

**By** the Committees on Appropriations; and Environment and Natural Resources

576-03229-25

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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      reenacting and amending s. 373.026, F.S.; conforming a  
11      cross-reference; amending s. 373.0693, F.S.; deleting  
12      a provision requiring legislative approval before the  
13      establishment of a subdistrict or basin takes effect;  
14      amending s. 373.079, F.S.; requiring a quorum for the  
15      conduct of official business by the governing board of  
16      a water management district; providing requirements  
17      for a quorum; requiring an affirmative vote of a  
18      majority of the members of the governing board before  
19      any action may be taken by the board; amending s.  
20      373.1501, F.S.; providing a legislative declaration;  
21      authorizing the governing board of the South Florida  
22      Water Management District to acquire land to implement  
23      a reservoir project in a certain area; providing  
24      construction; providing that land necessary for  
25      implementing such project be acquired in a specified  
26      manner; prohibiting the district or the state from  
27      requesting that the United States Army Corps of  
28      Engineers acquire lands for such reservoir project by  
29      certain methods; prohibiting the inclusion of a

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30 provision for such request in a certain agreement;  
31 making technical changes: conforming provisions to  
32 changes made by the act; amending s. 373.470, F.S.;

33 requiring the South Florida Water Management District,  
34 in cooperation with the Department of Environmental  
35 Protection, to provide a detailed report that includes  
36 the total estimated remaining cost of implementation  
37 of the Everglades restoration comprehensive plan and  
38 the status of all performance indicators; requiring  
39 that project components be subdivided into specified  
40 categories based on the project's status; providing  
41 requirements for performance indicators for certain  
42 projects or project components; providing legislative  
43 recognition of the value of the integrated delivery  
44 schedule; requiring the South Florida Ecosystem Task  
45 Force to identify certain sources of funding when  
46 making recommendations for updates to the integrated  
47 delivery schedule; amending s. 373.501, F.S.;

48 prohibiting a water management district from using  
49 state funds for a specified purpose; amending s.  
50 373.503, F.S.; authorizing the districts to levy ad  
51 valorem taxes on property by resolution adopted by a  
52 majority vote of the governing board; authorizing the  
53 districts to levy certain ad valorem taxes on  
54 specified property for certain purposes; defining the  
55 term "capital improvement projects"; requiring a  
56 governing board levying ad valorem taxes for certain  
57 projects to adopt a resolution approved by a majority  
58 vote of the voting electors in the district or basin;

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59 providing requirements for such resolution;  
60 prohibiting a governing board from levying millage  
61 beyond a certain date; providing requirements for such  
62 millage; requiring that such resolution take effect on  
63 a specified date; providing construction for such  
64 referenda; providing requirements for the maximum  
65 total millage rate for all purposes; providing that  
66 the apportionment in the South Florida Water  
67 Management District excludes certain millage;  
68 reenacting and amending s. 373.535, F.S.; requiring  
69 that the preliminary budget for each water management  
70 district include a section that contains the  
71 district's capital improvement plan for the current  
72 fiscal year and the next fiscal year; requiring that  
73 such section contain specified information; requiring  
74 the South Florida Water Management District to include  
75 a section in its preliminary budget for all projects  
76 within the Comprehensive Everglades Restoration Plan;  
77 requiring that the section contain specified  
78 information; requiring the South Florida Water  
79 Management District to indicate the fiscal year from  
80 which certain appropriations are expended; requiring  
81 the district to incorporate state revenues only in a  
82 certain manner when estimating expenditures for the  
83 next fiscal year; providing an exception; providing  
84 construction; amending s. 373.536, F.S.; authorizing  
85 the Legislative Budget Commission to reject certain  
86 district budget proposals; providing an exception;  
87 providing construction; requiring the South Florida

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88 Water Management District to include in its budget  
89 document certain sections that incorporate the actual  
90 amount of state revenues appropriated for the fiscal  
91 year; requiring a water management district's  
92 tentative budget for its proposed operations and  
93 funding requirements to include the district's capital  
94 improvement plan for the current year and the next  
95 fiscal year; amending s. 373.6075, F.S.; requiring a  
96 water management district to give preference to  
97 certain bids, proposals, or replies for the design,  
98 engineering, or construction of capital improvement  
99 projects in excess of a specified amount; requiring a  
100 water management district to consider certain factors  
101 for the purpose of the competitive bid selection  
102 process; amending s. 380.093, F.S.; requiring that  
103 certain projects submitted by water management  
104 districts to the department for the Statewide Flooding  
105 and Sea Level Rise Resilience Plan be ranked on a  
106 separate list; revising the information that must be  
107 submitted by the department for each project;  
108 requiring that each project included in such plan have  
109 a certain percentage cost share unless the project was  
110 submitted by specified water management districts;  
111 specifying the composition of the total amount of  
112 funding for such plan; restricting funding available  
113 to water management districts; providing exceptions;  
114 authorizing the department to issue certain loans by  
115 specified means to finance projects submitted by  
116 specified water management districts; authorizing the

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117 district to borrow certain funds and to repay such  
118 funds; providing requirements for the repayment of  
119 such loan; providing a penalty; prohibiting additional  
120 state loans or grants from being issued to a water  
121 management district that defaults under the terms of  
122 its loan until the default is remedied; requiring the  
123 department to adopt rules necessary to administer the  
124 loan program; amending s. 380.0935, F.S.; making a  
125 technical change; requiring the department to create  
126 and maintain a separate account in the Resilient  
127 Florida Trust Fund for certain funds received to  
128 administer the revolving loan program for certain  
129 projects submitted by water management districts  
130 within the Statewide Flooding and Sea Level Rise  
131 Resilience Plan; requiring that all repayments be  
132 returned to the revolving loan program and made  
133 available for the eligible projects in the plan;  
134 providing that funds appropriated for the loan program  
135 are not subject to reversion; amending s. 380.095,  
136 F.S.; requiring that a specified amount of funds  
137 deposited into the Indian Gaming Revenue Clearing  
138 Trust Fund be distributed to the Resilient Florida  
139 Trust Fund for the revolving loan program for  
140 specified uses; providing appropriations; reenacting  
141 s. 373.0697, F.S., relating to basin taxes, to  
142 incorporate the amendment made to s. 373.503, F.S., in  
143 a reference thereto; providing an effective date.

