

By the Committee on Environment and Natural Resources

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1                                   A bill to be entitled  
2       An act relating to water management districts;  
3       amending s. 112.3261, F.S.; defining the term  
4       "expenditure"; requiring the Commission on Ethics to  
5       investigate a lobbyist or principal who has made a  
6       prohibited expenditure and to provide the Governor  
7       with a report of its findings and recommendations  
8       regarding such investigation; prohibiting certain  
9       persons from making or accepting expenditures;  
10      amending s. 373.079, F.S.; requiring a quorum for the  
11      conduct of official business by the governing board of  
12      a water management district; providing requirements  
13      for a quorum; requiring an affirmative vote of a  
14      majority of the members of the governing board before  
15      any action may be taken by the board; amending s.  
16      373.470, F.S.; requiring the South Florida Water  
17      Management District, in cooperation with the  
18      Department of Environmental Protection, to provide a  
19      detailed report that includes the total estimated  
20      remaining cost of implementation of the Everglades  
21      restoration comprehensive plan and the status of all  
22      performance indicators; requiring the subdivision of  
23      the project components into specified categories based  
24      on the project's status; requiring the integrated  
25      delivery schedule to be developed using estimates of  
26      actual state funding levels and other constraints;  
27      prohibiting certain recommendations; amending s.  
28      373.501, F.S.; prohibiting a water management district  
29      from using state funds for a specified purpose;

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30 amending s. 373.503, F.S.; authorizing the districts  
31 to levy ad valorem taxes on property by resolution  
32 adopted by a majority vote of the governing board;  
33 authorizing the districts to levy certain ad valorem  
34 taxes on specified property; defining the term  
35 "capital improvement projects"; requiring a governing  
36 board levying ad valorem taxes for certain projects to  
37 adopt a resolution approved by a majority vote of the  
38 voting electors in the district or basin; providing  
39 requirements for such resolution; prohibiting a  
40 governing board from levying millage beyond a certain  
41 date; providing requirements for such millage;  
42 requiring that such resolution take effect on a  
43 specified date; providing construction for such  
44 referenda; providing requirements for the maximum  
45 total millage rate for all purposes; providing that  
46 the apportionment in the South Florida Water  
47 Management District excludes certain millage;  
48 reenacting and amending s. 373.535, F.S.; requiring  
49 that the preliminary budget for each water management  
50 district include a section that contains the  
51 district's capital improvement plan for the current  
52 fiscal year and the next fiscal year; requiring the  
53 that the section contain specified information;  
54 requiring the South Florida Water Management District  
55 to include a section in its preliminary budget for all  
56 projects within the Comprehensive Everglades  
57 Restoration Plan; requiring that the section contain  
58 specified information; providing that the South

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59 Florida Water Management District may only incorporate  
60 state revenues up to a specified amount when  
61 estimating expenditures for the next fiscal year;  
62 providing an exception; amending s. 373.536, F.S.;

63 authorizing the Legislative Budget Commission to  
64 reject certain district budget proposals; providing an  
65 exception; requiring the South Florida Water  
66 Management District to include in its budget document  
67 certain sections that incorporate the actual amount of  
68 state revenues appropriated for the fiscal year;  
69 requiring a water management district's tentative  
70 budget for its proposed operations and funding  
71 requirements to include the district's capital  
72 improvement plan for the current year and the next  
73 fiscal year; amending s. 373.6075, F.S.; requiring a  
74 water management district to give preference to  
75 certain bids, proposals, or replies for the design,  
76 engineering, or construction of capital improvement  
77 projects in excess of a specified amount; providing  
78 the purpose for the 10-year construction bond or  
79 comparable financial assurance mechanism; providing  
80 requirements for the competitive selection process;  
81 amending s. 380.093, F.S.; requiring that certain  
82 projects submitted by water management districts to  
83 the department for the Statewide Flooding and Sea  
84 Level Rise Resilience Plan be ranked on a separate  
85 list; providing applicability; requiring that each  
86 project included in such plan have a certain percent  
87 cost share unless the project was submitted by a water

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88 management district; specifying the composition of the  
89 total amount of funding for such plan; requiring  
90 specified financing for projects submitted by a water  
91 management district for such plan; restricting funding  
92 available to water management districts; authorizing  
93 the department to issue certain loans by specified  
94 means to finance projects submitted by a water  
95 management district; authorizing the district to  
96 borrow certain funds and pledge certain revenues to  
97 repay such funds; providing for the repayment of such  
98 loan; providing a penalty; prohibiting the department  
99 from issuing additional loans or grants to a water  
100 management district that defaults under the terms of  
101 its loan until the default is remedied; requiring the  
102 department to adopt rules necessary to administer the  
103 revolving loan program to finance projects submitted  
104 by water management districts; amending s. 380.0935,  
105 F.S.; requiring the department to create and maintain  
106 a separate account in the Resilient Florida Trust Fund  
107 for certain funds received to administer the revolving  
108 loan program for certain projects submitted by water  
109 management districts within the Statewide Flooding and  
110 Sea Level Rise Resilience Plan; requiring that all  
111 repayments be returned to the revolving loan program  
112 and made available for the eligible projects in the  
113 plan; providing that funds appropriated for the loan  
114 program are not subject to reversion; amending s.  
115 380.095, F.S.; requiring that a specified amount of  
116 funds deposited into the Indian Gaming Revenue

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117 Clearing Trust Fund be distributed to the Resilient  
118 Florida Trust Fund for the revolving loan program for  
119 specified uses; providing appropriations; reenacting  
120 s. 373.0697, F.S., relating to basin taxes, to  
121 incorporate the amendment made to s. 373.503, F.S., in  
122 a reference thereto; reenacting s. 373.026(8)(d),  
123 F.S., relating to general powers and duties of the  
124 Department of Environmental Protection, to incorporate  
125 the amendment made to s. 373.536, F.S., in a reference  
126 thereto; providing an effective date.

