

By Senator Brodeur

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A bill to be entitled

An act relating to water management districts;
amending s. 112.3261, F.S.; defining the term
"expenditure"; requiring the Commission on Ethics to
investigate a lobbyist or principal who has made a
prohibited expenditure and to provide the Governor
with a report of its findings and recommendations
regarding such investigation; prohibiting certain
persons from making or accepting expenditures;
amending s. 373.0693, F.S.; deleting a provision
requiring legislative approval before the
establishment of a subdistrict or basin in a certain
water management district takes effect; amending s.
373.079, F.S.; requiring a quorum for the conduct of
official business by the governing board of a water
management district; providing requirements for a
quorum; requiring an affirmative vote of a majority of
the members of the governing board before any action
may be taken by the board; amending s. 373.470, F.S.;
requiring the South Florida Water Management District,
in cooperation with the Department of Environmental
Protection, to provide a detailed report that includes
the total estimated remaining cost of implementation
of the Comprehensive Everglades Restoration Plan and
the status of applicable performance indicators for
all project components; requiring that the project
components be subdivided into specified categories
based on the project's status; specifying requirements
for performance indicators for certain projects or

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project components; providing legislative recognition of the value of the integrated delivery schedule; requiring the South Florida Ecosystem Restoration Task Force to identify certain sources of funding when making recommendations for updates to the integrated delivery schedule; amending s. 373.501, F.S.; prohibiting a water management district from using state funds for a specified purpose; providing an exception; amending s. 373.503, F.S.; authorizing water management districts to levy certain ad valorem taxes on specified property for certain purposes; requiring a district governing board levying ad valorem taxes for certain projects to adopt a resolution approved by a majority vote of the voting electors in the district or basin; specifying requirements for such resolution; providing specifications for the millage levied; requiring that the referendum question on the ballot specify the purpose of the levy and the maximum length of time the millage may be imposed; defining the term "capital improvement projects"; revising requirements for the maximum total millage rate; amending s. 373.535, F.S.; requiring that the preliminary budget for each water management district include a section that contains the district's capital improvement plan for the current fiscal year and the next fiscal year; requiring that such section contain specified information; requiring the South Florida Water Management District to include a section in its

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preliminary budget for all projects within the Comprehensive Everglades Restoration Plan; requiring that the section contain specified information; requiring the South Florida Water Management District to indicate the fiscal year from which certain appropriations are expended; requiring the district to incorporate state revenues in a certain manner when estimating expenditures for the next fiscal year; providing an exception; providing construction; amending s. 373.536, F.S.; authorizing the Legislative Budget Commission to reject certain district budget proposals; providing an exception; providing construction; requiring the South Florida Water Management District to include in its budget document certain sections that incorporate the actual amount of state revenues appropriated for the fiscal year; requiring that a water management district's tentative budget for its proposed operations and funding requirements include the district's capital improvement plan for the current year and the next fiscal year; amending s. 373.6075, F.S.; requiring a water management district to give preference to certain bids, proposals, or replies for the design, engineering, or construction of capital improvement projects in excess of a specified amount; requiring a water management district to consider certain factors for the purpose of the competitive bid selection process; amending s. 380.093, F.S.; requiring that certain projects submitted by water management

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districts to the department for the Statewide Flooding and Sea Level Rise Resilience Plan be ranked on a separate list; revising the list of information that must be submitted by the department for each project; specifying the composition of the total amount of funding for such plan; restricting funding available to water management districts; reenacting s. 373.0697, F.S., relating to basin taxes, to incorporate the amendment made to s. 373.503, F.S., in a reference thereto; providing an effective date.

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

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.

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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, any expenditure, and a district governing board member, an executive director, or any district employee who qualifies as a local officer as defined in s. 112.3145(1) may not knowingly accept, directly or indirectly, any expenditure.

Section 2. Subsection (1) of section 373.0693, Florida Statutes, is amended to read:

373.0693 Basins; basin boards.—

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

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

Section 3. Subsection (7) of section 373.079, Florida Statutes, is amended to read:

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

(7) The governing board shall meet at least once a month and upon call of the chair. A quorum is necessary for the board to conduct official business. A majority of the members of the

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governing board, which includes both appointed members and vacancies, constitutes a quorum. A board member's appearance at a board meeting, whether such appearance is in person or through the use of communications media technology, must be counted for the determination of a quorum. Except where otherwise provided by law, action may be taken by the governing board only upon an affirmative vote of a majority of the members of the governing board. The governing board, a basin board, a committee, or an advisory board may conduct meetings by means of communications media technology in accordance with rules adopted pursuant to s. 120.54(5)(b) ~~s. 120.54~~.