144  
145 Be It Enacted by the Legislature of the State of Florida:

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

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

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

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

(7) Upon receipt of a sworn complaint alleging that a lobbyist or principal has failed to register with a district, has made a prohibited expenditure, or has knowingly submitted false information in a report or registration required under this section, the commission shall investigate a lobbyist or principal pursuant to the procedures established under s. 112.324. The commission shall provide the Governor with a report of its findings and recommendations in any investigation conducted pursuant to this subsection. The Governor is authorized to enforce the commission's findings and recommendations.

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

Section 2. Paragraph (b) of subsection (8) of section

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175 373.026, Florida Statutes, is amended, and paragraph (d) of that  
176 subsection is reenacted, to read:

177       373.026 General powers and duties of the department.—The  
178 department, or its successor agency, shall be responsible for  
179 the administration of this chapter at the state level. However,  
180 it is the policy of the state that, to the greatest extent  
181 possible, the department may enter into interagency or  
182 interlocal agreements with any other state agency, any water  
183 management district, or any local government conducting programs  
184 related to or materially affecting the water resources of the  
185 state. All such agreements shall be subject to the provisions of  
186 s. 373.046. In addition to its other powers and duties, the  
187 department shall, to the greatest extent possible:

188       (8)

189       (b) To ensure to the greatest extent possible that project  
190 components will go forward as planned, the department shall  
191 collaborate with the South Florida Water Management District in  
192 implementing the comprehensive plan as defined in s.  
193 373.470(2)(b), the Lake Okeechobee Watershed Protection Plan as  
194 defined in s. 373.4595(2), and the River Watershed Protection  
195 Plans as defined in s. 373.4595(2). Before any project component  
196 is submitted to Congress for authorization or receives an  
197 appropriation of state funds, the department must approve, or  
198 approve with amendments, each project component within 60 days  
199 following formal submittal of the project component to the  
200 department. Prior to the release of state funds for the  
201 implementation of the comprehensive plan, department approval  
202 shall be based upon a determination of the South Florida Water  
203 Management District's compliance with s. 373.1501(6) ~~s.~~

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204 ~~373.1501(5)~~. Once a project component is approved, the South  
205 Florida Water Management District shall provide to the President  
206 of the Senate and the Speaker of the House of Representatives a  
207 schedule for implementing the project component, the estimated  
208 total cost of the project component, any existing federal or  
209 nonfederal credits, the estimated remaining federal and  
210 nonfederal share of costs, and an estimate of the amount of  
211 state funds that will be needed to implement the project  
212 component. All requests for an appropriation of state funds  
213 needed to implement the project component shall be submitted to  
214 the department, and such requests shall be included in the  
215 department's annual request to the Governor. Prior to the  
216 release of state funds for the implementation of the Lake  
217 Okeechobee Watershed Protection Plan or the River Watershed  
218 Protection Plans, on an annual basis, the South Florida Water  
219 Management District shall prepare an annual work plan as part of  
220 the consolidated annual report required in s. 373.036(7). Upon a  
221 determination by the secretary of the annual work plan's  
222 consistency with the goals and objectives of s. 373.4595, the  
223 secretary may approve the release of state funds. Any  
224 modifications to the annual work plan shall be submitted to the  
225 secretary for review and approval.

226 (d) The Executive Office of the Governor, pursuant to its  
227 duties under s. 373.536(5) to approve or disapprove, in whole or  
228 in part, the budget of each water management district, shall  
229 review all proposed expenditures for project components in the  
230 district's budget.

231 Section 3. Subsection (1) of section 373.0693, Florida  
232 Statutes, is amended to read:



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233 373.0693 Basins; basin boards.—

234 (1)~~(a)~~ Any areas within a district may be designated by the  
235 district governing board as subdistricts or basins. The  
236 designations of such basins shall be made by the district  
237 governing board by resolutions thereof. The governing board of  
238 the district may change the boundaries of such basins, or create  
239 new basins, by resolution.

240 ~~(b) No subdistrict or basin in the St. Johns River Water  
241 Management District other than established by this act shall  
242 become effective until approved by the Legislature.~~

243 Section 4. Subsection (7) of section 373.079, Florida  
244 Statutes, is amended to read:

245 373.079 Members of governing board; oath of office; staff.—

246 (7) The governing board shall meet at least once a month  
247 and upon call of the chair. A quorum is necessary for the board  
248 to conduct official business. A majority of the members of the  
249 governing board, which includes both appointed members and  
250 vacancies, constitutes a quorum. A board member's appearance at  
251 a board meeting, whether such appearance is in person or through  
252 the use of communications media technology, must be counted for  
253 the determination of a quorum. Except where otherwise provided  
254 by law, action may be taken by the governing board only upon an  
255 affirmative vote of a majority of the members of the governing  
256 board. The governing board, a basin board, a committee, or an  
257 advisory board may conduct meetings by means of communications  
258 media technology in accordance with rules adopted pursuant to s.  
259 120.54(5)(b) ~~s. 120.54.~~

