

By the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Commerce and Tourism; and Senators Smith and Arrington

606-03453-25

2025324c2

A bill to be entitled

An act relating to construction disruption assistance; creating part XIII of ch. 288, F.S., to be entitled the "Construction Disruption Assistance Act"; creating s. 288.9991, F.S.; providing a short title; creating s. 288.9992, F.S.; providing legislative findings and purpose; creating s. 288.9993, F.S.; defining terms; creating s. 288.9994, F.S.; establishing rulemaking authority; creating s. 288.9995, F.S.; establishing the Construction Impact Relief Revolving Loan Program within the Department of Commerce; authorizing the Legislature to fund the program; requiring the department to provide specified financial assistance to eligible small businesses within construction zones; requiring the department to develop a public awareness and marketing campaign to promote the program in partnership with specified entities; providing requirements for the campaign; requiring applicants to submit specified information with their applications; requiring an applicant to agree to accept consultation from the Florida Small Business Development Center Network as a condition to participate in the program; prohibiting an applicant from participating in the program under certain circumstances; creating s. 288.9996, F.S.; directing the department to maintain and publish certain information about the program on its website and to update such information as changes occur; requiring that such information be accessible to certain persons

606-03453-25

2025324c2

with disabilities; creating s. 288.9997, F.S.;
providing that the department or any of its officers,
employees, agents, or contractors are not liable in
any civil action arising out of or relating to
specified duties of the program; requiring an
applicant to acknowledge that submitting an
application does not guarantee funding; providing that
the department is not liable for any damages resulting
from the department denying an applicant a loan or
delaying loan disbursement or from certain activities;
providing construction; providing that certain
determinations, prioritizations, and decisions made
are deemed final agency action and not subject to
further judicial review; providing an exception;
authorizing the department to adopt rules; creating s.
288.9998, F.S.; requiring the department, by a
specified date, to submit an annual report containing
certain information to the Governor and the
Legislature; providing an effective date.

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

Section 1. Part XIII of chapter 288, Florida Statutes,
consisting of ss. 288.9991-288.9998, Florida Statutes, is
created and entitled "Construction Disruption Assistance Act."

Section 2. Section 288.9991, Florida Statutes, is created
to read:

288.9991 Short title.—This part shall be known and may be
cited as the "Construction Disruption Assistance Act."

606-03453-25

2025324c2

59 Section 3. Section 288.9992, Florida Statutes, is created
60 to read:

61 288.9992 Legislative findings; purpose.—The Legislature
62 finds and declares that:

63 (1) Prolonged state and local government construction
64 projects that directly block access to small businesses cause
65 significant financial and operational hardships that negatively
66 impact local economies and threaten the livelihoods of business
67 owners and employees.

68 (2) It is the purpose of this act to establish a program to
69 provide financial relief, promotional support, and loss coverage
70 to small businesses adversely impacted by state and local
71 government construction projects, ensuring their resilience and
72 viability during essential infrastructure improvements.

73 Section 4. Section 288.9993, Florida Statutes, is created
74 to read:

75 288.9993 Definitions.—As used in this part, the term:

76 (1) "Construction zone" means the immediate area where
77 construction activities directly restrict physical or visual
78 access to a small business, including partial or complete
79 obstruction of entryways, parking, or signage visibility.

80 (2) "Demonstrable loss" means a verifiable reduction in
81 revenue, property damage, or increased operational costs
82 directly attributed to state or local government construction
83 activities.

84 (3) "Department" means the Department of Commerce.

85 (4) "Eligible small business" means a business with 50 or
86 fewer employees whose primary access points are obstructed by
87 state or local government construction activities directly

606-03453-25

2025324c2

adjacent to or in front of the business, as determined by the department.

(5) "Program" means the Construction Impact Relief Revolving Loan Program established in s. 288.9995.

Section 5. Section 288.9994, Florida Statutes, is created to read:

288.9994 Rulemaking authority.—By October 1, 2025, the department shall adopt rules to implement this part, including, but not limited to, developing guidelines for the award of loans under the program and creating application forms for the program.

