



702262

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2025	.	
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The Committee on Transportation (Collins) recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 274 - 1827

and insert:

and fiscal accountability purposes, but it shall otherwise function independently of the control and direction of the department.

(b) The commission shall:

1. Recommend major transportation policies for the Governor's approval and assure that approved policies and any



702262

11 revisions are properly executed.

12 2. Periodically review the status of the state
13 transportation system, including highway, transit, rail,
14 seaport, intermodal development, and aviation components of the
15 system, and recommend improvements to the Governor and the
16 Legislature.

17 3. Perform an in-depth evaluation of the annual department
18 budget request, the Florida Transportation Plan, and the
19 tentative work program for compliance with all applicable laws
20 and established departmental policies. Except as specifically
21 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
22 not consider individual construction projects but shall consider
23 methods of accomplishing the goals of the department in the most
24 effective, efficient, and businesslike manner.

25 4. Monitor the financial status of the department on a
26 regular basis to assure that the department is managing revenue
27 and bond proceeds responsibly and in accordance with law and
28 established policy.

29 5. Monitor on at least a quarterly basis the efficiency,
30 productivity, and management of the department using performance
31 and production standards developed by the commission pursuant to
32 s. 334.045.

33 6. Perform an in-depth evaluation of the factors causing
34 disruption of project schedules in the adopted work program and
35 recommend to the Governor and the Legislature methods to
36 eliminate or reduce the disruptive effects of these factors.

37 7. Recommend to the Governor and the Legislature
38 improvements to the department's organization in order to
39 streamline and optimize the efficiency of the department. In



702262

40 reviewing the department's organization, the commission shall
41 determine if the current district organizational structure is
42 responsive to this state's changing economic and demographic
43 development patterns. The report by the commission must be
44 delivered to the Governor and the Legislature by December 15
45 each year, as appropriate. The commission may retain experts as
46 necessary to carry out this subparagraph, and the department
47 shall pay the expenses of the experts.

48 8. Monitor the efficiency, productivity, and management of
49 the agencies and authorities created under chapters 348 and 349;
50 the Mid-Bay Bridge Authority re-created pursuant to chapter
51 2000-411, Laws of Florida; ~~and~~ any authority formed under
52 chapter 343; and any transit entity that receives funding under
53 the public transit block grant program pursuant to s. 341.052.
54 The commission shall also conduct periodic reviews of each
55 agency's and authority's operations and budget, acquisition of
56 property, management of revenue and bond proceeds, and
57 compliance with applicable laws and generally accepted
58 accounting principles.

59 (g) A member of the commission shall follow the standards
60 of conduct for public officers provided in s. 112.313 ~~may not~~
61 ~~have any interest, direct or indirect, in any contract,~~
62 ~~franchise, privilege, or other benefit granted or awarded by the~~
63 ~~department~~ during the term of his or her appointment and for 2
64 years after the termination of such appointment.

65 (3) The Legislature finds that the transportation industry
66 is critical to the economic future of this state and that the
67 competitiveness of the industry in this state depends upon the
68 development and maintenance of a qualified workforce and



702262

69 cutting-edge research and innovation. The Legislature further
70 finds that the transportation industry in this state has varied
71 and complex workforce needs ranging from technical and
72 mechanical training to continuing education opportunities for
73 workers with advanced degrees and certifications. The timely
74 need also exists for coordinated research and innovation efforts
75 to promote emerging technologies and innovative construction
76 methods and tools and to address alternative funding mechanisms.
77 It is the intent of the Legislature to support programs designed
78 to address the workforce development needs of the state's
79 transportation industry.

80 (a) The Florida Transportation Research Institute is
81 created as a consortium of higher education professionals. The
82 purpose of the institute is to drive cutting-edge research,
83 innovation, transformational technologies, and breakthrough
84 solutions and to support workforce development efforts that
85 contribute to this state's transportation industry.

86 (b) The institute shall report to the department and shall
87 be composed of members from the University of Florida, Indian
88 River State College, the University of Central Florida, the
89 University of South Florida, and Florida International
90 University. The department shall select a member to serve as the
91 administrative lead of the institute. The department shall
92 assess the performance of the administrative lead periodically
93 to ensure accountability and assess the attainment of
94 performance goals.

95 (c) The Secretary of Transportation shall appoint a
96 representative of the department to serve as the executive
97 director of the institute. The department shall coordinate with



702262

98 the members of the institute to adopt policies establishing the
99 institute's executive committee and mission statement.

100 (d) The institute may award grants in alignment with its
101 purpose. Such grants may be directed to member and nonmember
102 institutions that have a proven expertise relevant to the grant,
103 including not-for-profit organizations and institutions of
104 higher education.

105 (e) The department may allocate funds to the institute from
106 the State Transportation Trust Fund. The institute may expend
107 such funds for the institute's operations and programs to
108 support research and innovation projects that provide solutions
109 for this state's transportation needs.

110 (f) The institute shall submit an annual report of
111 performance metrics to the Secretary of Transportation and the
112 commission. The report must include, but is not limited to,
113 expenditures of funds allocated to the institute by the
114 department, ongoing and proposed research efforts, and the
115 application and success of past research efforts.

116 (4) ~~(3)~~

117 (b) The secretary may appoint positions at the level of
118 deputy assistant secretary or director which the secretary deems
119 necessary to accomplish the mission and goals of the department,
120 including, but not limited to, the areas of program
121 responsibility provided in this paragraph, each of whom shall be
122 appointed by and serve at the pleasure of the secretary. The
123 secretary may combine, separate, or delete offices as needed in
124 consultation with the Executive Office of the Governor. The
125 department's areas of program responsibility include, but are
126 not limited to, all of the following:



702262

- 127 1. Administration.
- 128 2. Planning.
- 129 3. Supply chain and modal development.
- 130 4. Design.
- 131 5. Highway operations.
- 132 6. Right-of-way.
- 133 7. Toll operations.
- 134 8. Transportation technology.
- 135 9. Information technology ~~systems~~.
- 136 10. Motor carrier weight inspection.
- 137 11. Work program and budget.
- 138 12. Comptroller.
- 139 13. Construction.
- 140 14. Statewide corridors.
- 141 15. Maintenance.
- 142 16. Forecasting and performance.
- 143 17. Emergency management.
- 144 18. Safety.
- 145 19. Materials.
- 146 20. Infrastructure and innovation.
- 147 21. Permitting.
- 148 22. Traffic operations.
- 149 23. Operational technology.

150 Section 2. Paragraph (b) of subsection (3) of section
151 311.07, Florida Statutes, is amended to read:

152 311.07 Florida seaport transportation and economic
153 development funding.—

154 (3)

155 (b) Projects eligible for funding by grants under the



702262

156 program are limited to the following port facilities or port
157 transportation projects:

158 1. Transportation facilities within the jurisdiction of the
159 port.

160 2. The dredging or deepening of channels, turning basins,
161 or harbors.

162 3. The construction or rehabilitation of wharves, docks,
163 structures, jetties, piers, storage facilities, cruise
164 terminals, automated people mover systems, or any facilities
165 necessary or useful in connection with any of the foregoing.

166 4. The acquisition of vessel tracking systems, container
167 cranes, or other mechanized equipment used in the movement of
168 cargo or passengers in international commerce.

169 5. The acquisition of land to be used for port purposes.

170 6. The acquisition, improvement, enlargement, or extension
171 of existing port facilities.

172 7. Environmental protection projects which are necessary
173 because of requirements imposed by a state agency as a condition
174 of a permit or other form of state approval; which are necessary
175 for environmental mitigation required as a condition of a state,
176 federal, or local environmental permit; which are necessary for
177 the acquisition of spoil disposal sites and improvements to
178 existing and future spoil sites; or which result from the
179 funding of eligible projects listed in this paragraph.

180 8. Transportation facilities as defined in s. 334.03(30)
181 which are not otherwise part of the Department of
182 Transportation's adopted work program.

183 9. Intermodal access projects.

184 10. Construction or rehabilitation of port facilities as



702262

185 defined in s. 315.02, excluding any park or recreational
186 facilities, in ports listed in s. 311.09(1) with operating
187 revenues of \$5 million or less, provided that such projects
188 create economic development opportunities, capital improvements,
189 and positive financial returns to such ports.

190 11. Seaport master plan or strategic plan development or
191 updates, including the purchase of data to support such plans.

192 12. Spaceport or space industry-related planning or
193 construction of facilities on seaport property which are
194 necessary or useful for advancing the space industry in this
195 state and provide an economic benefit to this state.

196 13. Commercial shipbuilding and manufacturing facilities on
197 seaport property, if such projects provide an economic benefit
198 to the community in which the seaport is located.

199 Section 3. Subsections (1), (2), (3), and (11) of section
200 311.09, Florida Statutes, are amended to read:

201 311.09 Florida Seaport Transportation and Economic
202 Development Council.—

203 (1) The Florida Seaport Transportation and Economic
204 Development Council is created within the Department of
205 Transportation. The purpose of the council is to support the
206 growth of seaports in this state through review, development,
207 and financing of port transportation and port facilities. The
208 council is composed ~~consists~~ of the following 18 members: the
209 port director, or the port director's designee, of each of the
210 ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce,
211 Palm Beach, Port Everglades, Miami, Port Manatee, St.
212 Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,
213 Pensacola, Key West, and Fernandina; the secretary of the



702262

214 Department of Transportation or his or her designee; and the
215 secretary of the Department of Commerce or his or her designee.