260 Section 5. Present subsections (4) through (10) of section  
261 373.1501, Florida Statutes, are redesignated as subsections (5)

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262 through (11), respectively, a new subsection (4) is added to  
263 that section, and present subsection (9) of that section is  
264 amended, to read:

265 373.1501 South Florida Water Management District as local  
266 sponsor.—

267 (4) The Legislature declares that acquiring land for water  
268 storage north of Lake Okeechobee is in the public interest, for  
269 a public purpose, and necessary for the public health and  
270 welfare. The governing board of the district is authorized to  
271 acquire land, if necessary, to implement a reservoir project  
272 north of Lake Okeechobee with the goal of providing at least  
273 200,000 acre-feet of water storage. Any acquisition of real  
274 property for the purpose of a reservoir project constitutes a  
275 public purpose for which it is in the public interest to expend  
276 public funds. Any land necessary for implementing the projects  
277 in this subsection may only be acquired in accordance with s.  
278 373.139(2), and chapters 73 and 74. The district and the state  
279 are not authorized to request the United States Army Corps of  
280 Engineers to acquire the lands for such reservoir project, and  
281 may not include any provision for such request in the project  
282 partnership agreement for such reservoir project.

283 (10)~~(9)~~ Final agency action with regard to any project  
284 component subject to s. 373.026(8)(b) must ~~shall~~ be taken by the  
285 department. Actions taken by the district pursuant to subsection  
286 (6) ~~are~~ ~~(5)~~ ~~shall~~ not be considered final agency action. Any  
287 petition for formal proceedings filed pursuant to ss. 120.569  
288 and 120.57 requires ~~shall require~~ a hearing under the summary  
289 hearing provisions of s. 120.574, which is ~~shall be~~ mandatory.  
290 The final hearing under this section must ~~shall~~ be held within

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291 30 days after receipt of the petition by the Division of  
292 Administrative Hearings.

293 Section 6. Paragraph (c) of subsection (7) of section  
294 373.470, Florida Statutes, is amended, paragraph (d) is added to  
295 that subsection, and subsection (8) is added to that section, to  
296 read:

297 373.470 Everglades restoration.—

298 (7) ANNUAL REPORT.—To provide enhanced oversight of and  
299 accountability for the financial commitments established under  
300 this section and the progress made in the implementation of the  
301 comprehensive plan, the following information must be prepared  
302 annually as part of the consolidated annual report required by  
303 s. 373.036(7):

304 (c) The district, in cooperation with the department, shall  
305 provide a detailed report on progress made in the implementation  
306 of the comprehensive plan, including the total estimated  
307 remaining cost of implementation of the comprehensive plan. The  
308 report must also include the status of and applicable  
309 performance indicators for all project components. The project  
310 components must be subdivided into the following categories  
311 based on the project's status:

312 1. Planning and design phase.

313 2. Construction phase, for which the performance indicators  
314 must include, but are not limited to:

315 a. If the project is on time and on budget based on a  
316 schedule performance index; and

317 b. If the project had any claims, change orders, or credits  
318 upon closeout, including the description, date, and cost of the  
319 change, compensatory amounts, and the remedy or resolution

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320 exercised as it pertains to the schedule or budget of the  
321 project.

322 3. Operational phase, for which the performance indicators  
323 must include, but are not limited to, whether the operation of  
324 the project is achieving the goals and objectives identified in  
325 the final project implementation report.

326 4. Pending projects phase, which includes project  
327 components that have not yet entered the planning or design  
328 phase.

329 5. The estimated expenditures for the project in the prior  
330 fiscal year compared to the actual expenditures, with an  
331 explanation for significant variances ~~initiated after the~~  
332 effective date of this act or the date of the last report  
333 prepared under this subsection, whichever is later.

334 (d) For a project or project component developed pursuant  
335 to s. 255.065, the performance indicators in the report must be  
336 consistent with national industry standards for the delivery  
337 method.

338  
339 The information required in paragraphs (a), (b), ~~and (c), and~~  
340 (d) shall be provided as part of the consolidated annual report  
341 required by s. 373.036(7). Each annual report is due by March 1.

342 (8) INTEGRATED DELIVERY SCHEDULE.—The Legislature  
343 recognizes the value of the integrated delivery schedule as a  
344 forward-looking snapshot of upcoming planning, design, and  
345 construction schedules for the comprehensive plan and as a tool  
346 that provides information to decision-makers and facilitates  
347 achievement of the goals and purposes of the comprehensive plan  
348 at the earliest possible time to the extent practical given

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349 funding, engineering, and other contractual constraints. The  
350 Legislature further recognizes that the schedule acts as a  
351 planning document and does not represent a budget or financial  
352 commitment on behalf of any of the participants of the South  
353 Florida Ecosystem Restoration Task Force. Therefore, when making  
354 recommendations for any update to the schedule, state and local  
355 members of the task force must identify project funding sources  
356 to reflect whether funding will use recurring state funds  
357 provided pursuant to s. 375.041(3)(b)1., 4., and 5., or whether  
358 the project may be funded with nonrecurring state funds.

359 Section 7. Subsection (3) is added to section 373.501,  
360 Florida Statutes, to read:

361 373.501 Appropriation of funds to water management  
362 districts.—

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

366 Section 8. Subsection (3) of section 373.503, Florida  
367 Statutes, is amended to read:

368 373.503 Manner of taxation.—

369 (3)(a)1. The districts may, by resolution adopted by a  
370 majority vote of the governing board, levy ad valorem taxes on  
371 property within the district solely for the purposes of this  
372 chapter and of chapter 25270, 1949, Laws of Florida, as amended,  
373 and chapter 61-691, Laws of Florida, as amended. If appropriate,  
374 taxes levied by each governing board may be separated by the  
375 governing board into a millage necessary for the purposes of the  
376 district and a millage necessary for financing basin functions  
377 specified in s. 373.0695.