127

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

129

130 Section 1. Present paragraphs (b), (c), and (d) of  
131 subsection (1) of section 112.3261, Florida Statutes, are  
132 redesignated as paragraphs (c), (d), and (e), respectively, a  
133 new paragraph (b) is added to that subsection, subsection (9) is  
134 added to that section, and subsection (7) of that section is  
135 amended, to read:

136 112.3261 Lobbying before water management districts;  
137 registration and reporting.—

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

139 (b) "Expenditure" has the same meaning as in s. 112.3215.

140 (7) Upon receipt of a sworn complaint alleging that a  
141 lobbyist or principal has failed to register with a district,  
142 has made a prohibited expenditure, or has knowingly submitted  
143 false information in a report or registration required under  
144 this section, the commission shall investigate a lobbyist or  
145 principal pursuant to the procedures established under s.

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146 112.324. The commission shall provide the Governor with a report  
147 of its findings and recommendations in any investigation  
148 conducted pursuant to this subsection. The Governor is  
149 authorized to enforce the commission's findings and  
150 recommendations.

151 (9) Notwithstanding s. 112.3148, s. 112.3149, or any other  
152 law, a lobbyist or principal may not make, directly or  
153 indirectly, and a district governing board member, executive  
154 director, or any district employee that qualifies as a local  
155 officer as defined in s. 112.3145(1) may not knowingly accept,  
156 directly or indirectly, any expenditure.

157 Section 2. Subsection (7) of section 373.079, Florida  
158 Statutes, is amended to read:

159 373.079 Members of governing board; oath of office; staff.-

160 (7) The governing board shall meet at least once a month  
161 and upon call of the chair. A quorum is necessary for the board  
162 to conduct official business. A majority of the members of the  
163 governing board, which includes both appointed members and  
164 vacancies, constitutes a quorum. A board member's appearance at  
165 a board meeting, whether such appearance is in person or through  
166 the use of communications media technology, must be counted for  
167 the determination of a quorum. Except where otherwise provided  
168 by law, action may be taken by the governing board only upon an  
169 affirmative vote of a majority of the members of the governing  
170 board. The governing board, a basin board, a committee, or an  
171 advisory board may conduct meetings by means of communications  
172 media technology in accordance with rules adopted pursuant to s.  
173 120.54(5)(b) ~~s. 120.54~~.

174 Section 3. Paragraph (c) of subsection (7) of section

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175 373.470, Florida Statutes, is amended, and subsection (8) is  
176 added to that section, to read:

177 373.470 Everglades restoration.—

178 (7) ANNUAL REPORT.—To provide enhanced oversight of and  
179 accountability for the financial commitments established under  
180 this section and the progress made in the implementation of the  
181 comprehensive plan, the following information must be prepared  
182 annually as part of the consolidated annual report required by  
183 s. 373.036(7):

184 (c) The district, in cooperation with the department, shall  
185 provide a detailed report on progress made in the implementation  
186 of the comprehensive plan, including the total estimated  
187 remaining cost of implementation of the comprehensive plan. The  
188 report must also include the status of and applicable  
189 performance indicators for all project components. The project  
190 components must be subdivided into the following categories  
191 based on the project's status:

192 1. Planning and design phase.

193 2. Construction phase, for which the performance indicators  
194 must include, but are not limited to, whether the project is on  
195 time and on budget based on a schedule performance index.

196 3. Operational phase, for which the performance indicators  
197 must include, but are not limited to, whether the project is  
198 operating in accordance with the draft operating manual included  
199 in the project implementation report, and an explanation of any  
200 significant modification to the final project operating manual.

201 4. Pending projects phase, which includes project  
202 components that have not yet entered the planning or design  
203 phase initiated after the effective date of this act or the date

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204 ~~of the last report prepared under this subsection, whichever is~~  
205 ~~later.~~

206  
207 The information required in paragraphs (a), (b), and (c) shall  
208 be provided as part of the consolidated annual report required  
209 by s. 373.036(7). Each annual report is due by March 1.

210 (8) INTEGRATED DELIVERY SCHEDULE.-In order to ensure  
211 accountability in the planning process, the integrated delivery  
212 schedule must be developed to maximize the achievement of the  
213 goals and purposes of the comprehensive plan at the earliest  
214 possible time to the extent practical given funding,  
215 engineering, and other contractual constraints. Therefore, state  
216 and local members of the South Florida Ecosystem Restoration  
217 Task Force may not include in their recommendations for any  
218 update to the integrated delivery schedule the assumption of a  
219 future availability of state funds per fiscal year above the  
220 amounts provided pursuant to s. 375.041(3)(b)1., 4., and 5.