Section 4. Subsection (7) of section 373.470, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

373.470 Everglades restoration.—

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

(a) The district, in cooperation with the department, shall provide the following information as it relates to implementation of the comprehensive plan:

1. An identification of funds, by source and amount, received by the state and by each local sponsor during the fiscal year.

2. An itemization of expenditures, by source and amount, made by the state and by each local sponsor during the fiscal

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year.

3. A description of the purpose for which the funds were expended.

4. The unencumbered balance of funds remaining in trust funds or other accounts designated for implementation of the comprehensive plan.

5. A schedule of anticipated expenditures for the next fiscal year.

(b) The department shall prepare a detailed report on all funds expended by the state and credited toward the state's share of funding for implementation of the comprehensive plan. The report shall include:

1. A description of all expenditures, by source and amount, from the former Conservation and Recreation Lands Trust Fund, the Land Acquisition Trust Fund, the former Preservation 2000 Trust Fund, the Florida Forever Trust Fund, the Save Our Everglades Trust Fund, and other named funds or accounts for the acquisition or construction of project components or other features or facilities that benefit the comprehensive plan.

2. A description of the purposes for which the funds were expended.

3. The unencumbered fiscal-year-end balance that remains in each trust fund or account identified in subparagraph 1.

(c) The district, in cooperation with the department, shall provide a detailed report on progress made in the implementation of the comprehensive plan, including the total estimated remaining cost of implementation of the comprehensive plan. The report must also include the status of and applicable performance indicators for all project components. The project

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components must be subdivided into the following categories
based on the project's status:

1. Planning and design phase.

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

a. Whether the project is on time and on budget based on a
schedule performance index; and

b. Whether the project had any claims, change orders, or
credits upon closeout, including the description, date, and cost
of the change, compensatory amounts, and the remedy or
resolution exercised as it pertains to the schedule or budget of
the project.

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

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

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

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

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

(8) INTEGRATED DELIVERY SCHEDULE.—The Legislature recognizes the value of the integrated delivery schedule as a forward-looking snapshot of upcoming planning, design, and construction schedules for the comprehensive plan and as a tool that provides information to decisionmakers and facilitates achievement of the goals and purposes of the comprehensive plan at the earliest possible time to the extent practical, given funding, engineering, and other contractual constraints. The Legislature further recognizes that the schedule acts as a planning document and does not represent a budget or financial commitment on behalf of any of the participants of the South Florida Ecosystem Restoration Task Force. Therefore, when making recommendations for any update to the schedule, state and local members of the task force shall identify project funding sources to reflect whether funding will use recurring state funds provided pursuant to s. 375.041(3)(b)1., 4., and 5., or whether the project may be funded with nonrecurring state funds.

Section 5. Subsection (3) is added to section 373.501, Florida Statutes, to read:

373.501 Appropriation of funds to water management districts.—

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

Section 6. Subsection (3) of section 373.503, Florida

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Statutes, is amended to read:

373.503 Manner of taxation.—

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

2.a. A district may levy separate ad valorem taxes on property within the district or basin for the purposes of the construction of capital improvement projects. Such levy must be by resolution adopted by a majority vote of the district's governing board and conditioned to take effect only upon approval by a majority vote of the electors in the district or basin, as applicable, voting in a referendum held at a general election as defined in s. 97.021. The resolution must be conditioned to take effect on the January 1 immediately following voter approval of the referendum. The resolution must include the millage to be levied, a detailed description of the capital improvement projects to be funded by the millage, such projects' expected dates of completion, and the maximum duration for the levy of the millage, which may not extend beyond the date that the projects are expected to be completed. The millage levied under this subparagraph may be up to an amount that, when combined with millage levied under subparagraph 1., does not exceed the maximum total millage rate authorized under paragraph

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(b). The referendum question on the ballot must specify a brief and general description of the purpose of the levy and the maximum length of time the millage may be imposed.

b. For purposes of this subparagraph, the term "capital improvement projects" means projects related to water supply, including alternative water supply and water resource development projects identified in the district's regional water supply plans, water quality, flood protection and floodplain management, and natural systems.

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

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

(c)(b) The apportionment of millages levied pursuant to subparagraph (a)1. in the South Florida Water Management District shall be a maximum of 40 percent for district purposes and a maximum of 60 percent for basin purposes, respectively.

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

Section 7. Section 373.535, Florida Statutes, is amended to

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read:

373.535 Preliminary district budgets.—

(1) BUDGET DEVELOPMENT.—

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

(b) Each preliminary budget must also include:

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

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

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

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349 plan:

350 a. Estimated beginning and ending date.

351 b. Current status, such as planning, construction, or
352 operations.