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378       2.a. The districts may, by referendum, levy separate ad  
379 valorem taxes on property within the district or basin for the  
380 purposes of the construction of capital improvement projects.  
381 For purposes of this subparagraph, the term "capital improvement  
382 projects" means projects related to water supply, including  
383 alternative water supply, water resource development, and water  
384 quality projects identified in the district's regional water  
385 supply plans, water quality, flood protection and floodplain  
386 management, and natural systems.

387       b. A governing board exercising the option to levy separate  
388 ad valorem taxes for the purposes of the construction of capital  
389 improvement projects pursuant to this subparagraph shall adopt a  
390 resolution to be approved by a majority vote of the electors in  
391 the district or basin voting in a referendum held at a general  
392 election as defined in s. 97.021. The resolution must include  
393 the millage to be levied, a description of the capital  
394 improvement projects, such projects' expected dates of  
395 completion, and the date when the millage levied under this  
396 subparagraph shall expire. No millage may be levied beyond the  
397 date of a project's expected date of completion. Such millage  
398 levied may be up to an amount that, when combined with millage  
399 levied under subparagraph 1., does not exceed the maximum total  
400 millage rate under paragraph (b). The resolution must take  
401 effect on the January 1 immediately succeeding approval. The  
402 referendum must be conducted consistent with the laws governing  
403 bond referenda as provided in ss. 100.201-100.351.

404       (b)(a) Notwithstanding any other general or special law,  
405 and subject to subsection (4), the maximum total millage rate  
406 for all district and basin purposes authorized under this

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407 section shall be:

- 408 1. Northwest Florida Water Management District: 0.05 mill.  
409 2. Suwannee River Water Management District: 0.75 mill.  
410 3. St. Johns River Water Management District: 0.6 mill.  
411 4. Southwest Florida Water Management District: 1.0 mill.  
412 5. South Florida Water Management District: 0.80 mill.

413 (c)~~(b)~~ The apportionment in the South Florida Water  
414 Management District shall be a maximum of 40 percent for  
415 district purposes and a maximum of 60 percent for basin  
416 purposes, respectively. This calculation excludes millage raised  
417 pursuant to subparagraph (a)2.

418 (d)~~(e)~~ Within the Southwest Florida Water Management  
419 District, the maximum millage assessed for district purposes may  
420 not exceed 50 percent of the total authorized millage if there  
421 are one or more basins in the district, and the maximum millage  
422 assessed for basin purposes may not exceed 50 percent of the  
423 total authorized millage.

424 Section 9. Subsections (1) and (3) of section 373.535,  
425 Florida Statutes, are amended, and subsection (2) of that  
426 section is reenacted, to read:

427 373.535 Preliminary district budgets.—

428 (1) BUDGET DEVELOPMENT.—

429 (a) By January 15 of each year, each water management  
430 district shall submit a preliminary budget for the next fiscal  
431 year for legislative review to the President of the Senate, the  
432 Speaker of the House of Representatives, and the chairs of each  
433 legislative committee and subcommittee having substantive or  
434 fiscal jurisdiction over water management districts, as  
435 determined by the President of the Senate or the Speaker of the

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436 House of Representatives, as applicable, in the form and manner  
437 prescribed in s. 373.536(5)(e).

438 (b) Each preliminary budget must also include:

439 1. A section that clearly identifies and provides  
440 justification for each proposed expenditure listed in s.  
441 373.536(5)(e)4.e. and f. and identifies the source of funds for  
442 each proposed expenditure.

443 2. A section identifying the justification for proposed  
444 expenditures by core mission area of responsibility and the  
445 source of funds needed for activities related to water supply,  
446 including alternative water supply and water resource  
447 development projects identified in the district's regional water  
448 supply plans, water quality, flood protection and floodplain  
449 management, and natural systems.

450 3. A section that includes the district's capital  
451 improvement plan for the current fiscal year and the next fiscal  
452 year, which will be incorporated as part of the district's 5-  
453 year capital improvement plan. The following information must be  
454 included for each project contained in the capital improvement  
455 plan:

456 a. Estimated beginning and ending date.

457 b. Current status, such as planning, construction, or  
458 operations.

459 c. Funding source, grouped by federal, state, and local  
460 pursuant to s. 373.503(3)(a)1., local pursuant to s.  
461 373.503(3)(a)2., or other.

462 d. Total cost of the project.

463 e. Whether the project is funded from reserves.

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



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465 g. Current year estimated expenditures.

466 h. Annual budget, including future budget requests, until  
467 project completion, by funding source.

468 i. Project description.

469 j. State program code, such as operations and maintenance  
470 or ecosystems restoration.

471 4.3. A section reviewing the adopted and proposed budget  
472 allocations by program area and the performance metrics for the  
473 prior year.

474 5.4. An analysis of each preliminary budget to determine  
475 the adequacy of fiscal resources available to the district and  
476 the adequacy of proposed district expenditures related to the  
477 core mission areas of responsibility for water supply, including  
478 alternative water supply and water resource development projects  
479 identified in the district's regional water supply plans, water  
480 quality, flood protection and floodplain management, and natural  
481 systems. The analysis must be based on the particular needs  
482 within each district for core mission areas of responsibility.  
483 The water supply analysis must specifically include a  
484 determination of the adequacy of each district's fiscal  
485 resources provided in the district's preliminary budget to  
486 achieve appropriate progress toward meeting the districtwide 20-  
487 year projected water supply demands, including funding for  
488 alternative water supply development and conservation projects.