221 Section 4. Subsection (3) is added to section 373.501,  
222 Florida Statutes, to read:

223 373.501 Appropriation of funds to water management  
224 districts.-

225 (3) A water management district may not use state funds as  
226 a local match for any state grant program unless such funds have  
227 been specifically appropriated to the district for such purpose.

228 Section 5. Subsection (3) of section 373.503, Florida  
229 Statutes, is amended to read:

230 373.503 Manner of taxation.-

231 (3)(a)1. The districts may, by resolution adopted by a  
232 majority vote of the governing board, levy ad valorem taxes on



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233 property within the district solely for the purposes of this  
234 chapter and of chapter 25270, 1949, Laws of Florida, as amended,  
235 and chapter 61-691, Laws of Florida, as amended. If appropriate,  
236 taxes levied by each governing board may be separated by the  
237 governing board into a millage necessary for the purposes of the  
238 district and a millage necessary for financing basin functions  
239 specified in s. 373.0695.

240 2.a. The districts may, by referendum, levy separate ad  
241 valorem taxes on property within the district or basin for the  
242 purposes of the construction of capital improvement projects.  
243 For purposes of this subparagraph, the term "capital improvement  
244 projects" means projects related to water supply, including  
245 alternative water supply and water resource development projects  
246 identified in the district's regional water supply plans, water  
247 quality, flood protection and floodplain management, and natural  
248 systems.

249 b. A governing board exercising the option to levy separate  
250 ad valorem taxes for the purposes of the construction of capital  
251 improvement projects pursuant to this subparagraph shall adopt a  
252 resolution to be approved by a majority vote of the electors in  
253 the district or basin voting in a referendum held at a general  
254 election as defined in s. 97.021. The resolution must include  
255 the millage to be levied, a description of the capital  
256 improvement projects, such projects' expected dates of  
257 completion, and the date when the millage levied under this  
258 subparagraph shall expire. No millage may be levied beyond the  
259 date of a project's expected date of completion. Such millage  
260 levied may be up to an amount that, when combined with millage  
261 levied under subparagraph 1., does not exceed the maximum total

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262 millage rate under paragraph (b). The resolution must take  
263 effect on the January 1 immediately succeeding approval. The  
264 referendum must be conducted consistent with the laws governing  
265 bond referenda as provided in ss. 100.201-100.351.

266 (b)(a) Notwithstanding any other general or special law,  
267 and subject to subsection (4), the maximum total millage rate  
268 for all district and basin purposes authorized under this  
269 section shall be:

- 270 1. Northwest Florida Water Management District: 0.05 mill.
- 271 2. Suwannee River Water Management District: 0.75 mill.
- 272 3. St. Johns River Water Management District: 0.6 mill.
- 273 4. Southwest Florida Water Management District: 1.0 mill.
- 274 5. South Florida Water Management District: 0.80 mill.

275 (c)(b) The apportionment in the South Florida Water  
276 Management District shall be a maximum of 40 percent for  
277 district purposes and a maximum of 60 percent for basin  
278 purposes, respectively. This calculation excludes millage raised  
279 pursuant to subparagraph (a)2.

280 (d)(e) Within the Southwest Florida Water Management  
281 District, the maximum millage assessed for district purposes may  
282 not exceed 50 percent of the total authorized millage if there  
283 are one or more basins in the district, and the maximum millage  
284 assessed for basin purposes may not exceed 50 percent of the  
285 total authorized millage.

286 Section 6. Subsection (1) of section 373.535, Florida  
287 Statutes, is amended, and subsections (2) and (3) of that  
288 section are reenacted, to read:

289 373.535 Preliminary district budgets.—

290 (1) BUDGET DEVELOPMENT.—

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291 (a) By January 15 of each year, each water management  
292 district shall submit a preliminary budget for the next fiscal  
293 year for legislative review to the President of the Senate, the  
294 Speaker of the House of Representatives, and the chairs of each  
295 legislative committee and subcommittee having substantive or  
296 fiscal jurisdiction over water management districts, as  
297 determined by the President of the Senate or the Speaker of the  
298 House of Representatives, as applicable, in the form and manner  
299 prescribed in s. 373.536(5) (e).

300 (b) Each preliminary budget must also include:

301 1. A section that clearly identifies and provides  
302 justification for each proposed expenditure listed in s.  
303 373.536(5) (e)4.e. and f. and identifies the source of funds for  
304 each proposed expenditure.

305 2. A section identifying the justification for proposed  
306 expenditures by core mission area of responsibility and the  
307 source of funds needed for activities related to water supply,  
308 including alternative water supply and water resource  
309 development projects identified in the district's regional water  
310 supply plans, water quality, flood protection and floodplain  
311 management, and natural systems.

312 3. A section that includes the district's capital  
313 improvement plan for the current fiscal year and the next fiscal  
314 year, which will be incorporated as part of the district's 5-  
315 year capital improvement plan. The following information must be  
316 included for each project contained in the capital improvement  
317 plan:

318 a. Estimated beginning and ending date.