353 c. Funding source, grouped by federal, state, and local
354 pursuant to s. 373.503(3)(a)1., local pursuant to s.
355 373.503(3)(a)2., or other.

356 d. Total cost of the project.

357 e. Whether the project is funded from reserves.

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

359 g. Current year estimated expenditures.

360 h. Annual budget, including future budget requests, until
361 project completion, by funding source.

362 i. Project description.

363 j. State program code, such as operations and maintenance
364 or ecosystems restoration.

365 ~~4.3.~~ A section reviewing the adopted and proposed budget
366 allocations by program area and the performance metrics for the
367 prior year.

368 ~~5.4.~~ An analysis of each preliminary budget to determine
369 the adequacy of fiscal resources available to the district and
370 the adequacy of proposed district expenditures related to the
371 core mission areas of responsibility for water supply, including
372 alternative water supply and water resource development projects
373 identified in the district's regional water supply plans, water
374 quality, flood protection and floodplain management, and natural
375 systems. The analysis must be based on the particular needs
376 within each district for core mission areas of responsibility.
377 The water supply analysis must specifically include a

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determination of the adequacy of each district's fiscal resources provided in the district's preliminary budget to achieve appropriate progress toward meeting the districtwide 20-year projected water supply demands, including funding for alternative water supply development and conservation projects.

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

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

1. The project title and a brief description.
 2. The total estimated cost of the project, delineated by federal and nonfederal sponsor obligations. The local sponsor obligations must be further delineated by state and district obligations.
 3. The timeline for the project.
 4. The total expenditures to date and estimated remaining expenditures needed for project completion.
 5. The estimate of expenditures for the current year.
 6. The estimate of expenditures for the next fiscal year.
- (e) For expenditures funded by state appropriations, the

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407 South Florida Water Management District shall indicate which
408 fiscal year the appropriation is from. In estimating
409 expenditures for the next fiscal year, the district may
410 incorporate state revenues only in an amount up to the amount of
411 funds specifically provided in s. 375.041(3)(b)1., 4., and 5.,
412 unless the district commits district revenues on a dollar-for-
413 dollar basis for any amount over such amount specifically
414 provided.

415 (2) LEGISLATIVE REVIEW.—

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

420 (b) On or before March 1 of each year, the President of the
421 Senate and the Speaker of the House of Representatives may
422 submit comments regarding the preliminary budget to the
423 districts, and provide a copy of the comments to the Executive
424 Office of the Governor. Each district shall respond to the
425 comments in writing on or before March 15 of each year to the
426 President of the Senate, the Speaker of the House of
427 Representatives, and the Executive Office of the Governor.

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

432 (3) FUNDING AUTHORITY GRANTED.—Each district shall use the
433 preliminary budget as submitted pursuant to subsection (1), and
434 as may be amended by the district in response to review by the
435 Legislature pursuant to this section and s. 373.503, as the

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basis for developing the tentative budget for the next fiscal year as provided in s. 373.536(5). However, this subsection may not be construed to impair any contractual obligations.

Section 8. Paragraphs (c) and (e) of subsection (5) of section 373.536, Florida Statutes, are amended to read:

373.536 District budget and hearing thereon.—

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

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

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

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

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

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

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

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

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

Written disapproval of any provision in the tentative budget

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

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

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

2. The estimated amount of unobligated funds or net cash balance on hand at the beginning of the fiscal year; an

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accounting of the source, balance, and projected future use of the unobligated funds; and the estimated amount of funds to be raised by district taxes or received from other sources to meet the requirements of the district.

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

4. The salaries and benefits, expenses, operating capital outlay, number of authorized positions, and other personal services for the following program areas of the district:

- a. Water resource planning and monitoring;
- b. Land acquisition, restoration, and public works;
- c. Operation and maintenance of works and lands;
- d. Regulation;
- e. Outreach for which the information provided must contain a full description and accounting of expenditures for water resources education; public information and public relations, including public service announcements and advertising in any media; and lobbying activities related to local, regional, state and federal governmental affairs, whether incurred by district staff or through contractual services; and
- f. Management and administration.

In addition to the program areas reported by all water management districts, the South Florida Water Management District shall include in its budget document separate sections on all costs associated with the Everglades Construction Project and the Comprehensive Everglades Restoration Plan, incorporating

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the amount of state revenues appropriated for the fiscal year.

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

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

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

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

Section 9. Section 373.6075, Florida Statutes, is amended to read:

373.6075 Purchases from contracts of other entities.—

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

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water management district.