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

493 (d) In addition to the information that must be included

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494 for projects carried out pursuant to the capital improvement  
495 plan in subparagraph (b)3., the South Florida Water Management  
496 District must include a separate section in its preliminary  
497 budget for all projects within the Comprehensive Everglades  
498 Restoration Plan. The information for the separate section must  
499 be provided on a project-by-project basis and include the source  
500 of funds. For each project, all of the following information  
501 must be included:

502 1. The project title and a brief description.  
503 2. The total estimated cost of the project, delineated by  
504 federal and nonfederal sponsor obligations. The local sponsor  
505 obligations must be further delineated by state and district  
506 obligations.

507 3. The timeline for the project.  
508 4. The total expenditures to date and estimated remaining  
509 expenditures needed for project completion.

510 5. The estimate of expenditures for the current year.  
511 6. The estimate of expenditures for the next fiscal year.

512 (e) For expenditures funded by state appropriations, the  
513 South Florida Water Management District must indicate which  
514 fiscal year the appropriation is from. In estimating  
515 expenditures for the next fiscal year, the district may  
516 incorporate state revenues only in an amount up to the amount of  
517 funds specifically provided in s. 375.041(3)(b)1., 4., and 5.,  
518 unless the district commits district revenues on a dollar-for-  
519 dollar basis for any amount over such amount specifically  
520 provided.

521 (2) LEGISLATIVE REVIEW.—

522 (a) The Legislature may annually review the preliminary

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523 budget for each district, including, but not limited to, those  
524 items listed in s. 373.536(5)(e)4.d.-f., specific to regulation,  
525 outreach, management, and administration program areas.

526 (b) On or before March 1 of each year, the President of the  
527 Senate and the Speaker of the House of Representatives may  
528 submit comments regarding the preliminary budget to the  
529 districts, and provide a copy of the comments to the Executive  
530 Office of the Governor. Each district shall respond to the  
531 comments in writing on or before March 15 of each year to the  
532 President of the Senate, the Speaker of the House of  
533 Representatives, and the Executive Office of the Governor.

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

538 (3) FUNDING AUTHORITY GRANTED.—Each district shall use the  
539 preliminary budget as submitted pursuant to subsection (1), and  
540 as may be amended by the district in response to review by the  
541 Legislature pursuant to this section and s. 373.503, as the  
542 basis for developing the tentative budget for the next fiscal  
543 year as provided in s. 373.536(5). However, this subsection may  
544 not be construed to impair any contractual obligations.

545 Section 10. Paragraphs (c) and (e) of subsection (5) of  
546 section 373.536, Florida Statutes, are amended to read:

547 373.536 District budget and hearing thereon.—

548 (5) TENTATIVE BUDGET CONTENTS AND SUBMISSION; REVIEW AND  
549 APPROVAL.—

550 (c) The Legislative Budget Commission may reject any of the  
551 following district budget proposals unless specifically

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552 appropriated by the Legislature:

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

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

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

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

561 5. Any individual variance ~~variances~~ in a district's  
562 tentative budget which is in excess of 25 percent from a  
563 district's preliminary budget.

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

566 7. Any individual project in the district's 5-year capital  
567 improvement plan except for those projects fully funded with  
568 revenues approved by voters pursuant to s. 373.503(3)(a)2.b.

569  
570 Written disapproval of any provision in the tentative budget  
571 must be received by the district at least 5 business days before  
572 the final district budget adoption hearing conducted under s.  
573 200.065(2)(d). If written disapproval is not received at least 5  
574 business days before the final budget adoption hearing, the  
575 governing board may proceed with final adoption. Any provision  
576 rejected by the Executive Office of the Governor or the  
577 Legislative Budget Commission may not be included in a  
578 district's final budget and may not be acted upon through any  
579 other means without the prior approval of the entity rejecting  
580 the provision.

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581 (e) The tentative budget must be based on the preliminary  
582 budget as submitted to the Legislature, and as may be amended by  
583 the district in response to review by the Legislature pursuant  
584 to ss. 373.503 and 373.535, as the basis for developing the  
585 tentative budget for the next fiscal year as provided in this  
586 subsection, however, this subsection may not be construed to  
587 impair any contractual obligations. The tentative budget and  
588 must set forth the proposed expenditures of the district, to  
589 which may be added an amount to be held as reserve. The  
590 tentative budget must include, but is not limited to, the  
591 following information for the preceding fiscal year and the  
592 current fiscal year, and the proposed amounts for the upcoming  
593 fiscal year, in a standard format prescribed by the Executive  
594 Office of the Governor, in consultation with the Legislature:

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

598 2. The estimated amount of unobligated funds or net cash  
599 balance on hand at the beginning of the fiscal year; an  
600 accounting of the source, balance, and projected future use of  
601 the unobligated funds; and the estimated amount of funds to be  
602 raised by district taxes or received from other sources to meet  
603 the requirements of the district.

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

608 4. The salaries and benefits, expenses, operating capital  
609 outlay, number of authorized positions, and other personal

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610 services for the following program areas of the district:

611 a. Water resource planning and monitoring;

612 b. Land acquisition, restoration, and public works;

613 c. Operation and maintenance of works and lands;

614 d. Regulation;

615 e. Outreach for which the information provided must contain

616 a full description and accounting of expenditures for water

617 resources education; public information and public relations,

618 including public service announcements and advertising in any

619 media; and lobbying activities related to local, regional, state

620 and federal governmental affairs, whether incurred by district

621 staff or through contractual services; and

622 f. Management and administration.