319 b. Current status, such as planning, construction, or

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320 operations.

321 c. Funding distribution, broken down by federal, state,

322 local, or other.

323 d. Total cost of the project.

324 e. Whether the project is funded from reserves.

325 f. Total expenditures made to date, by fiscal year.

326 g. Current year estimated expenditures.

327 h. Annual budget, including future budget requests, until

328 project completion, by funding source.

329 i. Project description.

330 j. State program code, such as operations and maintenance

331 or ecosystems restoration.

332 ~~4.3.~~ A section reviewing the adopted and proposed budget

333 allocations by program area and the performance metrics for the

334 prior year.

335 ~~5.4.~~ An analysis of each preliminary budget to determine

336 the adequacy of fiscal resources available to the district and

337 the adequacy of proposed district expenditures related to the

338 core mission areas of responsibility for water supply, including

339 alternative water supply and water resource development projects

340 identified in the district's regional water supply plans, water

341 quality, flood protection and floodplain management, and natural

342 systems. The analysis must be based on the particular needs

343 within each district for core mission areas of responsibility.

344 The water supply analysis must specifically include a

345 determination of the adequacy of each district's fiscal

346 resources provided in the district's preliminary budget to

347 achieve appropriate progress toward meeting the districtwide 20-

348 year projected water supply demands, including funding for

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349 alternative water supply development and conservation projects.

350 (c) ~~(b)~~ If applicable, the preliminary budget for each  
351 district must specify that the district's first obligation for  
352 payment is the debt service on bonds and certificates of  
353 participation.

354 (d) In addition to the information that must be included  
355 for projects carried out pursuant to the capital improvement  
356 plan in subparagraph (b)3., the South Florida Water Management  
357 District must include a separate section in its preliminary  
358 budget for all projects within the Comprehensive Everglades  
359 Restoration Plan. The information for the separate section must  
360 be provided on a project-by-project basis and include the source  
361 of funds. For each project, all of the following information  
362 must be included:

363 1. The project title and a brief description.

364 2. The total estimated cost of the project, broken down by  
365 federal and nonfederal sponsor obligations. The local sponsor  
366 obligations must be further broken down by state and district  
367 obligations.

368 3. The timeline for the project.

369 4. The total expenditures to date and estimated remaining  
370 expenditures needed for project completion.

371 5. The estimate of expenditures for the current year.

372 6. The estimate of expenditures for the next fiscal year.

373 (e) For expenditures funded by state appropriations, the  
374 South Florida Water Management District must indicate which  
375 fiscal year the appropriation is from. In estimating  
376 expenditures for the next fiscal year, the district may only  
377 incorporate state revenues in an amount up to the amount of

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378 funds specifically provided in s. 375.041(3)(b)1., 4., and 5.,  
379 unless the district commits district revenues on a dollar-for-  
380 dollar basis for any amount over such amount specifically  
381 provided.

382 (2) LEGISLATIVE REVIEW.—

383 (a) The Legislature may annually review the preliminary  
384 budget for each district, including, but not limited to, those  
385 items listed in s. 373.536(5)(e)4.d.-f., specific to regulation,  
386 outreach, management, and administration program areas.

387 (b) On or before March 1 of each year, the President of the  
388 Senate and the Speaker of the House of Representatives may  
389 submit comments regarding the preliminary budget to the  
390 districts, and provide a copy of the comments to the Executive  
391 Office of the Governor. Each district shall respond to the  
392 comments in writing on or before March 15 of each year to the  
393 President of the Senate, the Speaker of the House of  
394 Representatives, and the Executive Office of the Governor.

395 (c) If, following such review, the Legislature does not  
396 take any action pursuant to s. 373.503 on or before July 1 of  
397 each year, a water management district may proceed with budget  
398 development as provided in subsection (3) and s. 373.536.

399 (3) FUNDING AUTHORITY GRANTED.—Each district shall use the  
400 preliminary budget as submitted pursuant to subsection (1), and  
401 as may be amended by the district in response to review by the  
402 Legislature pursuant to this section and s. 373.503, as the  
403 basis for developing the tentative budget for the next fiscal  
404 year as provided in s. 373.536(5).

405 Section 7. Paragraphs (c) and (e) of subsection (5) of  
406 section 373.536, Florida Statutes, are amended to read:

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407 373.536 District budget and hearing thereon.—

408 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
409 APPROVAL.—

410 (c) The Legislative Budget Commission may reject any of the  
411 following district budget proposals unless specifically  
412 appropriated by the Legislature:

413 1. A single purchase of land in excess of \$10 million,  
414 except for land exchanges.

415 2. Any cumulative purchase of land during a single fiscal  
416 year in excess of \$50 million.

417 3. Any issuance of debt on or after July 1, 2012.

418 4. Any program expenditure ~~expenditures~~ as described in  
419 sub-subparagraphs (e)4.e. and f. in excess of 15 percent of a  
420 district's total annual budget.

421 5. Any individual variance ~~variances~~ in a district's  
422 tentative budget which is in excess of 25 percent from a  
423 district's preliminary budget.

424 6. Any individual portion of a district's tentative budget  
425 funded with state appropriations.