Section 6. Section 288.9995, Florida Statutes, is created to read:

288.9995 Construction Impact Relief Revolving Loan Program.—

(1) The Construction Impact Relief Revolving Loan Program is created within the department. The program may be funded by the Legislature. Under the program, the department shall:

(a) Provide financial assistance to eligible small businesses within construction zones, including low-interest loans of up to \$100,000, with interest not to exceed the federal funds rate at the time the loan is issued, for the operational costs of eligible small businesses during construction disruptions.

(b) Develop a public awareness and marketing campaign to promote the program in partnership with local chambers of commerce and other business organizations and to encourage customer support for small businesses adversely impacted by state and local government construction activities. Such

606-03453-25

2025324c2

marketing campaign efforts must include, but are not limited to,
all of the following:

1. Digital advertising campaigns.

2. Signage and outreach.

(2) An applicant seeking to obtain financial assistance under paragraph (1)(a) must submit an application to the department. The application must require documentation of demonstrable loss and a plan for the use of funds. Proof of demonstrable loss must include, but is not limited to, all of the following:

(a) Documentation of reduction in revenue from the start date of the state or local government construction activities to the week before an application is submitted to the department. Such proof may be made by comparing the applicant's average weekly or monthly revenue of the year before the state or local government construction activities began and the applicant's current weekly or monthly revenue.

(b) Photo or video evidence of the obstruction to the applicant due to the construction zone. Such obstruction may include, but is not limited to, any of the following:

1. Restricting parking or primary entry access to the eligible small business.

2. Blocking visibility of the applicant from all directions of traffic flow along the road and adjoining sidewalks in which the applicant is located, during each phase of construction.

(3) An applicant must agree to accept consultation from the Florida Small Business Development Center Network created in s. 288.001 as a condition to participate in the program. If an applicant is enrolled in any other loan program, he or she is

606-03453-25

2025324c2

not eligible to participate in the program.

Section 7. Section 288.9996, Florida Statutes, is created to read:

288.9996 Publication on department website; accessibility.

(1) The department shall maintain and publish detailed information about the program on its website. The information must include, but is not limited to, all of the following:

(a) A clear description of the application process.

(b) Detailed eligibility criteria for applicants.

(c) The timeline and procedures for review, approval, and disbursement of funds.

(d) Contact information, including e-mail addresses and telephone numbers, applicants or interested parties may obtain for additional information or assistance.

(2) The department shall update the information as changes occur and ensure the website is accessible to all potential applicants or interested parties, including those with disabilities, in accordance with applicable state and federal accessibility laws.

Section 8. Section 288.9997, Florida Statutes, is created to read:

288.9997 Liability.—

(1) The department or any of its officers, employees, agents, or contractors may not be held liable in any civil action arising out of or relating to the administration, processing, approval, denial, or disbursement of funds under the program.

(2) An applicant must acknowledge, as a condition of applying to the program, that submitting an application does not

606-03453-25

2025324c2

175 guarantee funding and that the department is not liable for any
176 damages, including, but not limited to, lost profits or business
177 interruptions resulting from the department denying a loan or
178 delaying disbursement of a loan, or from government construction
179 activities.

180 (3) This part may not be construed to create a private
181 right of action against the department or any of its officers,
182 employees, agents, or contractors. Eligibility determinations,
183 prioritization of applications, and loan award decisions made in
184 accordance with applicable program rules and guidelines are
185 considered final agency action and are not subject to further
186 judicial review except as provided in s. 120.68.

187 (4) The department may adopt rules establishing clear
188 application procedures, evaluation criteria, and dispute
189 resolution processes to ensure consistency and transparency in
190 program administration.

191 Section 9. Section 288.9998, Florida Statutes, is created
192 to read:

193 288.9998 Annual reporting requirement.—The department
194 shall, by November 1 of each year, submit an annual report to
195 the Governor, the President of the Senate, and the Speaker of
196 the House of Representatives which summarizes the performance of
197 the program, including the total number of small businesses and
198 residents served, the total funds disbursed, and the program
199 outcomes.

200 Section 10. This act shall take effect July 1, 2025.