623

624 In addition to the program areas reported by all water

625 management districts, the South Florida Water Management

626 District shall include in its budget document separate sections

627 on all costs associated with the Everglades Construction Project

628 and the Comprehensive Everglades Restoration Plan, incorporating

629 the amount of state revenues appropriated for the fiscal year.

630 5. The total estimated amount in the district budget for

631 each area of responsibility listed in subparagraph 4. and for

632 water resource, water supply, and alternative water supply

633 development projects identified in the district's regional water

634 supply plans.

635 6. A description of each new, expanded, reduced, or

636 eliminated program.

637 7. The funding sources, including, but not limited to, ad

638 valorem taxes, Surface Water Improvement and Management Program

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639 funds, other state funds, federal funds, and user fees and  
640 permit fees for each program area.

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

644 Section 11. Section 373.6075, Florida Statutes, is amended  
645 to read:

646 373.6075 Purchases from contracts of other entities.—

647 (1) A water management district may purchase commodities  
648 and contractual services, excluding services subject to s.  
649 287.055, from the purchasing contracts of special districts,  
650 municipalities, counties, other political subdivisions,  
651 educational institutions, other states, nonprofit entities,  
652 purchasing cooperatives, or the Federal Government, which have  
653 been procured pursuant to competitive bid, request for proposal,  
654 request for qualification, competitive selection, or competitive  
655 negotiation, and which are otherwise in compliance with general  
656 law if the purchasing contract of the other entity is procured  
657 by a process that meets the procurement requirements of the  
658 water management district.

659 (2) For contractual services for the design, engineering,  
660 or construction, or for any combination of the design,  
661 engineering, or construction of capital improvement projects  
662 with a total project cost estimated at \$20 million or more, a  
663 water management district shall give preference to the lowest  
664 responsible and responsive bid, proposal, or reply that includes  
665 proof of district-defined acceptable minimum work experience  
666 within this state, project-specific payment and performance  
667 bonds in amounts appropriate for the project contract amount,

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668 and minimum warranty of 2 years beginning at substantial  
669 completion, or that includes proof of a comparable financial  
670 assurance mechanism, as defined by district rule.

671 (3) For the purpose of the competitive selection process in  
672 s. 287.055(4) or procurement procedures in s. 255.065(3), a  
673 water management district shall consider whether a bid,  
674 proposal, or reply includes appropriate payment and performance  
675 bonds, proof of a comparable financial assurance mechanism, as  
676 defined by district rule, or documentation of all bond faults or  
677 bond claims within the last 10 years, including all open and  
678 closed claims and agreed-upon amounts with a description of the  
679 claim and any resolution.

680 Section 12. Present paragraph (i) of subsection (5) of  
681 section 380.093, Florida Statutes, is redesignated as paragraph  
682 (j) and amended, a new paragraph (i) is added to that  
683 subsection, and paragraphs (a), (c), (d), (e), and (h) of that  
684 subsection are amended, to read:

685 380.093 Resilient Florida Grant Program; comprehensive  
686 statewide flood vulnerability and sea level rise data set and  
687 assessment; Statewide Flooding and Sea Level Rise Resilience  
688 Plan; regional resilience entities.—

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

690 (a) By December 1 of each year, the department shall  
691 develop a Statewide Flooding and Sea Level Rise Resilience Plan  
692 on a 3-year planning horizon and submit it to the Governor, the  
693 President of the Senate, and the Speaker of the House of  
694 Representatives. The plan must consist of ranked projects that  
695 address risks of flooding and sea level rise to coastal and  
696 inland communities in the state. All eligible projects submitted



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697 to the department pursuant to this section must be ranked and  
698 included in the plan. All eligible projects submitted by a water  
699 management district must be ranked on a separate list. Each plan  
700 must include a detailed narrative overview describing how the  
701 plan was developed, including a description of the methodology  
702 used by the department to determine project eligibility, a  
703 description of the methodology used to rank projects, the  
704 specific scoring system used, the project proposal application  
705 form, a copy of each submitted project proposal application form  
706 separated by eligible projects and ineligible projects, the  
707 total number of project proposals received and deemed eligible,  
708 the total funding requested, and the total funding requested for  
709 eligible projects.

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

- 713 1. A description of the project.
- 714 2. The location of the project.
- 715 3. An estimate of how long the project will take to  
716 complete.
- 717 4. An estimate of the cost of the project.
- 718 5. The cost-share percentage available for the project, if  
719 applicable.
- 720 6. A summary of the priority score assigned to the project.
- 721 7. The project sponsor.

722 (d)1. By September 1 of each year, all of the following  
723 entities may submit to the department a list of proposed  
724 projects that address risks of flooding or sea level rise  
725 identified in the comprehensive statewide flood vulnerability

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726 and sea level rise assessment or vulnerability assessments that  
727 meet the requirements of subsection (3):

728 a. Counties.

729 b. Municipalities.

730 c. Special districts as defined in s. 189.012 which are  
731 responsible for the management and maintenance of inlets and  
732 intracoastal waterways or for the operation and maintenance of a  
733 potable water facility, a wastewater facility, an airport, or a  
734 seaport facility.

735 d. Regional resilience entities acting on behalf of one or  
736 more member counties or municipalities.

737

738 For the plans submitted by December 1, 2024, such entities may  
739 submit projects identified in existing vulnerability assessments  
740 that do not comply with subsection (3) only if the entity is  
741 actively developing a vulnerability assessment that is either  
742 under a signed grant agreement with the department pursuant to  
743 subsection (3) or funded by another state or federal agency, or  
744 is self-funded and intended to meet the requirements of  
745 paragraph (3)(d) or if the existing vulnerability assessment was  
746 completed using previously compliant statutory requirements.  
747 Projects identified from this category of vulnerability  
748 assessments will be eligible for submittal until the prior  
749 vulnerability assessment has been updated to meet most recent  
750 statutory requirements.