216 (2) The council shall adopt bylaws governing the manner in
217 which the business of the council will be conducted. The bylaws
218 shall specify the procedure by which the chairperson of the
219 council is elected. The Department of Transportation shall
220 provide administrative support to the council on matters
221 relating to the Florida Seaport Transportation and Economic
222 Development Program and the council.

223 (3) The council shall prepare a 5-year Florida Seaport
224 Mission Plan defining the goals and objectives of the council
225 concerning the development of port facilities and an intermodal
226 transportation system consistent with the goals of the Florida
227 Transportation Plan developed pursuant to s. 339.155. The
228 Florida Seaport Mission Plan shall include specific
229 recommendations for the construction of transportation
230 facilities connecting any port to another transportation mode,
231 the construction of transportation facilities connecting any
232 port to the space and aerospace industries, and for the
233 efficient, cost-effective development of transportation
234 facilities or port facilities for the purpose of enhancing
235 trade, promoting cargo flow, increasing cruise passenger
236 movements, increasing port revenues, and providing economic
237 benefits to the state. The council shall develop a priority list
238 of projects based on these recommendations annually and submit
239 the list to the Department of Transportation. The council shall
240 update the 5-year Florida Seaport Mission Plan annually and
241 shall submit the plan no later than February 1 of each year to
242 the President of the Senate, the Speaker of the House of



702262

243 Representatives, the Department of Commerce, and the Department
244 of Transportation. The council shall develop programs, based on
245 an examination of existing programs in Florida and other states,
246 for the training of ~~minorities~~ and secondary school students in
247 job skills associated with employment opportunities in the
248 maritime industry, and report on progress and recommendations
249 for further action to the President of the Senate and the
250 Speaker of the House of Representatives annually. Each port
251 member of the council shall submit a semiannual report related
252 to his or her port's operations and support of the state's
253 economic competitiveness and supply chain. Reports must be
254 submitted to the Department of Transportation and include any
255 information required by the Department of Transportation in
256 consultation with the Department of Commerce. Such reports must
257 include, but are not limited to, all of the following
258 information:

- 259 (a) Bulk break capacity.
- 260 (b) Liquid storage and capacity.
- 261 (c) Fuel storage and capacity.
- 262 (d) Container capacity.
- 263 (e) A description of any supply chain disruption.

264 (11) Members of the council shall serve without
265 compensation but are entitled to receive reimbursement for per
266 diem and travel expenses as provided in s. 112.061. ~~The council~~
267 ~~may elect to provide an administrative staff to provide services~~
268 ~~to the council on matters relating to the Florida Seaport~~
269 ~~Transportation and Economic Development Program and the council.~~
270 ~~The cost for such administrative services shall be paid by all~~
271 ~~ports that receive funding from the Florida Seaport~~



702262

272 ~~Transportation and Economic Development Program, based upon a~~
273 ~~pro rata formula measured by each recipient's share of the funds~~
274 ~~as compared to the total funds disbursed to all recipients~~
275 ~~during the year. The share of costs for administrative services~~
276 ~~shall be paid in its total amount by the recipient port upon~~
277 ~~execution by the port and the Department of Transportation of a~~
278 ~~joint participation agreement for each council-approved project,~~
279 ~~and such payment is in addition to the matching funds required~~
280 ~~to be paid by the recipient port. Except as otherwise exempted~~
281 ~~by law, all moneys derived from the Florida Seaport~~
282 ~~Transportation and Economic Development Program shall be~~
283 ~~expended in accordance with the provisions of s. 287.057.~~
284 ~~Seaports subject to competitive negotiation requirements of a~~
285 ~~local governing body shall abide by the provisions of s.~~
286 ~~287.055.~~

287 Section 4. Subsection (4) is added to section 311.10,
288 Florida Statutes, to read:

289 311.10 Strategic Port Investment Initiative.—

290 (4) As a condition of receiving a project grant under any
291 program established in this chapter and as a condition of
292 receiving state funds as described in s. 215.31, a seaport
293 located in any county identified in s. 331.304(1) and (5) must
294 include in any agreement with the Department of Transportation
295 that the seaport may not convert any planned or existing land,
296 facility, or infrastructure designated for cargo purposes to any
297 alternative purpose unless express approval is obtained by the
298 Secretary of Transportation and the Secretary of Commerce. As
299 used in this subsection, the term "cargo purposes" includes, but
300 is not limited to, any facility, activity, property, energy



702262

301 source, or infrastructure asset that supports spaceport
302 activities.

303 Section 5. Section 316.0741, Florida Statutes, is repealed.

304 Section 6. Subsection (7) of section 316.0745, Florida
305 Statutes, is amended to read:

306 316.0745 Uniform signals and devices.—

307 (7) The Department of Transportation may, upon receipt and
308 investigation of reported noncompliance and after hearing
309 pursuant to 14 days' notice, direct the removal of any purported
310 traffic control device that fails to meet the requirements of
311 this section, wherever the device is located and without regard
312 to assigned responsibility under s. 316.1895. The public agency
313 erecting or installing the same shall immediately bring it into
314 compliance with the requirements of this section or remove said
315 device or signal upon the direction of the Department of
316 Transportation and may not, for a period of 5 years, install any
317 replacement or new traffic control devices paid for in part or
318 in full with revenues raised by the state unless written prior
319 approval is received from the Department of Transportation. Any
320 additional violation by a public body or official shall be cause
321 for the withholding of state funds deposited in the State
322 Transportation Trust Fund ~~for traffic control purposes~~ until
323 such public body or official demonstrates to the Department of
324 Transportation that it is complying with this section.

325 Section 7. Section 330.27, Florida Statutes, is amended to
326 read:

327 330.27 Definitions, when used in ss. 330.29-330.39.—

328 (1) "Air ambulance operation" means a flight with a patient
329 or medical personnel on board for the purpose of medical



702262

330 transportation.

331 (2) "Aircraft" means a powered or unpowered machine or
332 device capable of atmospheric flight, including, but not limited
333 to, an airplane, an autogyro, a glider, a gyrodyne, a
334 helicopter, a lift and cruise, a multicopter, paramotors, a
335 powered lift, a seaplane, a tiltrotor, an ultralight, and a
336 vectored thrust. The term does not include ~~except~~ a parachute or
337 other such device used primarily as safety equipment.

338 (3)~~(2)~~ "Airport" means a specific ~~an~~ area of land or water
339 or a structure used for, or intended to be used for, aircraft
340 operations, which may include ~~landing and takeoff of aircraft,~~
341 ~~including~~ appurtenant areas, buildings, facilities, or rights-
342 of-way necessary to facilitate such use or intended use. The
343 term includes, but is not limited to, airparks, airports,
344 gliderports, heliports, helistops, seaplane bases, ultralight
345 flightparks, vertiports, and vertistops.

346 (4) "Commercial air tour operation" means a flight
347 conducted for compensation or hire in an aircraft where a
348 purpose of the flight is sightseeing.

349 (5) "Commuter operation" means any scheduled operation
350 conducted by a person operating an aircraft with a frequency of
351 operations of at least five round trips per week on at least one
352 route between two or more points according to the published
353 flight schedule.

354 (6)~~(3)~~ "Department" means the Department of Transportation.

355 (7)~~(4)~~ "Limited airport" means any airport limited
356 exclusively to the specific conditions stated on the site
357 approval order or license.

358 (8) "On-demand operation" means any scheduled passenger-



702262

359 carrying operation for compensation or hire conducted by a
360 person operating an aircraft with a frequency of operations of
361 fewer than five round trips per week on at least one route
362 between two or more points according to the published flight
363 schedule.

364 (9)~~(5)~~ "Private airport" means an airport, publicly or
365 privately owned, which is not open or available for use by the
366 public, but may be made available to others by invitation of the
367 owner or manager.

368 (10) "Private airport of public interest" means a private
369 airport engaged in air ambulance operations, commercial air tour
370 operations, commuter operations, on-demand operations, public
371 charter operations, scheduled operations, or supplemental
372 operations.

373 (11)~~(6)~~ "Public airport" means an airport, publicly or
374 privately owned, which is open for use by the public.

375 (12) "Public charter operation" means a one-way or round-
376 trip charter flight performed by one or more direct air carriers
377 which is arranged and sponsored by a charter operator.

378 (13) "Scheduled operation" means any common carriage
379 passenger-carrying operation for compensation or hire conducted
380 by an air carrier or commercial operator for which the
381 certificateholder or its representative offers in advance the
382 departure location, departure time, and arrival location.

383 (14) "Supplemental operation" means any common carriage
384 operation for compensation or hire conducted with an aircraft
385 for which the departure time, departure location, and arrival
386 location are specifically negotiated with the customer or
387 customer's representative.



702262

388 ~~(15)-(7)~~ "Temporary airport" means an airport at which
389 flight operations are conducted under visual flight rules
390 established by the Federal Aviation Administration and which is
391 used for less than 30 consecutive days with no more than 10
392 operations per day.

393 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~
394 ~~criteria established by part 103 of the Federal Aviation~~
395 ~~Regulations.~~

396 Section 8. Subsections (2) and (4) of section 330.30,
397 Florida Statutes, are amended to read:

398 330.30 Approval of airport sites; registration,
399 certification, and licensure of airports.-

400 (2) LICENSES, CERTIFICATIONS, AND REGISTRATIONS;
401 REQUIREMENTS, RENEWAL, REVOCATION.-

402 (a) Except as provided in subsection (3), the owner or
403 lessee of an airport in this state shall have a public airport
404 license, private airport registration, or temporary airport
405 registration before the operation of aircraft to or from the
406 airport. Application for a license or registration shall be made
407 in a form and manner prescribed by the department.

