

1 A bill to be entitled
2 An act relating to emergency response; creating s.
3 288.066, F.S.; creating the Local Government Emergency
4 Bridge Loan Program within the Department of Economic
5 Opportunity, subject to appropriation; providing the
6 program's purpose; specifying program eligibility
7 requirements; authorizing the department to provide
8 interest-free loans to eligible local governments
9 through specified means; requiring the loan amount to
10 be based on demonstrated need of the local government
11 and disbursed in a lump sum; providing for the terms
12 of the loan; authorizing the department to extend the
13 term of the loan; specifying authorized and prohibited
14 uses of any loan funds provided under the program;
15 authorizing local governments to make loan payments at
16 any time; requiring repayment in accordance with the
17 terms of the loan; authorizing the department to
18 approve loans through the end of the 2023-2024 fiscal
19 year, subject to the availability of funds; requiring
20 the department to coordinate with the Division of
21 Emergency Management to determine if the loan program
22 conflicts with applicable federal programs; requiring
23 the department to transfer any loan payments, upon
24 receipt, to the General Revenue Fund; authorizing the
25 department to adopt rules; providing for expiration of

26 | the program; authorizing the department to adopt
 27 | emergency rules; providing appropriations; providing
 28 | an effective date.

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

32 | Section 1. Section 288.066, Florida Statutes, is created
 33 | to read:

34 | 288.066 Local Government Emergency Bridge Loan Program.—

35 | (1) CREATION.—The Local Government Emergency Bridge Loan
 36 | Program is created, subject to appropriation, within the
 37 | department to provide financial assistance to local governments
 38 | impacted by Hurricane Ian or Hurricane Nicole. The purpose of
 39 | the loan program is to assist these local governments in
 40 | maintaining operations by bridging the gap between the time that
 41 | the declared disaster occurred and the time that additional
 42 | funding sources or revenues are secured to provide them with
 43 | financial assistance.

44 | (2) ELIGIBILITY.—To be eligible for a loan under the
 45 | program, a local government must be a county or a municipality
 46 | located in an area designated in the Federal Emergency
 47 | Management Agency disaster declarations for Hurricane Ian or
 48 | Hurricane Nicole. The local government must show that it may
 49 | suffer or has suffered substantial loss of its tax or other
 50 | revenues as a result of the hurricane and demonstrate a need for

51 financial assistance to enable it to continue to perform its
52 governmental operations.

53 (3) LOAN TERMS.—

54 (a) The department may provide interest-free loans to
55 eligible local governments through a promissory note or other
56 form of written agreement evidencing an obligation to repay the
57 borrowed funds.

58 (b) The amount of each loan must be based upon
59 demonstrated need and must be disbursed to the local government
60 in a lump sum.

61 (c) The term of the loan is one year, unless otherwise
62 extended by the department. The department may extend loan terms
63 for up to 6 months based on the local government's financial
64 condition.

65 (4) USE OF LOAN FUNDS.—A local government may use loan
66 funds only to continue local governmental operations or to
67 expand or modify such operations to meet disaster-related needs.
68 The funds may not be used to finance or supplant funding for
69 capital improvements or to repair or restore damaged public
70 facilities or infrastructure.

71 (5) LOAN REPAYMENT.—

72 (a) The local government may make payments against the
73 loan at any time without penalty. Early repayment is encouraged
74 as other funding sources or revenues become available.

75 (b) Loans become due and payable in accordance with the

76 terms of the agreement.

77 (6) ADMINISTRATION.—

78 (a) The department may approve loans in the 2022-2023
 79 fiscal year or the 2023-2024 fiscal year up to the total amount
 80 appropriated.

81 (b) The department must coordinate with the Division of
 82 Emergency Management to assess whether such loans would affect
 83 reimbursement under federal programs for disaster-related
 84 expenses.

85 (c) Upon receipt of any loan payment from a local
 86 government, the department shall transfer the funds to the
 87 General Revenue Fund.

88 (7) RULES.—The department may adopt rules to implement
 89 this section.

90 (8) EXPIRATION.—This section expires June 30, 2027. Upon
 91 expiration, all unencumbered funds and loan repayments revert to
 92 the General Revenue Fund.

93 Section 2. The Department of Economic Opportunity may, and
 94 all conditions are deemed to be met to, adopt emergency rules
 95 pursuant to s. 120.54(4), Florida Statutes, to administer s.
 96 288.066, Florida Statutes, as created by this act.

97 Notwithstanding any other law, emergency rules adopted pursuant
 98 to this section are effective for 6 months after adoption and
 99 may be renewed during the pendency of procedures to adopt
 100 permanent rules addressing the subject of the emergency rules.

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101 Section 3. For the 2022-2023 fiscal year, the sum of \$50
102 million in nonrecurring funds is appropriated from the General
103 Revenue Fund to the Department of Economic Opportunity to fund
104 the Local Government Emergency Bridge Loan Program established
105 by this act. Any unexpended balance of these funds as of June
106 30, 2023, must revert and is appropriated for the 2023-2024
107 fiscal year to the Department of Economic Opportunity for the
108 same purpose.

109 Section 4. The Chief Financial Officer shall immediately
110 transfer the nonrecurring sum of \$650 million from the General
111 Revenue Fund to the Emergency Preparedness and Response Fund in
112 the Executive Office of the Governor to be used for preparing
113 for and responding to a declared state of emergency.

114 Section 5. This act shall take effect upon becoming a law.