(2) For contractual services for the design, engineering, or construction, or for any combination of the design, engineering, or construction of capital improvement projects with a total project cost estimated at \$20 million or more, a water management district shall give preference to the lowest responsible and responsive bid, proposal, or reply that includes proof of district-defined acceptable minimum work experience within this state, project-specific payment and performance bonds in amounts appropriate for the project contract amount, and minimum warranty of 2 years beginning at substantial completion, or that includes proof of a comparable financial assurance mechanism, as defined by district rule.

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

Section 10. Paragraphs (a), (c), (d), (e), and (h) of subsection (5) of section 380.093, Florida Statutes, are amended to read:

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

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

(a) By December 1 of each year, the department shall develop a Statewide Flooding and Sea Level Rise Resilience Plan on a 3-year planning horizon and submit it to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The plan must consist of ranked projects that address risks of flooding and sea level rise to coastal and inland communities in the state. All eligible projects submitted to the department pursuant to this section must be ranked and included in the plan. All eligible projects submitted by a water management district must be ranked on a separate list. Each plan must include a detailed narrative overview describing how the plan was developed, including a description of the methodology used by the department to determine project eligibility, a description of the methodology used to rank projects, the specific scoring system used, the project proposal application form, a copy of each submitted project proposal application form separated by eligible projects and ineligible projects, the total number of project proposals received and deemed eligible, the total funding requested, and the total funding requested for eligible projects.

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

1. A description of the project.
2. The location of the project.
3. An estimate of how long the project will take to complete.
4. An estimate of the cost of the project.

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5. The cost-share percentage available for the project, if applicable.

6. A summary of the priority score assigned to the project.

7. The project sponsor.

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

a. Counties.

b. Municipalities.

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

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

For the plans submitted by December 1, 2024, such entities may submit projects identified in existing vulnerability assessments that do not comply with subsection (3) only if the entity is actively developing a vulnerability assessment that is either under a signed grant agreement with the department pursuant to subsection (3) or funded by another state or federal agency, or is self-funded and intended to meet the requirements of paragraph (3)(d) or if the existing vulnerability assessment was completed using previously compliant statutory requirements.

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Projects identified from this category of vulnerability assessments will be eligible for submittal until the prior vulnerability assessment has been updated to meet most recent statutory requirements.

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

- a. Water management districts.
- b. Drainage districts.
- c. Erosion control districts.
- d. Flood control districts.
- e. Regional water supply authorities.

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

- a. A description of the project.
- b. The location of the project.
- c. An estimate of how long the project will take to complete.
- d. An estimate of the cost of the project.
- e. The cost-share percentage available for the project, if applicable.
- f. The project sponsor.

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(e) Each project included in the plan must have a minimum 50 percent cost share unless the project assists or is within a community eligible for a reduced cost share. For purposes of this section, the term "community eligible for a reduced cost share" means:

1. A municipality that has a population of 10,000 or less ~~fewer~~, according to the most recent April 1 population estimates posted on the Office of Economic and Demographic Research's website, and a per capita annual income that is less than the state's per capita annual income as shown in the most recent release from the Bureau of the Census of the United States Department of Commerce that includes both measurements;

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

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

(h) The total amount of funding proposed for each year of the plan must ~~may not~~ be at least ~~less than~~ \$100 million. No more than 25 percent of the total amount proposed may fund projects submitted by water management districts. Upon review and subject to appropriation, the Legislature shall approve

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697 funding for the projects as specified in the plan. Multiyear
698 projects that receive funding for the first year of the project
699 must be included in subsequent plans and funded until the
700 project is complete, provided that the project sponsor has
701 complied with all contractual obligations and funds are
702 available.

703 Section 11. For the purpose of incorporating the amendment
704 made by this act to section 373.503, Florida Statutes, in a
705 reference thereto, section 373.0697, Florida Statutes, is
706 reenacted to read:

707 373.0697 Basin taxes.—The respective basins may, pursuant
708 to s. 9(b), Art. VII of the State Constitution, by resolution
709 request the governing board of the district to levy ad valorem
710 taxes within such basin. Upon receipt of such request, a basin
711 tax levy shall be made by the governing board of the district to
712 finance basin functions enumerated in s. 373.0695,
713 notwithstanding the provisions of any other general or special
714 law to the contrary, and subject to the provisions of s.
715 373.503(3).

716 (1) The amount of money to be raised by said tax levy shall
717 be determined by the adoption of an annual budget by the
718 district board of governors, and the average millage for the
719 basin shall be that amount required to raise the amount called
720 for by the annual budget when applied to the total assessment of
721 the basin as determined for county taxing purposes. However, no
722 such tax shall be levied within the basin unless and until the
723 annual budget and required tax levy shall have been approved by
724 formal action of the basin board, and no county in the district
725 shall be taxed under this provision at a rate to exceed 1 mill.

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

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

Section 12. This act shall take effect July 1, 2026.