408 1. For a public airport, upon granting site approval, the
409 department shall issue a license after a final airport
410 inspection finds the airport to be in compliance with all
411 requirements for the license. The license may be subject to any
412 reasonable conditions the department deems necessary to protect
413 the public health, safety, or welfare.

414 2. For a private airport, upon granting site approval, the
415 department shall provide controlled electronic access to the
416 state aviation facility data system to permit the applicant to



702262

417 complete the registration process. Registration shall be
418 completed upon self-certification by the registrant of
419 operational and configuration data deemed necessary by the
420 department.

421 3. For a temporary airport, the department must publish
422 notice of receipt of a completed registration application in the
423 next available publication of the Florida Administrative
424 Register and may not approve a registration application less
425 than 14 days after the date of publication of the notice. The
426 department must approve or deny a registration application
427 within 30 days after receipt of a completed application and must
428 issue the temporary airport registration concurrent with the
429 airport site approval. A completed registration application that
430 is not approved or denied within 30 days after the department
431 receives the completed application is considered approved and
432 shall be issued, subject to such reasonable conditions as are
433 authorized by law. An applicant seeking to claim registration by
434 default under this subparagraph must notify the agency clerk of
435 the department, in writing, of the intent to rely upon the
436 default registration provision of this subparagraph and may not
437 take any action based upon the default registration until after
438 receipt of such notice by the agency clerk.

439 4. A private airport of public interest must obtain a
440 certificate from the department before allowing aircraft
441 operations. The department shall issue a certificate after a
442 final inspection finds the airport to be in compliance with all
443 certificate requirements. The certificate is subject to any
444 reasonable conditions the department deems necessary to protect
445 the public. A private airport that was engaged in operations



702262

446 associated with a private airport of public interest on or
447 before July 1, 2025, must obtain a certificate from the
448 department by July 1, 2030.

449 (b) The department may license a public airport that does
450 not meet standards only if it determines that such exception is
451 justified by unusual circumstances or is in the interest of
452 public convenience and does not endanger the public health,
453 safety, or welfare. Such a license shall bear the designation
454 "special" and shall state the conditions subject to which the
455 license is granted.

456 (c) A temporary airport license or registration shall be
457 valid for less than 30 days and is not renewable. The department
458 may not approve a subsequent temporary airport registration
459 application for the same general location if the purpose or
460 effect is to evade otherwise applicable airport permitting or
461 licensure requirements.

462 (d)1. Each public airport license shall expire no later
463 than 1 year after the effective date of the license, except that
464 the expiration date of a license may be adjusted to provide a
465 maximum license period of 18 months to facilitate airport
466 inspections, recognize seasonal airport operations, or improve
467 administrative efficiency.

468 2. Registration for private airports shall remain valid
469 provided specific elements of airport data, established by the
470 department, are periodically recertified by the airport
471 registrant. The ability to recertify private airport
472 registration data shall be available at all times by electronic
473 submittal. A private airport registration that has not been
474 recertified in the 24-month period following the last



702262

475 certification shall expire, unless the registration period has
476 been adjusted by the department for purposes of informing
477 private airport owners of their registration responsibilities or
478 promoting administrative efficiency. The expiration date of the
479 current registration period will be clearly identifiable from
480 the state aviation facility data system.

481 3. The effective date and expiration date shall be shown on
482 public airport licenses. Upon receiving an application for
483 renewal of an airport license in a form and manner prescribed by
484 the department and receiving a favorable inspection report
485 indicating compliance with all applicable requirements and
486 conditions, the department shall renew the license, subject to
487 any conditions deemed necessary to protect the public health,
488 safety, or welfare.

489 4. The department may require a new site approval for any
490 airport if the license or registration has expired.

491 5. If the renewal application for a public airport license
492 has not been received by the department or no private airport
493 registration recertification has been accomplished within 15
494 days after the date of expiration, the department may revoke the
495 airport license or registration.

496 6. After initial registration, the department may issue a
497 certificate to a private airport of public interest if the
498 airport is found, after a physical inspection, to be in
499 compliance with all certificate requirements. The certificate is
500 subject to any reasonable condition that the department deems
501 necessary to protect the public health, safety, or welfare. A
502 private airport of public interest certificate expires 5 years
503 after the effective date of the certificate.



702262

504 (e) The department may revoke, or refuse to allow or issue,
505 any airport registration or recertification, or any license or
506 license renewal, if it determines:

507 1. That the site has been abandoned as an airport;

508 2. That the airport does not comply with the conditions of
509 the license, license renewal, or site approval;

510 3. That the airport has become either unsafe or unusable
511 for flight operation due to physical or legal changes in
512 conditions that were the subject of approval; or

513 4. That an airport required to file or update a security
514 plan pursuant to paragraph (f) has failed to do so.

515 (f)1. After initial licensure, a license of a publicly or
516 privately owned general aviation airport that is open to the
517 public, that has at least one runway greater than 4,999 feet in
518 length, and that does not host scheduled passenger-carrying
519 commercial service operations regulated under 14 C.F.R. part 139
520 shall not be renewed or reissued unless an approved security
521 plan has been filed with the department, except when the
522 department determines that the airport is working in good faith
523 toward completion and filing of the plan.

524 2. Security plans required by this paragraph must be
525 developed in accordance with the 2004 Security Planning for
526 General Aviation Airports guidelines published by the Florida
527 Airports Council. Certain administrative data from the approved
528 security plan shall be submitted to the Department of Law
529 Enforcement, in a format prescribed by the Department of Law
530 Enforcement, for use in protecting critical infrastructure of
531 the state.

532 3. The department shall not approve a security plan for



702262

533 filing unless it is consistent with Florida Airports Council
534 guidelines.

535 4. An airport required to file a security plan pursuant to
536 this paragraph shall update its plan at least once every 2 years
537 after the initial filing date and file the updated plan with the
538 department. The department shall review the updated plan prior
539 to approving it for filing to determine whether it is consistent
540 with Florida Airports Council guidelines. No renewal license
541 shall be issued to the airport unless the department approves
542 the updated security plan or determines that the airport is
543 working in good faith to update it.

544 (4) EXCEPTIONS.—Private airports with 10 or more based
545 aircraft may request to be inspected and licensed by the
546 department. Private airports licensed according to this
547 subsection shall be considered private airports as defined in s.
548 330.27 ~~s. 330.27(5)~~ in all other respects.

549 Section 9. Section 331.371, Florida Statutes, is amended to
550 read:

551 331.371 Strategic space infrastructure investment.—

552 (1) In consultation with Space Florida, the Department of
553 Transportation may fund spaceport discretionary capacity
554 improvement projects, as defined in s. 331.303, at up to 100
555 percent of the project's cost if:

556 (a) ~~(1)~~ Important access and on-spaceport-territory space
557 transportation capacity improvements are provided;

558 (b) ~~(2)~~ Capital improvements that strategically position the
559 state to maximize opportunities in international trade are
560 achieved;

561 (c) ~~(3)~~ Goals of an integrated intermodal transportation



702262

562 system for the state are achieved; and

563 (d)~~(4)~~ Feasibility and availability of matching funds
564 through federal, local, or private partners are demonstrated.

565 (2) (a) In consultation with the Department of Commerce and
566 the Department of Environmental Protection, the Department of
567 Transportation may fund infrastructure projects, and projects
568 associated with critical infrastructure facilities as defined in
569 s. 692.201, within or outside of a spaceport territory as long
570 as the project supports aerospace or launch support facilities
571 within an adjacent spaceport territory boundary.

572 (b) The Department of Transportation, the Department of
573 Commerce, and the Department of Environmental Protection shall
574 coordinate in funding projects under this subsection to optimize
575 the use of available funds.

576 Section 10. Section 332.003, Florida Statutes, is amended
577 to read:

578 332.003 Florida Airport Development and Accountability
579 ~~Assistance~~ Act; short title.—Sections 332.003–332.007 may be
580 cited as the “Florida Airport Development and Accountability
581 ~~Assistance~~ Act.”

582 Section 11. Section 332.005, Florida Statutes, is amended
583 to read:

584 332.005 Restrictions on authority of Department of
585 Transportation.—

586 (1) This act specifically prohibits the Department of
587 Transportation from regulating commercial air carriers operating
588 within the state pursuant to federal authority and regulations;
589 from participating in or exercising control in the management
590 and operation of a sponsor’s airport, except when officially



702262

591 requested by the sponsor; or from expanding the design or
592 operational capability of the department in the area of airport
593 and aviation consultants' contract work, other than to provide
594 technical assistance as requested.

595 (2) (a) Notwithstanding subsection (1), upon the declaration
596 of a state of emergency issued by the Governor in preparation
597 for or in response to a natural disaster, airports shall, at no
598 cost to the state, provide the Department of Transportation with
599 the opportunity to use any property that is not within the air
600 navigation facility as defined in s. 332.01(4) for the staging
601 of equipment and personnel to support emergency preparedness and
602 response operations.

603 (b) After 60 days of use under paragraph (a), any further
604 use of airport property by the Department of Transportation must
605 be conducted pursuant to a written agreement between the airport
606 and the department.