751 2. By September 1 of each year, all of the following  
752 entities may submit to the department a list of any proposed  
753 projects that address risks of flooding or sea level rise  
754 identified in the comprehensive statewide flood vulnerability

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755 and sea level rise assessment or vulnerability assessments that  
756 meet the requirements of subsection (3), or that mitigate the  
757 risks of flooding or sea level rise on water supplies or water  
758 resources of the state and a corresponding evaluation of each  
759 project:

760 a. Water management districts.

761 b. Drainage districts.

762 c. Erosion control districts.

763 d. Flood control districts.

764 e. Regional water supply authorities.

765 3. Each project submitted to the department pursuant to  
766 this paragraph for consideration by the department for inclusion  
767 in the plan must include all of the following information:

768 a. A description of the project.

769 b. The location of the project.

770 c. An estimate of how long the project will take to  
771 complete.

772 d. An estimate of the cost of the project.

773 e. The cost-share percentage available for the project, if  
774 applicable.

775 f. The project sponsor.

776 (e) Each project included in the plan must have a minimum  
777 50 percent cost share unless the project was submitted by a  
778 water management district, or assists or is within a community  
779 eligible for a reduced cost share. For purposes of this section,  
780 the term "community eligible for a reduced cost share" means:

781 1. A municipality that has a population of 10,000 or less  
782 ~~fewer~~, according to the most recent April 1 population estimates  
783 posted on the Office of Economic and Demographic Research's

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784 website, and a per capita annual income that is less than the  
785 state's per capita annual income as shown in the most recent  
786 release from the Bureau of the Census of the United States  
787 Department of Commerce that includes both measurements;

788 2. A county that has a population of 50,000 or less ~~fewer~~,  
789 according to the most recent April 1 population estimates posted  
790 on the Office of Economic and Demographic Research's website,  
791 and a per capita annual income that is less than the state's per  
792 capita annual income as shown in the most recent release from  
793 the Bureau of the Census of the United States Department of  
794 Commerce that includes both measurements; or

795 3. A municipality or county that has a per capita annual  
796 income that is equal to or less than 75 percent of the state's  
797 per capita annual income as shown in the most recent release  
798 from the Bureau of the Census of the United States Department of  
799 Commerce.

800 (h) The total amount of funding proposed for each year of  
801 the plan must ~~may not~~ be at least ~~less than~~ \$100 million and,  
802 for projects submitted by a water management district, may  
803 include funds that have been repaid by a water management  
804 district. Upon review and subject to appropriation, the  
805 Legislature shall approve funding for the projects as specified  
806 in the plan. The only funding available to water management  
807 districts under this subsection is through the loan program  
808 pursuant to paragraph (i), except for the Northwest Florida  
809 Water Management District and the Suwanee River Water Management  
810 District, which may receive grants. Multiyear projects that  
811 receive funding for the first year of the project must be  
812 included in subsequent plans and funded until the project is

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813 complete, provided that the project sponsor has complied with  
814 all contractual obligations and funds are available.

815 (i) To finance projects submitted by the St. Johns River  
816 Water Management District, the Southwest Florida Water  
817 Management District, or the South Florida Water Management  
818 District, the department may issue 20-year, interest-free loans  
819 through a promissory note or other form of written agreement  
820 evidencing an obligation to repay the borrowed funds to the  
821 department. The district may borrow funds made available  
822 pursuant to this section. Any revenues or other adequate  
823 security available to the district, other than state revenues,  
824 may be used to repay any funds borrowed. The loans must be  
825 repaid in equal installments over a period not to exceed 20  
826 years, commencing within 12 months after the execution of the  
827 loan agreement.

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

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

837 (j)~~(i)~~ The department shall adopt rules to implement this  
838 section, including, but not limited to, rules necessary to  
839 administer the revolving loan program to finance projects  
840 submitted by water management districts.

841 Section 13. Present subsection (3) of section 380.0935,

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842 Florida Statutes, is redesignated as subsection (4), a new  
843 subsection (3) is added to that section, and subsection (2) of  
844 that section is amended, to read:

845 380.0935 Resilient Florida Trust Fund.—

846 (2) Moneys deposited in the fund are available as a funding  
847 source for the department for the Resilient Florida Grant  
848 Program and the Statewide Flooding and Sea Level ~~Sea-Level~~ Rise  
849 Resilience Plan, including costs to operate the grant program,  
850 to develop the plan, and to provide grants to regional  
851 resilience coalitions pursuant to s. 380.093. The department may  
852 also use moneys deposited in the fund for administrative and  
853 operational costs of the Florida Flood Hub for Applied Research  
854 and Innovation pursuant to s. 380.0933 and coastal resilience  
855 initiatives.

856 (3) The department shall create and maintain a separate  
857 account in the trust fund for funds received pursuant to s.  
858 380.095 to administer a revolving loan program for eligible  
859 projects submitted by water management districts within the  
860 Statewide Flooding and Sea Level Rise Resilience Plan. All  
861 repayments must be returned to the revolving loan program and  
862 made available for the eligible projects submitted by water  
863 management districts in the plan. Notwithstanding s. 216.301,  
864 funds appropriated for the loan program are not subject to  
865 reversion.