426 7. Any individual project in the district's 5-year capital  
427 improvement plan.

428

429 Written disapproval of any provision in the tentative budget  
430 must be received by the district at least 5 business days before  
431 the final district budget adoption hearing conducted under s.  
432 200.065(2) (d). If written disapproval is not received at least 5  
433 business days before the final budget adoption hearing, the  
434 governing board may proceed with final adoption. Any provision  
435 rejected by the Executive Office of the Governor or the

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436 Legislative Budget Commission may not be included in a  
437 district's final budget and may not be acted upon through any  
438 other means without the prior approval of the entity rejecting  
439 the provision.

440 (e) The tentative budget must be based on the preliminary  
441 budget as submitted to the Legislature, and as may be amended by  
442 the district in response to review by the Legislature pursuant  
443 to ss. 373.503 and 373.535, as the basis for developing the  
444 tentative budget for the next fiscal year as provided in this  
445 subsection, and must set forth the proposed expenditures of the  
446 district, to which may be added an amount to be held as reserve.  
447 The tentative budget must include, but is not limited to, the  
448 following information for the preceding fiscal year and the  
449 current fiscal year, and the proposed amounts for the upcoming  
450 fiscal year, in a standard format prescribed by the Executive  
451 Office of the Governor, in consultation with the Legislature:

452 1. The estimated amount of funds remaining at the beginning  
453 of the fiscal year which have been obligated for the payment of  
454 outstanding commitments not yet completed.

455 2. The estimated amount of unobligated funds or net cash  
456 balance on hand at the beginning of the fiscal year; an  
457 accounting of the source, balance, and projected future use of  
458 the unobligated funds; and the estimated amount of funds to be  
459 raised by district taxes or received from other sources to meet  
460 the requirements of the district.

461 3. The millage rates and the percentage increase above the  
462 rolled-back rate, together with a summary of the reasons the  
463 increase is required, and the percentage increase in taxable  
464 value resulting from new construction within the district.



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465           4. The salaries and benefits, expenses, operating capital  
466 outlay, number of authorized positions, and other personal  
467 services for the following program areas of the district:  
468           a. Water resource planning and monitoring;  
469           b. Land acquisition, restoration, and public works;  
470           c. Operation and maintenance of works and lands;  
471           d. Regulation;  
472           e. Outreach for which the information provided must contain  
473 a full description and accounting of expenditures for water  
474 resources education; public information and public relations,  
475 including public service announcements and advertising in any  
476 media; and lobbying activities related to local, regional, state  
477 and federal governmental affairs, whether incurred by district  
478 staff or through contractual services; and  
479           f. Management and administration.

480  
481 In addition to the program areas reported by all water  
482 management districts, the South Florida Water Management  
483 District shall include in its budget document separate sections  
484 on all costs associated with the Everglades Construction Project  
485 and the Comprehensive Everglades Restoration Plan, incorporating  
486 the amount of state revenues appropriated for the fiscal year.

487           5. The total estimated amount in the district budget for  
488 each area of responsibility listed in subparagraph 4. and for  
489 water resource, water supply, and alternative water supply  
490 development projects identified in the district's regional water  
491 supply plans.

492           6. A description of each new, expanded, reduced, or  
493 eliminated program.

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494 7. The funding sources, including, but not limited to, ad  
495 valorem taxes, Surface Water Improvement and Management Program  
496 funds, other state funds, federal funds, and user fees and  
497 permit fees for each program area.

498 8. The water management district's capital improvement plan  
499 for the current fiscal year and the next fiscal year, in the  
500 same format as required in the preliminary budget.

501 Section 8. Section 373.6075, Florida Statutes, is amended  
502 to read:

503 373.6075 Purchases from contracts of other entities.—

504 (1) A water management district may purchase commodities  
505 and contractual services, excluding services subject to s.  
506 287.055, from the purchasing contracts of special districts,  
507 municipalities, counties, other political subdivisions,  
508 educational institutions, other states, nonprofit entities,  
509 purchasing cooperatives, or the Federal Government, which have  
510 been procured pursuant to competitive bid, request for proposal,  
511 request for qualification, competitive selection, or competitive  
512 negotiation, and which are otherwise in compliance with general  
513 law if the purchasing contract of the other entity is procured  
514 by a process that meets the procurement requirements of the  
515 water management district.

516 (2) For contractual services for the design, engineering,  
517 or construction of capital improvement projects costing \$1  
518 million or more, a water management district shall give  
519 preference to the lowest responsible and responsive bid,  
520 proposal, or reply that includes a 10-year construction bond or  
521 that provides proof of a comparable financial assurance  
522 mechanism, which has been defined by district rule. The purpose

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523 of the 10-year construction bond or a comparable financial  
524 assurance mechanism is to ensure that the capital improvement  
525 project functions as it was designed to function for at least 10  
526 years. For the purpose of the competitive selection process in  
527 s. 287.055(4), the agency shall consider whether a firm has  
528 included in its bid, proposal, or reply a 10-year construction  
529 bond or proof of a comparable financial assurance mechanism.