607 Section 12. Section 332.006, Florida Statutes, to read:

608 332.006 Duties and responsibilities of the Department of
609 Transportation.—The Department of Transportation shall, within
610 the resources provided to the department ~~pursuant to chapter~~
611 ~~216:~~

612 (1) Provide coordination and assistance for the development
613 of a viable aviation system in this state. To support the
614 system, a statewide aviation system plan shall be developed and
615 periodically updated which summarizes 5-year, 10-year, and 20-
616 year airport and aviation needs within the state. The statewide
617 aviation system plan shall be consistent with the goals of the
618 Florida Transportation Plan developed pursuant to s. 339.155.
619 The statewide aviation system plan shall not preempt local



702262

620 airport master plans adopted in compliance with federal and
621 state requirements.

622 (2) Advise and assist the Governor in all aviation matters.

623 (3) Upon request, assist airport sponsors, both financially
624 and technically, in airport master planning.

625 (4) Upon request, provide financial and technical
626 assistance to public agencies which operate public-use airports
627 by making department personnel and department-owned facilities
628 and equipment available on a cost-reimbursement basis to such
629 agencies for special needs of limited duration. The requirement
630 relating to reimbursement of personnel costs may be waived by
631 the department in those cases in which the assistance provided
632 by its personnel was of a limited nature or duration.

633 (5) Participate in research and development programs
634 relating to airports.

635 (6) Administer department participation in the program of
636 aviation and airport grants as provided for in ss. 332.003-
637 332.007.

638 (7) Develop, promote, and distribute supporting information
639 and educational services, including, but not limited to,
640 educational services with a focus on retention and growth of the
641 aviation industry workforce.

642 (8) Encourage the maximum allocation of federal funds to
643 local airport projects in this state.

644 (9) Support the development of land located within the
645 boundaries of airports for the purpose of industrial or other
646 uses compatible with airport operations with the objective of
647 assisting airports in this state to become fiscally self-
648 supporting. Such assistance may include providing state moneys



702262

649 on a matching basis to airport sponsors for capital
650 improvements, including, but not limited to, fixed-base
651 operation facilities, parking areas, industrial park utility
652 systems, and road and rail transportation systems which are on
653 airport property.

654 (10) When deemed appropriate by the department, conduct
655 inspections of commercial airport facilities that have received
656 state funding, including, but not limited to, the inspection of
657 terminal facilities, baggage systems, and fixed guideway
658 transportation systems in accordance with s. 341.061. The
659 department may enter into agreements with other state regulatory
660 agencies, including, but not limited to, the Department of
661 Business and Professional Regulation and the Department of
662 Health, for the purpose of conducting such inspections.

663 Section 13. Subsection (5), paragraph (a) of subsection
664 (7), and subsections (8) and (9) of section 332.007, Florida
665 Statutes, are amended, and paragraph (c) is added to subsection
666 (2) of that section, to read:

667 332.007 Administration and financing of aviation and
668 airport programs and projects; state plan.—

669 (2)

670 (c) The department shall require each airport sponsor to
671 submit an annual comprehensive maintenance program report that
672 provides details relating to maintenance and inspections of
673 airport infrastructure. The report must include a schedule of
674 inspections, locations at which inspections and maintenance are
675 performed, a list of required maintenance needs, any remedial
676 action required or taken after an inspection, and details of
677 follow-up inspections. For purposes of this paragraph, the term



702262

678 "maintenance" means any preventive or routine work necessary to
679 maintain airport infrastructure in good condition, which is
680 essential for the safe operation of airport infrastructure. If
681 the comprehensive maintenance program report includes evidence
682 of failure to perform routine maintenance, the department may
683 withhold state funds intended for use for capital expansion
684 projects until the airport sponsor takes corrective action to
685 address the failure. Records of materials and equipment used for
686 maintenance and repair work must be maintained by the airport
687 sponsor as required by the department.

688 (5) Only those projects or programs provided for in this
689 act that will contribute to the implementation of the state
690 aviation system plan, that are consistent with the energy policy
691 of the state as defined in s. 339.08(6)(a), that are consistent
692 with and will contribute to the implementation of any airport
693 master plan or layout plan, and that are consistent, to the
694 maximum extent feasible, with the approved local government
695 comprehensive plans of the units of government in which the
696 airport is located are eligible for the expenditure of state
697 funds in accordance with fund participation rates and priorities
698 established herein.

699 (7) Subject to the availability of appropriated funds in
700 addition to aviation fuel tax revenues, the department may
701 participate in the capital cost of eligible public airport and
702 aviation discretionary capacity improvement projects. The annual
703 legislative budget request shall be based on the funding
704 required for discretionary capacity improvement projects in the
705 aviation and airport work program.

706 (a) The department shall provide priority funding in



702262

707 support of:

708 1. Terminal and parking expansion projects that increase
709 capacity at airports providing commercial service in counties
710 with a population of 500,000 or less.

711 2. Land acquisition which provides additional capacity at
712 the qualifying international airport or at that airport's
713 supplemental air carrier airport.

714 ~~3.2.~~ Runway and taxiway projects that add capacity or are
715 necessary to accommodate technological changes in the aviation
716 industry.

717 ~~4.3.~~ Airport access transportation projects that improve
718 direct airport access and are approved by the airport sponsor.

719 ~~5.4.~~ International terminal projects that increase
720 international gate capacity.

721 6. Projects that improve safety and efficiency of airport
722 operations.

723 7. Emerging technology projects, workforce development
724 projects, and projects that benefit the strategic intermodal
725 system through intermodal connectivity.

726 (8) The department may also fund eligible projects
727 performed by not-for-profit organizations and postsecondary
728 education institutions as defined in s. 1008.47 which support
729 the training of pilots, air traffic control personnel, or
730 aircraft maintenance technical personnel ~~that represent a~~
731 ~~majority of public airports in this state.~~ Eligible projects may
732 include activities associated with aviation master planning,
733 professional education, safety and security planning, enhancing
734 economic development and efficiency at airports in this state,
735 or other planning efforts to improve the viability and safety of



702262

736 airports in this state. Programs that support the transition of
737 honorably discharged military personnel to the aviation industry
738 are also eligible projects under this subsection. The department
739 may provide matching funds for eligible projects funded by the
740 Department of Commerce.

741 (9) The department may fund strategic airport investment
742 projects at up to 100 percent of the project's cost if:

743 (a) Important access and on-airport capacity improvements
744 are provided;

745 (b) Capital improvements that strategically position the
746 state to maximize opportunities in tourism, international trade,
747 logistics, and the aviation industry are provided;

748 (c) Goals of an integrated intermodal transportation system
749 for the state are achieved; and

750 (d) Feasibility and availability of matching funds through
751 federal, local, or private partners are demonstrated.

752 Section 14. Paragraphs (a), (b), and (d) of subsection (1),
753 subsection (2), and paragraph (a) of subsection (5) of section
754 332.0075, Florida Statutes, are amended, and paragraph (c) is
755 added to subsection (5) of that section, to read:

756 332.0075 Commercial service airports; transparency and
757 accountability; penalty.—

758 (1) As used in this section, the term:

759 (a) "Commercial service airport" means an airport providing
760 commercial service, including large, medium, small, and nonhub
761 airports as classified ~~a primary airport as defined in 49 U.S.C.~~
762 ~~s. 47102 which is classified as a large, medium, or small hub~~
763 ~~airport~~ by the Federal Aviation Administration.

764 (b) "Consent agenda" means an agenda which consists of



702262

765 items voted on collectively or as a group and which does not
766 provide the opportunity for public comment on each such item
767 before approval or disapproval by the governing body.

768 (d) "Governing body" means the governing body of the
769 county, municipality, or special district that operates a
770 commercial service airport. The term also includes an appointed
771 board or oversight entity serving as the governing body for
772 purposes of a commercial service airport on behalf of a county,
773 municipality, or special district.

774 (2) Each governing body shall establish and maintain a
775 website to post information relating to the operation of a
776 commercial service airport. The information must remain posted
777 on the website for 5 years or for the entirety of the period
778 during which the document is actively in use, whichever is
779 longer, and must include all of the following, including:

780 (a) All published notices of meetings and published meeting
781 agendas of the governing body.

782 (b) The official minutes of each meeting of the governing
783 body, which must ~~shall~~ be posted within 7 business days after
784 the date of the meeting in which the minutes were approved.

785 (c) The approved budget for the commercial service airport
786 for the current fiscal year, which shall be posted within 7
787 business days after the date of adoption. Budgets must remain on
788 the website for 5 ~~2~~ years after the conclusion of the fiscal
789 year for which they were adopted.

790 (d) Copies of the current airport master plan and the
791 immediately preceding airport master plan for the commercial
792 service airport and a link to the current airport master plan
793 ~~for the commercial service airport~~ on the commercial service



702262

794 airport's website.

795 (e) A link to all financial and statistical reports for the
796 commercial service airport on the Federal Aviation
797 Administration's website.

798 (f) Any contract or contract amendment for the purchase of
799 commodities or contractual services executed by or on behalf of
800 the commercial service airport in excess of the threshold amount
801 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be
802 posted no later than 7 business days after the commercial
803 service airport executes the contract or contract amendment.
804 However, a contract or contract amendment may not reveal
805 information made confidential or exempt by law. Each commercial
806 service airport must redact confidential or exempt information
807 from each contract or contract amendment before posting a copy
808 on its website.

809 (g) Position and rate information for each employee of the
810 commercial service airport, including, at a minimum, the
811 employee's position title, position description, and annual or
812 hourly salary. This information must ~~shall~~ be updated quarterly
813 ~~annually~~.

