

By Senator Albritton

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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.

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

31  
32 Section 1. Section 288.066, Florida Statutes, is created to  
33 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 demonstrated

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59 need and must be disbursed to the local government in a lump  
60 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 loan  
73 at any time without penalty. Early repayment is encouraged as  
74 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.

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

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.