530 Section 9. Present paragraph (i) of subsection (5) of  
531 section 380.093, Florida Statutes, is redesignated as paragraph  
532 (j) and amended, a new paragraph (i) is added to that  
533 subsection, and paragraphs (a), (c), (d), (e), and (h) of that  
534 subsection are amended, to read:

535 380.093 Resilient Florida Grant Program; comprehensive  
536 statewide flood vulnerability and sea level rise data set and  
537 assessment; Statewide Flooding and Sea Level Rise Resilience  
538 Plan; regional resilience entities.—

539 (5) STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE PLAN.—

540 (a) By December 1 of each year, the department shall  
541 develop a Statewide Flooding and Sea Level Rise Resilience Plan  
542 on a 3-year planning horizon and submit it to the Governor, the  
543 President of the Senate, and the Speaker of the House of  
544 Representatives. The plan must consist of ranked projects that  
545 address risks of flooding and sea level rise to coastal and  
546 inland communities in the state. All eligible projects submitted  
547 to the department pursuant to this section must be ranked and  
548 included in the plan. All eligible projects submitted by a water  
549 management district must be ranked on a separate list. Each plan  
550 must include a detailed narrative overview describing how the  
551 plan was developed, including a description of the methodology

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552 used by the department to determine project eligibility, a  
553 description of the methodology used to rank projects, the  
554 specific scoring system used, the project proposal application  
555 form, a copy of each submitted project proposal application form  
556 separated by eligible projects and ineligible projects, the  
557 total number of project proposals received and deemed eligible,  
558 the total funding requested, and the total funding requested for  
559 eligible projects.

560 (c) Each plan submitted by the department pursuant to this  
561 subsection must include all of the following information for  
562 each recommended project:

- 563 1. A description of the project.
- 564 2. The location of the project.
- 565 3. An estimate of how long the project will take to  
566 complete.
- 567 4. An estimate of the cost of the project.
- 568 5. The cost-share percentage available for the project, if  
569 applicable.
- 570 6. A summary of the priority score assigned to the project.
- 571 7. The project sponsor.

572 (d)1. By September 1 of each year, all of the following  
573 entities may submit to the department a list of proposed  
574 projects that address risks of flooding or sea level rise  
575 identified in the comprehensive statewide flood vulnerability  
576 and sea level rise assessment or vulnerability assessments that  
577 meet the requirements of subsection (3):

- 578 a. Counties.
- 579 b. Municipalities.
- 580 c. Special districts as defined in s. 189.012 which are

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581 responsible for the management and maintenance of inlets and  
582 intracoastal waterways or for the operation and maintenance of a  
583 potable water facility, a wastewater facility, an airport, or a  
584 seaport facility.

585 d. Regional resilience entities acting on behalf of one or  
586 more member counties or municipalities.

587

588 For the plans submitted by December 1, 2024, such entities may  
589 submit projects identified in existing vulnerability assessments  
590 that do not comply with subsection (3) only if the entity is  
591 actively developing a vulnerability assessment that is either  
592 under a signed grant agreement with the department pursuant to  
593 subsection (3) or funded by another state or federal agency, or  
594 is self-funded and intended to meet the requirements of  
595 paragraph (3)(d) or if the existing vulnerability assessment was  
596 completed using previously compliant statutory requirements.  
597 Projects identified from this category of vulnerability  
598 assessments will be eligible for submittal until the prior  
599 vulnerability assessment has been updated to meet most recent  
600 statutory requirements.

601 2. By September 1 of each year, all of the following  
602 entities may submit to the department a list of any proposed  
603 projects that address risks of flooding or sea level rise  
604 identified in the comprehensive statewide flood vulnerability  
605 and sea level rise assessment or vulnerability assessments that  
606 meet the requirements of subsection (3), or that mitigate the  
607 risks of flooding or sea level rise on water supplies or water  
608 resources of the state and a corresponding evaluation of each  
609 project:

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- 610 a. Water management districts.
- 611 b. Drainage districts.
- 612 c. Erosion control districts.
- 613 d. Flood control districts.
- 614 e. Regional water supply authorities.
- 615 3. Each project submitted to the department pursuant to
- 616 this paragraph for consideration by the department for inclusion
- 617 in the plan must include all of the following information:
- 618 a. A description of the project.
- 619 b. The location of the project.
- 620 c. An estimate of how long the project will take to
- 621 complete.
- 622 d. An estimate of the cost of the project.
- 623 e. The cost-share percentage available for the project, if
- 624 applicable.
- 625 f. The project sponsor.
- 626 (e) Each project included in the plan must have a minimum
- 627 50 percent cost share unless the project was submitted by a
- 628 water management district, or assists or is within a community
- 629 eligible for a reduced cost share. For purposes of this section,
- 630 the term "community eligible for a reduced cost share" means:
- 631 1. A municipality that has a population of 10,000 or less
- 632 ~~fewer~~, according to the most recent April 1 population estimates
- 633 posted on the Office of Economic and Demographic Research's
- 634 website, and a per capita annual income that is less than the
- 635 state's per capita annual income as shown in the most recent
- 636 release from the Bureau of the Census of the United States
- 637 Department of Commerce that includes both measurements;
- 638 2. A county that has a population of 50,000 or less ~~fewer~~,

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639 according to the most recent April 1 population estimates posted  
640 on the Office of Economic and Demographic Research's website,  
641 and a per capita annual income that is less than the state's per  
642 capita annual income as shown in the most recent release from  
643 the Bureau of the Census of the United States Department of  
644 Commerce that includes both measurements; or

645 3. A municipality or county that has a per capita annual  
646 income that is equal to or less than 75 percent of the state's  
647 per capita annual income as shown in the most recent release  
648 from the Bureau of the Census of the United States Department of  
649 Commerce.