814 (5)(a) Each November 1, the governing body of each
815 commercial service airport shall submit the following
816 information to the department:

- 817 1. Its approved budget for the current fiscal year.
- 818 2. Any financial reports submitted to the Federal Aviation
819 Administration during the previous calendar year.
- 820 3. A link to its website.
- 821 4. A statement, verified as provided in s. 92.525, that it
822 has complied with part III of chapter 112, chapter 287, and this



702262

823 section.

824 5. The most recent copies of its strategic plans.

825 6. Contracts related to any financial awards received
826 through federally funded grant programs for the preceding year.

827 (c) A commercial service airport shall:

828 1. Notify the department within 48 hours after receiving a
829 communication or directive from a federal agency relating to
830 public health testing or the transfer of unauthorized aliens
831 into this state.

832 2. Notify the department as soon as is reasonably possible,
833 but no later than 48 hours, after the discovery of a potential
834 cybersecurity breach or other occurrence impacting the traveling
835 public, a disruption in state aviation operations directly
836 impacting multiple airports within this state, or an incident
837 occurring on airport property which requires coordination with
838 multiple local, state, or federal agencies.

839 Section 15. Section 332.15, Florida Statutes, is created to
840 read:

841 332.15 Advanced air mobility.—The Department of
842 Transportation shall:

843 (1) Address the need for vertiports, advanced air mobility,
844 and other advances in aviation technology in the statewide
845 aviation system plan required under s. 332.006(1) and, as
846 appropriate, in the department's work program.

847 (2) Designate a subject matter expert on advanced air
848 mobility within the department to serve as a resource for local
849 jurisdictions navigating advances in aviation technology.

850 (3) Conduct a review of airport hazard zone regulations.

851 (4) In coordination with the Department of Commerce,



702262

852 provide coordination and assistance for the development of a
853 viable advanced air mobility system plan in this state. The
854 department shall incorporate the plan into the statewide
855 aviation system plan required under s. 332.006(1) to identify
856 and develop statewide corridors of need and opportunities for
857 industry growth.

858 Section 16. Subsection (5) of section 334.044, Florida
859 Statutes, is amended, and subsections (37), (38), and (39) are
860 added to that section, to read:

861 334.044 Powers and duties of the department.—The department
862 shall have the following general powers and duties:

863 (5) To purchase, lease, or otherwise acquire property and
864 materials, including the purchase of promotional items as part
865 of public information and education campaigns for the promotion
866 of environmental management, scenic highways, traffic and train
867 safety awareness, ~~alternatives to single-occupant vehicle~~
868 ~~travel~~, commercial motor vehicle safety, workforce development,
869 electric vehicle use and charging stations, autonomous vehicles,
870 and context classification design for electric vehicles and
871 autonomous vehicles; to purchase, lease, or otherwise acquire
872 equipment and supplies; and to sell, exchange, or otherwise
873 dispose of any property that is no longer needed by the
874 department.

875 (37) Notwithstanding s. 287.022 or s. 287.025, to directly
876 enter into insurance contracts with local, national, or
877 international insurance companies for the purchase of insurance
878 coverage that the department is contractually and legally
879 required to provide.

880 (38) Notwithstanding s. 287.14, to purchase or acquire



702262

881 heavy equipment and motor vehicles for roadway operations and
882 emergency response purposes regardless of whether the department
883 exchanges or ceases to operate any department-owned heavy
884 equipment or motor vehicles.

885 (39) To adopt rules for the purpose of compliance with 49
886 C.F.R. part 26 and any other applicable federal law.

887 Section 17. Subsection (1) of section 334.045, Florida
888 Statutes, is amended to read:

889 334.045 Transportation performance and productivity
890 standards; development; measurement; application.—

891 (1) The Florida Transportation Commission shall develop and
892 adopt measures for evaluating the performance and productivity
893 of the department. The measures may be both quantitative and
894 qualitative and must, to the maximum extent practical, assess
895 those factors that are within the department's control. The
896 measures must, at a minimum, assess performance in the following
897 areas:

898 (a) Production;

899 (b) Finance and administration;

900 (c) Preservation of the current state system;

901 (d) Safety of the current state system;

902 (e) Capacity improvements: highways and all public
903 transportation modes; and

904 (f) The business development program established under s.
905 337.027 ~~Disadvantaged business enterprise and minority business~~
906 programs.

907 Section 18. Section 334.62, Florida Statutes, is created to
908 read:

909 334.62 Florida Transportation Academy.—The Legislature



702262

910 finds that the growth and sustainability of the transportation
911 industry workforce is vital to the continued success and
912 efficiency of the state's supply chain and economic
913 competitiveness. In order to prioritize the continued need for
914 transportation industry workforce development programs, the
915 Florida Transportation Academy is established within the
916 department. In order to support, promote, and sustain workforce
917 development efforts in the transportation sector, the department
918 may do all of the following:

919 (1) Coordinate with the Department of Corrections to
920 identify and create certification and training opportunities for
921 nonviolent, scheduled-release inmates and create a notification
922 process between the Department of Corrections and the department
923 for nonviolent inmates with imminent scheduled-release dates who
924 are expected to seek employment upon release.

925 (2) Coordinate with the Department of Juvenile Justice and
926 its educational partners to create certification and training
927 opportunities for eligible youth.

928 (3) Coordinate with veterans' organizations to encourage
929 veterans with honorable military discharge to pursue employment
930 opportunities within the transportation industry, including, but
931 not limited to, employment as pilots, mechanics, and air traffic
932 controllers.

933 (4) Coordinate with the Department of Commerce,
934 CareerSource Florida, Inc., and regional business organizations,
935 within and outside of the transportation industry, to further
936 understand recruitment and retention needs and job-seeker
937 pipelines.

938 (5) Coordinate with the American Council of Engineering



702262

939 Companies and the Florida Transportation Builders Association to
940 optimize workforce recruitment and retention and assess future
941 needs across the transportation industry in this state.

942 Section 19. Present paragraph (b) of subsection (3) of
943 section 335.182, Florida Statutes, is redesignated as paragraph
944 (c) and amended, and a new paragraph (b) is added to that
945 subsection, to read:

946 335.182 Regulation of connections to roads on State Highway
947 System; definitions.—

948 (3) As used in this act, the term:

949 (b) "Modification of an existing connection" means the
950 relocation, alteration, or closure of the connection.

951 (c) ~~(b)~~ "Significant change" means:

952 1. A change in the use of the property, including the
953 development of land, structures, or facilities; or

954 2. An expansion of the size of the property, structures, or
955 facilities causing an increase in the trip generation of the
956 property exceeding 25 percent more trip generation, ~~either peak~~
957 hour or daily, and exceeding 100 vehicles per day more than the
958 existing use.

959 Section 20. Subsections (3) and (4) of section 335.187,
960 Florida Statutes, are amended to read:

961 335.187 Unpermitted connections; existing access permits;
962 nonconforming permits; modification and revocation of permits.—

963 (3) The department may issue a nonconforming access permit
964 if denying ~~after finding that to deny~~ an access permit would
965 leave the property without a reasonable means of access to the
966 State Highway System. The department may specify limits on the
967 maximum vehicular use of the connection and may condition ~~be~~



702262

968 ~~conditioned on~~ the availability of future alternative means of
969 access for which access permits can be obtained.

970 (4) After written notice and the opportunity for a hearing,
971 as provided for in s. 120.60, the department may modify or
972 revoke an access permit issued after July 1, 1988, by requiring
973 modification ~~Relocation, alteration, or closure~~ of an existing
974 connection if:

975 (a) A significant change occurs in the use, design, or
976 traffic flow of the connection; or

977 (b) It would jeopardize the safety of the public or have a
978 negative impact upon the operational characteristics of the
979 highway.

980 Section 21. Subsection (2) of section 337.027, Florida
981 Statutes, is amended to read:

982 337.027 Authority to implement a business development
983 program.—

984 (2) For purposes of this section, the term "small business"
985 means a business with yearly average gross receipts of less than
986 \$25 ~~\$15~~ million for road and bridge contracts and less than \$10
987 ~~\$6.5~~ million for professional and nonprofessional services
988 contracts. A business' average gross receipts is determined by
989 averaging its annual gross receipts over the last 3 years,
990 including the receipts of any affiliate as defined in s.
991 337.165.

992 Section 22. Subsection (6) of section 337.11, Florida
993 Statutes, is amended to read:

994 337.11 Contracting authority of department; bids; emergency
995 repairs, supplemental agreements, and change orders; combined
996 design and construction contracts; progress payments; records;



702262

997 requirements of vehicle registration.-

998 (6) (a) If the secretary determines that an emergency in
999 regard to the restoration or repair of any state transportation
1000 facility exists such that the delay incident to giving
1001 opportunity for competitive bidding would be detrimental to the
1002 interests of the state, the provisions for competitive bidding
1003 do not apply; and the department may enter into contracts for
1004 restoration or repair without giving opportunity for competitive
1005 bidding on such contracts. Within 30 days after such
1006 determination and contract execution, the head of the department
1007 shall file with the Executive Office of the Governor a written
1008 statement of the conditions and circumstances constituting such
1009 emergency.