866 Section 14. Paragraph (c) of subsection (2) of section  
867 380.095, Florida Statutes, is amended to read:

868 380.095 Dedicated funding for conservation lands,  
869 resiliency, and clean water infrastructure.—

870 (2) DISTRIBUTION.—Notwithstanding s. 285.710, the

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871 Department of Revenue shall, upon receipt, deposit 96 percent of  
872 any revenue share payment received under the compact as defined  
873 in s. 285.710 into the Indian Gaming Revenue Clearing Trust Fund  
874 within the Department of Financial Services. The funds deposited  
875 into the trust fund shall be distributed as follows:

876 (c) The lesser of 26.042 percent or \$100 million each  
877 fiscal year to the Resilient Florida Trust Fund within the  
878 Department of Environmental Protection for the revolving loan  
879 fund within the Statewide Flooding and Sea Level Rise Resilience  
880 Plan to be used to fund eligible projects submitted by water  
881 management districts in accordance with s. 380.093.

882  
883 Allocations to trust funds shall be transferred monthly by  
884 nonoperating authority to the named trust fund.

885 Section 15. (1) For the 2025-2026 fiscal year, the sums of  
886 \$236,665,971 in nonrecurring funds from the General Revenue Fund  
887 and \$64 million in recurring funds and \$328,684,029 in  
888 nonrecurring funds from the Land Acquisition Trust Fund are  
889 appropriated to the Department of Environmental Protection and  
890 must be distributed to the South Florida Water Management  
891 District for the planning, design, engineering, and construction  
892 of the Comprehensive Everglades Restoration Plan and allocated  
893 in the following fixed capital outlay appropriation categories:

894 (a) Nonrecurring funds from the General Revenue Fund:  
895 1. C-111 South Dade - \$54,346,161.  
896 2. Indian River Lagoon South - \$102,374,446.  
897 3. Central Everglades Planning Project South - \$15 million.  
898 4. Central Everglades Planning Project North - \$47,771,823.  
899 5. Loxahatchee River Watershed Restoration Project -

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900 \$19,290,000.

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

902 7. Biscayne Bay Coastal Wetlands - \$7 million.

903 8. Lake Okeechobee Component A Reservoir - \$8,978,273.

904 9. Comprehensive Everglades Restoration Project Planning

905 and Design - \$6,148,979.

906 (b) Nonrecurring funds from the Land Acquisition Trust

907 Fund:

908 1. Caloosahatchee River C-43 West Basin Storage - \$90

909 million.

910 2. Central Everglades Planning Project North -

911 \$104,608,177.

912 3. Central Everglades Planning Project EAA Reservoir -

913 \$84,075,852.

914 (c) Recurring funds of \$64 million in the Everglades

915 Restoration appropriation category from the Land Acquisition

916 Trust Fund to transfer to the Everglades Trust Fund within the

917 South Florida Water Management District pursuant to s.

918 375.041(3)(b)4., Florida Statutes.

919 (2) The department is authorized to submit budget

920 amendments to request the realignment of funds in subsection

921 (1), pursuant to s. 216.292(4), Florida Statutes, and subject to

922 the approval of the Legislative Budget Commission.

923 Section 16. For the 2025-2026 fiscal year, the sum of

924 \$39,876,213 in recurring funds and \$33,151,846 in nonrecurring

925 funds from the Land Acquisition Trust Fund is appropriated to

926 the Department of Environmental Protection and must be used to

927 implement the Northern Everglades and Estuaries Protection

928 Program, pursuant to s. 373.4595, Florida Statutes.



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929           Section 17. For the 2025-2026 fiscal year, the sum of \$50  
930 million in recurring funds from the Land Acquisition Trust Fund  
931 is appropriated to the South Florida Water Management District  
932 for the design, engineering, and construction of the specific  
933 project components designed to achieve the greatest reductions  
934 in harmful discharges to the Caloosahatchee and St. Lucie  
935 Estuaries as identified in the Comprehensive Everglades  
936 Restoration Plan Lake Okeechobee Watershed Restoration Project  
937 Final Integrated Project Implementation Report and Environmental  
938 Impact Statement dated August 2020.

939           Section 18. For the purpose of incorporating the amendment  
940 made by this act to section 373.503, Florida Statutes, in a  
941 reference thereto, section 373.0697, Florida Statutes, is  
942 reenacted to read:

943           373.0697 Basin taxes.—The respective basins may, pursuant  
944 to s. 9(b), Art. VII of the State Constitution, by resolution  
945 request the governing board of the district to levy ad valorem  
946 taxes within such basin. Upon receipt of such request, a basin  
947 tax levy shall be made by the governing board of the district to  
948 finance basin functions enumerated in s. 373.0695,  
949 notwithstanding the provisions of any other general or special  
950 law to the contrary, and subject to the provisions of s.  
951 373.503(3).

952           (1) The amount of money to be raised by said tax levy shall  
953 be determined by the adoption of an annual budget by the  
954 district board of governors, and the average millage for the  
955 basin shall be that amount required to raise the amount called  
956 for by the annual budget when applied to the total assessment of  
957 the basin as determined for county taxing purposes. However, no

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958 such tax shall be levied within the basin unless and until the  
959 annual budget and required tax levy shall have been approved by  
960 formal action of the basin board, and no county in the district  
961 shall be taxed under this provision at a rate to exceed 1 mill.

962 (2) The taxes provided for in this section shall be  
963 extended by the county property appraiser on the county tax roll  
964 in each county within, or partly within, the basin and shall be  
965 collected by the tax collector in the same manner and time as  
966 county taxes, and the proceeds therefrom paid to the district  
967 for basin purposes. Said taxes shall be a lien, until paid, on  
968 the property against which assessed and enforceable in like  
969 manner as county taxes. The property appraisers, tax collectors,  
970 and clerks of the circuit court of the respective counties shall  
971 be entitled to compensation for services performed in connection  
972 with such taxes at the same rates as apply to county taxes.

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

977 Section 19. This act shall take effect July 1, 2025.