650 (h) The total amount of funding proposed for each year of  
651 the plan must ~~may not~~ be at least ~~less than~~ \$100 million and,  
652 for projects submitted by a water management district, may  
653 include funds that have been repaid by a water management  
654 district. Upon review and subject to appropriation, the  
655 Legislature shall approve funding for the projects as specified  
656 in the plan. The only funding available to water management  
657 districts under this subsection is through the loan program  
658 pursuant to paragraph (i). Multiyear projects that receive  
659 funding for the first year of the project must be included in  
660 subsequent plans and funded until the project is complete,  
661 provided that the project sponsor has complied with all  
662 contractual obligations and funds are available.

663 (i) To finance projects submitted by a water management  
664 district, the department may issue 20-year, interest-free loans  
665 through a promissory note or other form of written agreement  
666 evidencing an obligation to repay the borrowed funds to the  
667 department. The district may borrow funds made available

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668 pursuant to this section and may pledge any revenues or other  
669 adequate security available to it, other than state revenues, to  
670 repay any funds borrowed. The loans must be repaid in equal  
671 installments over a period not to exceed 20 years, commencing  
672 within 12 months after the execution of the loan agreement.

673 1. The department may impose a penalty for delinquent loan  
674 payments in the amount of 6 percent of the amount due, in  
675 addition to charging the cost to handle and process the debt.  
676 Penalty interest accrues on any amount due and payable beginning  
677 on the 30th day following the date that the payment was due.

678 2. If a water management district defaults under the terms  
679 of its loan agreement, no additional state loans or grants may  
680 be issued to that water management district until the default  
681 has been remedied.

682 (j)(i) The department shall adopt rules to implement this  
683 section, including, but not limited to, rules necessary to  
684 administer the revolving loan program to finance projects  
685 submitted by water management districts.

686 Section 10. Present subsection (3) of section 380.0935,  
687 Florida Statutes, is redesignated as subsection (4), a new  
688 subsection (3) is added to that section, and subsection (2) of  
689 that section is amended, to read:

690 380.0935 Resilient Florida Trust Fund.—

691 (2) Moneys deposited in the fund are available as a funding  
692 source for the department for the Resilient Florida Grant  
693 Program and the Statewide Flooding and Sea Level ~~Sea-Level~~ Rise  
694 Resilience Plan, including costs to operate the grant program,  
695 to develop the plan, and to provide grants to regional  
696 resilience coalitions pursuant to s. 380.093. The department may



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697 also use moneys deposited in the fund for administrative and  
698 operational costs of the Florida Flood Hub for Applied Research  
699 and Innovation pursuant to s. 380.0933 and coastal resilience  
700 initiatives.

701 (3) The department shall create and maintain a separate  
702 account in the trust fund for funds received pursuant to s.  
703 380.095 to administer a revolving loan program for eligible  
704 projects submitted by water management districts within the  
705 Statewide Flooding and Sea Level Rise Resilience Plan. All  
706 repayments must be returned to the revolving loan program and  
707 made available for the eligible projects submitted by water  
708 management districts in the plan. Notwithstanding s. 216.301,  
709 funds appropriated for the loan program are not subject to  
710 reversion.

711 Section 11. Paragraph (c) of subsection (2) of section  
712 380.095, Florida Statutes, is amended to read:

713 380.095 Dedicated funding for conservation lands,  
714 resiliency, and clean water infrastructure.—

715 (2) DISTRIBUTION.—Notwithstanding s. 285.710, the  
716 Department of Revenue shall, upon receipt, deposit 96 percent of  
717 any revenue share payment received under the compact as defined  
718 in s. 285.710 into the Indian Gaming Revenue Clearing Trust Fund  
719 within the Department of Financial Services. The funds deposited  
720 into the trust fund shall be distributed as follows:

721 (c) The lesser of 26.042 percent or \$100 million each  
722 fiscal year to the Resilient Florida Trust Fund within the  
723 Department of Environmental Protection for the revolving loan  
724 fund within the Statewide Flooding and Sea Level Rise Resilience  
725 Plan to be used to fund eligible projects submitted by water

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726 management districts in accordance with s. 380.093.

727

728 Allocations to trust funds shall be transferred monthly by  
729 nonoperating authority to the named trust fund.

730 Section 12. (1) For the 2025-2026 fiscal year, the sum of  
731 \$236,665,971 in nonrecurring funds from the General Revenue Fund  
732 and \$64 million in recurring funds and \$328,684,029 in  
733 nonrecurring funds from the Land Acquisition Trust Fund are  
734 appropriated to the Department of Environmental Protection and  
735 must be distributed to the South Florida Water Management  
736 District for the planning, design, engineering, and construction  
737 of the Comprehensive Everglades Restoration Plan and allocated  
738 in the following fixed capital outlay appropriation categories:

739 (a) Nonrecurring funds from the General Revenue Fund:

740 1. C-111 South Dade - \$69,473,191.