1010 (b) If the secretary determines that delays on a contract
1011 for maintenance exist due to administrative challenges, bid
1012 protests, defaults or terminations and the further delay would
1013 reduce safety on the transportation facility or seriously hinder
1014 the department's ability to preserve the state's investment in
1015 that facility, competitive bidding provisions may be waived and
1016 the department may enter into a contract for maintenance on the
1017 facility. However, contracts for maintenance executed under the
1018 provisions of this paragraph shall be interim in nature and
1019 shall be limited in duration to a period of time not to exceed
1020 the length of the delay necessary to complete the competitive
1021 bidding process and have the contract in place.

1022 (c) When the department determines that it is in the best
1023 interest of the public for reasons of public concern, economy,
1024 improved operations, or safety, and only when circumstances
1025 dictate rapid completion of the work, the department may, up to



702262

1026 the amount of \$500,000, enter into contracts for construction
1027 and maintenance without advertising and receiving competitive
1028 bids. The department may enter into such contracts only upon a
1029 determination that the work is necessary for one of the
1030 following reasons:

1031 1. To ensure timely completion of projects or avoidance of
1032 undue delay for other projects;

1033 2. To accomplish minor repairs or construction and
1034 maintenance activities for which time is of the essence and for
1035 which significant cost savings would occur; or

1036 3. To accomplish nonemergency work necessary to ensure
1037 avoidance of adverse conditions that affect the safe and
1038 efficient flow of traffic.

1039

1040 The department shall make a good faith effort to obtain two or
1041 more quotes, if available, from qualified contractors before
1042 entering into any contract. The department shall give
1043 consideration to small disadvantaged business enterprise
1044 participation. However, when the work exists within the limits
1045 of an existing contract, the department shall make a good faith
1046 effort to negotiate and enter into a contract with the prime
1047 contractor on the existing contract.

1048 Section 23. Section 337.125, Florida Statutes, is repealed.

1049 Section 24. Section 337.135, Florida Statutes, is repealed.

1050 Section 25. Section 337.139, Florida Statutes, is repealed.

1051 Section 26. Paragraph (a) of subsection (1) of section
1052 337.18, Florida Statutes, is amended to read:

1053 337.18 Surety bonds for construction or maintenance
1054 contracts; requirement with respect to contract award; bond



702262

1055 requirements; defaults; damage assessments.-

1056 (1) (a) A surety bond shall be required of the successful
1057 bidder in an amount equal to the awarded contract price.
1058 However, the department may choose, in its discretion and
1059 applicable only to multiyear maintenance contracts, to allow for
1060 incremental annual contract bonds that cumulatively total the
1061 full, awarded, multiyear contract price; ~~The department may~~
1062 ~~also choose,~~ in its discretion and applicable only to phased
1063 design-build contracts under s. 337.11(7) (b), to allow the
1064 issuance of multiple contract performance and payment bonds in
1065 succession to align with each phase of the contract to meet the
1066 bonding requirement in this subsection; and, at the discretion
1067 of the Secretary of Transportation and notwithstanding any
1068 bonding requirement under s. 337.18, to require a surety bond in
1069 an amount that is less than the awarded contract price.

1070 1. The department may waive the requirement for all or a
1071 portion of a surety bond if:

1072 a. The contract price is \$250,000 or less and the
1073 department determines that the project is of a noncritical
1074 nature and that nonperformance will not endanger public health,
1075 safety, or property;

1076 b. The prime contractor is a qualified nonprofit agency for
1077 the blind or for the other severely handicapped under s.
1078 413.036(2); or

1079 c. The prime contractor is using a subcontractor that is a
1080 qualified nonprofit agency for the blind or for the other
1081 severely handicapped under s. 413.036(2). However, the
1082 department may not waive more than the amount of the
1083 subcontract.



702262

1084 2. If the department determines that it is in the best
1085 interests of the department to reduce the bonding requirement
1086 for a project and that to do so will not endanger public health,
1087 safety, or property, the department may waive the requirement of
1088 a surety bond in an amount equal to the awarded contract price
1089 for a project having a contract price of \$250 million or more
1090 and, in its place, may set a surety bond amount that is a
1091 portion of the total contract price and provide an alternate
1092 means of security for the balance of the contract amount that is
1093 not covered by the surety bond or provide for incremental surety
1094 bonding and provide an alternate means of security for the
1095 balance of the contract amount that is not covered by the surety
1096 bond. Such alternative means of security may include letters of
1097 credit, United States bonds and notes, parent company
1098 guarantees, and cash collateral. The department may require
1099 alternate means of security if a surety bond is waived. The
1100 surety on such bond shall be a surety company authorized to do
1101 business in the state. All bonds shall be payable to the
1102 department and conditioned for the prompt, faithful, and
1103 efficient performance of the contract according to plans and
1104 specifications and within the time period specified, and for the
1105 prompt payment of all persons defined in s. 713.01 furnishing
1106 labor, material, equipment, and supplies for work provided in
1107 the contract; however, whenever an improvement, demolition, or
1108 removal contract price is \$25,000 or less, the security may, in
1109 the discretion of the bidder, be in the form of a cashier's
1110 check, bank money order of any state or national bank, certified
1111 check, or postal money order. The department shall adopt rules
1112 to implement this subsection. Such rules shall include



702262

1113 provisions under which the department shall refuse to accept
1114 bonds on contracts when a surety wrongfully fails or refuses to
1115 settle or provide a defense for claims or actions arising under
1116 a contract for which the surety previously furnished a bond.

1117 Section 27. Subsection (3) of section 337.251, Florida
1118 Statutes, is amended to read:

1119 337.251 Lease of property for joint public-private
1120 development and areas above or below department property.—

1121 (3) A proposal must be selected by the department based on
1122 competitive bidding, except that the department may consider
1123 other relevant factors specified in the request for proposals.
1124 The department may consider such factors as the value of
1125 property exchanges, the cost of construction, and other
1126 recurring costs for the benefit of the department by the lessee
1127 in lieu of direct revenue to the department if such other
1128 factors are of equal value including innovative proposals to
1129 involve small ~~minority~~ businesses. The department may name a
1130 board of advisers which may be composed of accountants, real
1131 estate appraisers, design engineers, or other experts
1132 experienced in the type of development proposed. The board of
1133 advisers shall review the feasibility of the proposals,
1134 recommend acceptance or rejection of each proposal, and rank
1135 each feasible proposal in the order of technical feasibility and
1136 benefit provided to the department. The board of advisers shall
1137 be reasonably compensated for the services provided and all
1138 department costs for evaluating the proposals shall be
1139 reimbursed from a proposal application fee to be set by the
1140 department and paid by the applicants. The board of advisers
1141 shall not be subject to selection under the provisions of



702262

1142 chapter 287.

1143 Section 28. Section (2) of section 337.401, Florida
1144 Statutes, is amended to read:

1145 337.401 Use of right-of-way for utilities subject to
1146 regulation; permit; fees.—

1147 (2) (a) The authority may grant to any person who is a
1148 resident of this state, or to any corporation which is organized
1149 under the laws of this state or licensed to do business within
1150 this state, the use of a right-of-way for the utility in
1151 accordance with such rules or regulations as the authority may
1152 adopt. A utility may not be installed, located, or relocated
1153 unless authorized by a written permit issued by the authority.
1154 However, for public roads or publicly owned rail corridors under
1155 the jurisdiction of the department, a utility relocation
1156 schedule and relocation agreement may be executed in lieu of a
1157 written permit. The permit must require the permitholder to be
1158 responsible for any damage resulting from the issuance of such
1159 permit. The authority may initiate injunctive proceedings as
1160 provided in s. 120.69 to enforce provisions of this subsection
1161 or any rule or order issued or entered into pursuant thereto. A
1162 permit application required under this subsection by a county or
1163 municipality having jurisdiction and control of the right-of-way
1164 of any public road must be processed and acted upon in
1165 accordance with the timeframes provided in subparagraphs
1166 (7) (d) 7., 8., and 9.

1167 (b) Notwithstanding paragraph (a), a municipality may not
1168 prohibit, or require a permit for, the installation of a public
1169 sewer transmission line placed and maintained within and under
1170 publicly dedicated rights-of-way as part of a septic-to-sewer



702262

1171 conversion where the work is being performed under permits
1172 issued by the Department of Transportation pursuant to this
1173 chapter and the Department of Environmental Protection, or its
1174 delegate, pursuant to chapter 403.

1175 Section 29. Subsection (4) of section 337.406, Florida
1176 Statutes, is amended to read:

1177 337.406 Unlawful use of state transportation facility
1178 right-of-way; penalties.—

1179 (4) (a) Camping is prohibited on any portion of the right-
1180 of-way of the State Highway System ~~that is within 100 feet of a~~
1181 ~~bridge, causeway, overpass, or ramp.~~

1182 (b) This subsection does not apply to a person who has
1183 acquired the appropriate permits and is actively navigating the
1184 federally designated Florida National Scenic Trail recognized by
1185 the state in s. 260.012(6).

1186 Section 30. Subsection (4) of section 338.227, Florida
1187 Statutes, is amended to read:

1188 338.227 Turnpike revenue bonds.—

1189 (4) The Department of Transportation and the Department of
1190 Management Services shall create and implement an outreach
1191 program designed to enhance the participation of small minority
1192 ~~persons and minority~~ business enterprises in all contracts
1193 entered into by their respective departments for services
1194 related to the financing of department projects for the
1195 Strategic Intermodal System Plan developed pursuant to s.
1196 339.64. These services ~~shall~~ include, but are not limited to,
1197 bond counsel and bond underwriters.

