Florida Seaport Transportation and Economic
201 Development Program. This revenue source is in addition to any
202 amounts provided for and appropriated in accordance with ss.
203 311.07 and 320.20(3) and (4).

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Section 6. This act shall take effect July 1, 2023.