741 2. Indian River Lagoon South - \$65,905,639.

742 3. Central Everglades Planning Project South - \$15,330,142.

743 4. Central Everglades Planning Project North - \$27,572,071.

744 5. Loxahatchee River Watershed Restoration Project -  
745 \$24,430,721.

746 6. Western Everglades Restoration Project - \$25,756,289.

747 7. Comprehensive Everglades Restoration Project Planning  
748 and Design - \$8,197,918.

749 (b) Nonrecurring funds from the Land Acquisition Trust  
750 Fund:

751 1. Indian River Lagoon South - \$30,110,627.

752 2. Caloosahatchee River C-43 West Basin Storage -  
753 \$95,530,738.

754 3. Central Everglades Planning Project North -

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755 \$123,542,359.756 4. Central Everglades Planning Project EAA Reservoir -  
757 \$79,500,305.758 (c) Recurring funds of \$64 million in the Everglades  
759 Restoration appropriation category from the Land Acquisition  
760 Trust Fund to transfer to the Everglades Trust Fund within the  
761 South Florida Water Management District pursuant to s.  
762 375.041(3)(b)4., Florida Statutes.763 Section 13. For the 2025-2026 fiscal year, the sum  
764 \$39,876,213 in recurring funds and \$33,151,846 in nonrecurring  
765 funds from the Land Acquisition Trust Fund are appropriated to  
766 the Department of Environmental Protection and must be used to  
767 implement the Northern Everglades and Estuaries Protection  
768 Program, pursuant to s. 373.4595, Florida Statutes.769 Section 14. For the 2025-2026 fiscal year, the sum of \$50  
770 million in recurring funds from the Land Acquisition Trust Fund  
771 are appropriated in the Fixed Capital Outlay Lake Okeechobee  
772 Watershed Restoration Project ASR Wells appropriation category  
773 for Everglades Restoration.774 Section 15. For the purpose of incorporating the amendment  
775 made by this act to section 373.503, Florida Statutes, in a  
776 reference thereto, section 373.0697, Florida Statutes, is  
777 reenacted to read:778 373.0697 Basin taxes.—The respective basins may, pursuant  
779 to s. 9(b), Art. VII of the State Constitution, by resolution  
780 request the governing board of the district to levy ad valorem  
781 taxes within such basin. Upon receipt of such request, a basin  
782 tax levy shall be made by the governing board of the district to  
783 finance basin functions enumerated in s. 373.0695,

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784 notwithstanding the provisions of any other general or special  
785 law to the contrary, and subject to the provisions of s.  
786 373.503(3).

787 (1) The amount of money to be raised by said tax levy shall  
788 be determined by the adoption of an annual budget by the  
789 district board of governors, and the average millage for the  
790 basin shall be that amount required to raise the amount called  
791 for by the annual budget when applied to the total assessment of  
792 the basin as determined for county taxing purposes. However, no  
793 such tax shall be levied within the basin unless and until the  
794 annual budget and required tax levy shall have been approved by  
795 formal action of the basin board, and no county in the district  
796 shall be taxed under this provision at a rate to exceed 1 mill.

797 (2) The taxes provided for in this section shall be  
798 extended by the county property appraiser on the county tax roll  
799 in each county within, or partly within, the basin and shall be  
800 collected by the tax collector in the same manner and time as  
801 county taxes, and the proceeds therefrom paid to the district  
802 for basin purposes. Said taxes shall be a lien, until paid, on  
803 the property against which assessed and enforceable in like  
804 manner as county taxes. The property appraisers, tax collectors,  
805 and clerks of the circuit court of the respective counties shall  
806 be entitled to compensation for services performed in connection  
807 with such taxes at the same rates as apply to county taxes.

808 (3) It is hereby determined that the taxes authorized by  
809 this subsection are in proportion to the benefits to be derived  
810 by the several parcels of real estate within the basin from the  
811 works authorized herein.

812 Section 16. For the purpose of incorporating the amendment

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813 made by this act to section 373.536, Florida Statutes, in a  
814 reference thereto, paragraph (d) of subsection (8) of section  
815 373.026, Florida Statutes, is reenacted to read:

816       373.026 General powers and duties of the department.—The  
817 department, or its successor agency, shall be responsible for  
818 the administration of this chapter at the state level. However,  
819 it is the policy of the state that, to the greatest extent  
820 possible, the department may enter into interagency or  
821 interlocal agreements with any other state agency, any water  
822 management district, or any local government conducting programs  
823 related to or materially affecting the water resources of the  
824 state. All such agreements shall be subject to the provisions of  
825 s. 373.046. In addition to its other powers and duties, the  
826 department shall, to the greatest extent possible:

827       (8)

828       (d) The Executive Office of the Governor, pursuant to its  
829 duties under s. 373.536(5) to approve or disapprove, in whole or  
830 in part, the budget of each water management district, shall  
831 review all proposed expenditures for project components in the  
832 district's budget.

833       Section 17. This act shall take effect July 1, 2025.