1198 Section 31. Subsection (6) is added to section 339.08,
1199 Florida Statutes, to read:



702262

1200 339.08 Use of moneys in State Transportation Trust Fund.—
1201 (6) (a) As used in this subsection, the term “energy policy
1202 of the state” means the energy policy described in s. 377.601
1203 and includes any intended or actual measure, obligation, target,
1204 or timeframe related to a reduction in carbon dioxide emissions.

1205 (b) The department may not expend any state funds as
1206 described in s. 215.31 to support a project or program of any of
1207 the following entities if such entities adopt or promote energy
1208 policy goals inconsistent with the energy policy of the state:

- 1209 1. A public transit provider as defined in s. 341.031(1).
1210 2. An authority created pursuant to chapter 343, chapter
1211 348, or chapter 349.
1212 3. A public-use airport as defined in s. 332.004.
1213 4. A port listed in s. 311.09(1).

1214 Section 32. Section 339.0805, Florida Statutes, is
1215 repealed.

1216 Section 33. Paragraph (c) of subsection (6) and paragraph
1217 (h) of subsection (7) of section 339.135, Florida Statutes, are
1218 amended to read:

1219 339.135 Work program; legislative budget request;
1220 definitions; preparation, adoption, execution, and amendment.—

1221 (6) EXECUTION OF THE BUDGET.—

1222 (c) Notwithstanding ~~the provisions of~~ ss. 216.301(2) and
1223 216.351, any unexpended balance remaining at the end of the
1224 fiscal year in the appropriations to the department for special
1225 categories; aid to local governments; lump sums for project
1226 phases which are part of the adopted work program, and for which
1227 contracts have been executed or bids have been let; and for
1228 right-of-way land acquisition and relocation assistance for



702262

1229 parcels from project phases in the adopted work program for
1230 which appraisals have been completed and approved, may be
1231 certified forward as fixed capital outlay at the end of each
1232 fiscal year, to be certified by the head of the state agency on
1233 or before August 1 of each year to the Executive Office of the
1234 Governor, showing in detail the commitment or to whom obligated
1235 and the amount of such commitment or obligation. On or before
1236 September 1 of each year, the Executive Office of the Governor
1237 shall review and approve or disapprove, consistent with
1238 legislative policy and intent, any ~~or all~~ of the items and
1239 amounts certified by the head of the state agency and shall
1240 furnish the Chief Financial Officer, the legislative
1241 appropriations committees, and the Auditor General a detailed
1242 listing of the items and amounts approved as legal encumbrances
1243 against the undisbursed balances of such appropriations. In the
1244 event such certification is not made and the balance of the
1245 appropriation has reverted and the obligation is proven to be
1246 legal, due, and unpaid, then the same must ~~shall~~ be presented to
1247 the Legislature for its consideration. Such certification as
1248 herein required must ~~shall~~ be in the form and on the date
1249 approved by the Executive Office of the Governor. Any project
1250 phases in the adopted work program not certified forward are
1251 ~~shall be~~ available for roll forward for the next fiscal year of
1252 the adopted work program. Spending authority associated with
1253 such project phases may be rolled forward to the next fiscal
1254 year upon approval by the procedures set forth in s. 216.177.
1255 Upon approval, the Executive Office of the Governor shall modify
1256 the original approved operating budget for fixed capital outlay
1257 expenditures ~~Legislative Budget Commission~~. Increases in



702262

1258 spending authority are ~~shall be~~ limited to amounts of unexpended
1259 balances by appropriation category. Any project phase certified
1260 forward for which bids have been let but subsequently rejected
1261 is ~~shall be~~ available for roll forward in the adopted work
1262 program for the next fiscal year. Spending authority associated
1263 with such project phases may be rolled forward into the current
1264 year from funds certified forward. The amount certified forward
1265 may include contingency allowances for right-of-way acquisition
1266 and relocation, asphalt and petroleum product escalation
1267 clauses, and contract overages, which allowances must ~~shall~~ be
1268 separately identified in the certification detail. Right-of-way
1269 acquisition and relocation and contract overages contingency
1270 allowances must ~~shall~~ be based on documented historical
1271 patterns. These contingency amounts must ~~shall~~ be incorporated
1272 in the certification for each specific category, but when a
1273 category has an excess and another category has a deficiency,
1274 the Executive Office of the Governor is authorized to transfer
1275 the excess to the deficient account.

1276 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1277 (h)1. Any work program amendment that also adds a new
1278 project, or phase thereof, to the adopted work program in excess
1279 of \$3 million is subject to approval by the Legislative Budget
1280 Commission. Any work program amendment submitted under this
1281 paragraph must include, as supplemental information, a list of
1282 projects, or phases thereof, in the current 5-year adopted work
1283 program which are eligible for the funds within the
1284 appropriation category being used for the proposed amendment.
1285 The department shall provide a narrative with the rationale for
1286 not advancing an existing project, or phase thereof, in lieu of



702262

1287 the proposed amendment.

1288 2. If the department submits an amendment to the
1289 Legislative Budget Commission and the commission does not meet
1290 or consider the amendment within 30 days after its submittal,
1291 the chair and vice chair of the commission may authorize the
1292 amendment to be approved pursuant to s. 216.177. ~~This~~
1293 ~~subparagraph expires July 1, 2025.~~

1294 Section 34. Paragraph (b) of subsection (3) and paragraph
1295 (c) of subsection (4) of section 339.2821, Florida Statutes, are
1296 amended to read:

1297 339.2821 Economic development transportation projects.-

1298 (3)

1299 (b) The department must ensure that it is supportive of
1300 small businesses as defined in s. 337.027(2) ~~small and minority~~
1301 ~~businesses have equal access to participate in transportation~~
1302 ~~projects funded pursuant to this section.~~

1303 (4) A contract between the department and a governmental
1304 body for a transportation project must:

1305 (c) Require that the governmental body provide the
1306 department with progress reports. Each progress report must
1307 contain:

1308 1. A narrative description of the work completed and
1309 whether the work is proceeding according to the transportation
1310 project schedule;

1311 2. A description of each change order executed by the
1312 governmental body;

1313 3. A budget summary detailing planned expenditures compared
1314 to actual expenditures; and

1315 4. The identity of each small ~~or minority~~ business used as



702262

1316 a contractor or subcontractor.

1317 Section 35. Section 339.287, Florida Statutes, is repealed.

1318 Section 36. Paragraph (c) of subsection (2) of section
1319 339.55, Florida Statutes, is amended to read:

1320 339.55 State-funded infrastructure bank.—

1321 (2) The bank may lend capital costs or provide credit
1322 enhancements for:

1323 (c)1. Emergency loans for damages incurred to public-use
1324 commercial deepwater seaports, public-use airports, and other
1325 public-use transit and intermodal facilities that are within an
1326 area that is part of an official state declaration of emergency
1327 pursuant to chapter 252 and all other applicable laws. Such
1328 loans:

1329 a. May not exceed 24 months in duration except in extreme
1330 circumstances, for which the Secretary of Transportation may
1331 grant up to 36 months upon making written findings specifying
1332 the conditions requiring a 36-month term.

1333 b. Require application from the recipient to the department
1334 that includes documentation of damage claims filed with the
1335 Federal Emergency Management Agency or an applicable insurance
1336 carrier and documentation of the recipient's overall financial
1337 condition.

1338 c. Are subject to approval by the Secretary of
1339 Transportation ~~and the Legislative Budget Commission.~~

1340 2. Loans provided under this paragraph must be repaid upon
1341 receipt by the recipient of eligible program funding for damages
1342 in accordance with the claims filed with the Federal Emergency
1343 Management Agency or an applicable insurance carrier, but no
1344 later than the duration of the loan.



702262

1345 Section 37. Subsections (3) and (7) of section 339.651,
1346 Florida Statutes, are amended to read:

1347 339.651 Strategic Intermodal System supply chain demands.—

1348 (3) The department may ~~shall~~ make up to \$20 million
1349 available each year ~~for fiscal years 2023-2024 through 2027-~~
1350 ~~2028,~~ from the existing work program ~~revenues,~~ to fund projects
1351 that meet the public purpose of providing increased capacity and
1352 enhanced capabilities to move and store construction aggregate.
1353 Applicants eligible for project funding under this section are
1354 seaports listed in s. 311.09 and rail lines and rail facilities.

1355 ~~(7) This section shall stand repealed on July 1, 2028.~~

1356 Section 38. Paragraph (b) of subsection (6) of section
1357 341.051, Florida Statutes, is amended to read:

1358 341.051 Administration and financing of public transit and
1359 intercity bus service programs and projects.—

1360 (6) ANNUAL APPROPRIATION.—

1361 (b) If funds are allocated to projects that qualify for the
1362 New Starts Transit Program in the current fiscal year and a
1363 project will not be ready for production by June 30, those funds
1364 must ~~The remaining unallocated New Starts Transit Program funds~~
1365 ~~as of June 30, 2024,~~ shall be reallocated for the purpose of the
1366 Strategic Intermodal System within the State Transportation
1367 Trust Fund for the next fiscal year. ~~This paragraph expires June~~
1368 ~~30, 2026.~~

1369
1370 For purposes of this section, the term "net operating costs"
1371 means all operating costs of a project less any federal funds,
1372 fares, or other sources of income to the project.

1373 Section 39. Subsection (5) of section 348.754, Florida



702262

1374 Statutes, is amended to read:

1375 348.754 Purposes and powers.—

1376 (5) The authority shall encourage the inclusion of local
1377 and small ~~local, small, minority, and women-owned~~ businesses
1378 in its procurement and contracting opportunities.

1379 Section 40. Subsection (2) of section 349.03, Florida
1380 Statutes, is amended, and subsections (4) and (5) are added to
1381 that section, to read:

1382 349.03 Jacksonville Transportation Authority.—

1383 (2) The governing body of the authority shall be composed
1384 ~~consist~~ of seven members. Four ~~Three~~ members shall be appointed
1385 by the Governor and confirmed by the Senate. Of the four members
1386 appointed by the Governor, one must be a resident of Duval
1387 County and three must be residents of Clay County, St. Johns
1388 County, or Nassau County.

1389
1390 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

1391 And the directory clause is amended as follows:

1392 Delete lines 228 - 229

1393 and insert:

1394 (b), and (g) of subsection (2), and paragraph (b) of present
1395 subsection (3) of that section is amended, to read:

1396
1397 ===== T I T L E A M E N D M E N T =====

1398 And the title is amended as follows:

1399 Delete lines 12 - 201

1400 and insert:

1401 Transportation Commission; requiring the commission to
1402 monitor transit entities that receive certain funding;



702262

1403 requiring members of the commission to follow certain
1404 standards of conduct; providing legislative findings
1405 and intent; creating the Florida Transportation
1406 Research Institute; specifying the purpose of the
1407 institute; requiring the institute to report to the
1408 department; providing for membership of the institute;
1409 requiring the department to select a member to serve
1410 as the administrative lead of the institute; requiring
1411 the Secretary of Transportation to appoint a
1412 representative of the department to serve as the
1413 executive director of the institute; requiring the
1414 department to coordinate with the members of the
1415 institute to adopt certain policies; authorizing the
1416 institute to award certain grants; authorizing the
1417 department to allocate funds to the institute from the
1418 State Transportation Trust Fund; authorizing the
1419 institute to expend funds for certain operations and
1420 programs; requiring the institute to submit an annual
1421 report to the Secretary of Transportation and the
1422 commission; revising the department's areas of program
1423 responsibility; amending s. 311.07, F.S.; providing
1424 that certain spaceport and space industry-related
1425 facility projects and commercial shipbuilding and
1426 manufacturing facility projects are eligible for grant
1427 funding under the Florida Seaport Transportation and
1428 Economic Development Program; amending s. 311.09,
1429 F.S.; revising the purpose of the Florida Seaport
1430 Transportation and Economic Development Council;
1431 requiring the department to provide administrative



1432 support to the council on certain matters; requiring
1433 that the Florida Seaport Mission Plan include certain
1434 recommendations; requiring each port member of the
1435 council to submit a certain semiannual report to the
1436 department; amending s. 311.10, F.S.; requiring
1437 seaports located in a specified county to include
1438 certain statements in any agreement with the
1439 department as a condition of receiving certain grants;
1440 defining the term "cargo purposes"; repealing s.
1441 316.0741, F.S., relating to high-occupancy-vehicle
1442 lanes; amending s. 316.0745, F.S.; deleting language
1443 limiting the state funds that may be withheld due to
1444 certain violations by a public body or official to
1445 state funds for traffic control purposes; providing
1446 that such violations are cause for the withholding of
1447 state funds deposited in the State Transportation
1448 Trust Fund; amending s. 330.27, F.S.; revising
1449 definitions and defining terms; amending s. 330.30,
1450 F.S.; requiring that a private airport of public
1451 interest obtain a certain certificate from the
1452 department before allowing aircraft operations;
1453 requiring that certain private airports obtain a
1454 certain certificate from the department by a specified
1455 date; amending s. 331.371, F.S.; authorizing the
1456 department, in consultation with the Department of
1457 Commerce and the Department of Environmental
1458 Protection, to fund certain infrastructure projects
1459 and projects associated with certain critical
1460 infrastructure projects; requiring that such



702262

1461 departments coordinate in funding certain projects for
1462 a specified purpose; amending s. 332.003, F.S.;
1463 revising a short title; amending s. 332.005, F.S.;
1464 requiring airports to provide the Department of
1465 Transportation with the opportunity to use certain
1466 airport property for a specified purpose during a
1467 declared state of emergency; requiring that such use
1468 be conducted pursuant to a written agreement after a
1469 certain period of use; amending s. 332.006, F.S.;
1470 deleting a requirement that the department meet
1471 certain duties and responsibilities within the
1472 resources provided pursuant to a specified chapter;
1473 providing duties and responsibilities of the
1474 department relating to certain educational services,
1475 inspections of certain commercial airport facilities,
1476 and agreements with other state regulatory agencies;
1477 amending s. 332.007, F.S.; requiring the department to
1478 require annual comprehensive maintenance program
1479 reports from airport sponsors; providing requirements
1480 for such reports; defining the term "maintenance";
1481 authorizing the department to withhold certain state
1482 funds under certain circumstances; revising the list
1483 of projects for which the department must provide
1484 priority funding; authorizing the department to fund
1485 eligible projects performed by certain organizations
1486 and postsecondary education institutions; providing
1487 that certain programs are eligible projects;
1488 authorizing the department to provide certain matching
1489 funds; revising the circumstances in which the



702262

1490 department may fund strategic airport investment
1491 projects; amending s. 332.0075, F.S.; revising
1492 definitions; requiring that certain information remain
1493 posted on a governing body's website for a certain
1494 period; revising the information that must be included
1495 on such website; requiring the quarterly, rather than
1496 annual, update of certain information; revising
1497 information that the governing body of a commercial
1498 service airport must submit to the department
1499 annually; requiring a commercial service airport to
1500 provide certain notifications to the department;
1501 creating s. 332.15, F.S.; requiring the department to
1502 address certain needs in the statewide aviation system
1503 plan and the department's work program, designate a
1504 certain subject matter expert, conduct a specified
1505 review, and, in coordination with the Department of
1506 Commerce, provide certain coordination and assistance
1507 for the development of a viable advanced air mobility
1508 system plan; amending s. 334.044, F.S.; revising the
1509 powers and duties of the department; amending s.
1510 334.045, F.S.; requiring certain measures developed
1511 and adopted by the Florida Transportation Commission
1512 to assess performance in a specified business
1513 development program, instead of disadvantaged business
1514 enterprise and minority business programs; creating s.
1515 334.62, F.S.; providing legislative findings;
1516 establishing the Florida Transportation Academy within
1517 the department; authorizing the department to
1518 coordinate with certain entities for specified



702262

1519 purposes; amending s. 335.182, F.S.; defining the term
1520 "modification of an existing connection"; revising the
1521 definition of the term "significant change"; amending
1522 s. 335.187, F.S.; authorizing the department to modify
1523 or revoke certain access permits by requiring
1524 modification of an existing connection in certain
1525 circumstances; amending s. 337.027, F.S.; revising the
1526 definition of the term "small business"; amending s.
1527 337.11, F.S.; requiring the department to give
1528 consideration to small business participation, instead
1529 of disadvantaged business enterprise participation;
1530 repealing s. 337.125, F.S., relating to socially and
1531 economically disadvantaged business enterprises and
1532 notice requirements; repealing s. 337.135, F.S.,
1533 relating to socially and economically disadvantaged
1534 business enterprises and punishment for false
1535 representation; repealing s. 337.139, F.S., relating
1536 to efforts to encourage awarding contracts to
1537 disadvantaged business enterprises; amending s.
1538 337.18, F.S.; authorizing the Secretary of
1539 Transportation to require a surety bond in an amount
1540 that is less than the awarded contract price; amending
1541 s. 337.251, F.S.; revising factors that may be
1542 considered by the department when selecting certain
1543 proposals; amending s. 337.401, F.S.; prohibiting a
1544 municipality from prohibiting, or requiring a permit
1545 for, the installation of certain public sewer
1546 transmission lines; amending s. 337.406, F.S.;

1547 prohibiting camping on any portion of the right-of-way



702262

1548 of the State Highway System; providing applicability;
1549 amending s. 338.227, F.S.; revising the purpose for
1550 which the department and the Department of Management
1551 Services shall create and implement a certain outreach
1552 program; amending s. 339.08, F.S.; defining the term
1553 "energy policy of the state"; prohibiting the
1554 department from expending state funds to support
1555 projects or programs of certain entities in certain
1556 circumstances; repealing s. 339.0805, F.S., relating
1557 to funds to be expended with certified disadvantaged
1558 business enterprises, a construction management
1559 development program, and a bond guarantee program;
1560 amending s. 339.135, F.S.; revising the method of
1561 approval upon which certain spending authority may be
1562 rolled forward to the next fiscal year; requiring the
1563 Executive Office of the Governor to make a certain
1564 budget modification upon such approval; deleting the
1565 scheduled repeal of a provision authorizing the chair
1566 or vice chair of the Legislative Budget Commission to
1567 authorize an amendment of the adopted work program in
1568 certain circumstances; amending s. 339.2821, F.S.;
1569 requiring the department to ensure that it is
1570 supportive of small businesses, rather than ensuring
1571 that small and minority businesses have equal access
1572 to participation in certain transportation projects;
1573 repealing s. 339.287, F.S., relating to electric
1574 vehicle charging stations and infrastructure plan
1575 development; amending s. 339.55, F.S.; deleting
1576 language providing that certain emergency loans from



702262

1577 the state-funded infrastructure bank are subject to
1578 approval by the Legislative Budget Commission;
1579 amending s. 339.651, F.S.; authorizing, rather than
1580 requiring, the department to make a certain amount
1581 available from the existing work program to fund