

By Senator Brodeur

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

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59 preliminary budget for all projects within the
60 Comprehensive Everglades Restoration Plan; requiring
61 that the section contain specified information;
62 requiring the South Florida Water Management District
63 to indicate the fiscal year from which certain
64 appropriations are expended; requiring the district to
65 incorporate state revenues in a certain manner when
66 estimating expenditures for the next fiscal year;
67 providing an exception; providing construction;
68 amending s. 373.536, F.S.; authorizing the Legislative
69 Budget Commission to reject certain district budget
70 proposals; providing an exception; providing
71 construction; requiring the South Florida Water
72 Management District to include in its budget document
73 certain sections that incorporate the actual amount of
74 state revenues appropriated for the fiscal year;
75 requiring that a water management district's tentative
76 budget for its proposed operations and funding
77 requirements include the district's capital
78 improvement plan for the current year and the next
79 fiscal year; amending s. 373.6075, F.S.; requiring a
80 water management district to give preference to
81 certain bids, proposals, or replies for the design,
82 engineering, or construction of capital improvement
83 projects in excess of a specified amount; requiring a
84 water management district to consider certain factors
85 for the purpose of the competitive bid selection
86 process; amending s. 380.093, F.S.; requiring that
87 certain projects submitted by water management

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

98

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

100

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

107 112.3261 Lobbying before water management districts;
108 registration and reporting.—

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

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

111 (7) Upon receipt of a sworn complaint alleging that a
112 lobbyist or principal has failed to register with a district,
113 has made a prohibited expenditure, or has knowingly submitted
114 false information in a report or registration required under
115 this section, the commission shall investigate a lobbyist or
116 principal pursuant to the procedures established under s.

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117 112.324. The commission shall provide the Governor with a report
118 of its findings and recommendations in any investigation
119 conducted pursuant to this subsection. The Governor is
120 authorized to enforce the commission's findings and
121 recommendations.

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

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

130 373.0693 Basins; basin boards.—

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

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

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

142 373.079 Members of governing board; oath of office; staff.—

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

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146 governing board, which includes both appointed members and
147 vacancies, constitutes a quorum. A board member's appearance at
148 a board meeting, whether such appearance is in person or through
149 the use of communications media technology, must be counted for
150 the determination of a quorum. Except where otherwise provided
151 by law, action may be taken by the governing board only upon an
152 affirmative vote of a majority of the members of the governing
153 board. The governing board, a basin board, a committee, or an
154 advisory board may conduct meetings by means of communications
155 media technology in accordance with rules adopted pursuant to s.
156 120.54(5)(b) s. 120.54.

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

160 373.470 Everglades restoration.—

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

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

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

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

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175 year.

176 3. A description of the purpose for which the funds were
177 expended.178 4. The unencumbered balance of funds remaining in trust
179 funds or other accounts designated for implementation of the
180 comprehensive plan.181 5. A schedule of anticipated expenditures for the next
182 fiscal year.183 (b) The department shall prepare a detailed report on all
184 funds expended by the state and credited toward the state's
185 share of funding for implementation of the comprehensive plan.
186 The report shall include:187 1. A description of all expenditures, by source and amount,
188 from the former Conservation and Recreation Lands Trust Fund,
189 the Land Acquisition Trust Fund, the former Preservation 2000
190 Trust Fund, the Florida Forever Trust Fund, the Save Our
191 Everglades Trust Fund, and other named funds or accounts for the
192 acquisition or construction of project components or other
193 features or facilities that benefit the comprehensive plan.194 2. A description of the purposes for which the funds were
195 expended.196 3. The unencumbered fiscal-year-end balance that remains in
197 each trust fund or account identified in subparagraph 1.198 (c) The district, in cooperation with the department, shall
199 provide a detailed report on progress made in the implementation
200 of the comprehensive plan, including the total estimated
201 remaining cost of implementation of the comprehensive plan. The
202 report must also include the status of and applicable
203 performance indicators for all project components. The project

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

206 1. Planning and design phase.

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

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

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

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

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

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

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

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

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

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

256 373.501 Appropriation of funds to water management
257 districts.—

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

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

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262 Statutes, is amended to read:

263 373.503 Manner of taxation.—

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

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

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

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

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

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

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

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

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

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320 read:

321 373.535 Preliminary district budgets.—

322 (1) BUDGET DEVELOPMENT.—

323 (a) By January 15 of each year, each water management

324 district shall submit a preliminary budget for the next fiscal

325 year for legislative review to the President of the Senate, the

326 Speaker of the House of Representatives, and the chairs of each

327 legislative committee and subcommittee having substantive or

328 fiscal jurisdiction over water management districts, as

329 determined by the President of the Senate or the Speaker of the

330 House of Representatives, as applicable, in the form and manner

331 prescribed in s. 373.536(5)(e).

332 (b) Each preliminary budget must also include:

333 1. A section that clearly identifies and provides

334 justification for each proposed expenditure listed in s.

335 373.536(5)(e)4.e. and f. and identifies the source of funds for

336 each proposed expenditure.

337 2. A section identifying the justification for proposed

338 expenditures by core mission area of responsibility and the

339 source of funds needed for activities related to water supply,

340 including alternative water supply and water resource

341 development projects identified in the district's regional water

342 supply plans, water quality, flood protection and floodplain

343 management, and natural systems.

344 3. A section that includes the district's capital

345 improvement plan for the current fiscal year and the next fiscal

346 year, which will be incorporated as part of the district's 5-

347 year capital improvement plan. The following information must be

348 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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378 determination of the adequacy of each district's fiscal
379 resources provided in the district's preliminary budget to
380 achieve appropriate progress toward meeting the districtwide 20-
381 year projected water supply demands, including funding for
382 alternative water supply development and conservation projects.

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

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

396 1. The project title and a brief description.
397 2. The total estimated cost of the project, delineated by
398 federal and nonfederal sponsor obligations. The local sponsor
399 obligations must be further delineated by state and district
400 obligations.

401 3. The timeline for the project.
402 4. The total expenditures to date and estimated remaining
403 expenditures needed for project completion.
404 5. The estimate of expenditures for the current year.
405 6. The estimate of expenditures for the next fiscal year.

406 (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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436 basis for developing the tentative budget for the next fiscal
437 year as provided in s. 373.536(5). However, this subsection may
438 not be construed to impair any contractual obligations.

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

441 373.536 District budget and hearing thereon.—

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

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

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

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

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

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

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

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

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

463
464 Written disapproval of any provision in the tentative budget

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465 must be received by the district at least 5 business days before
466 the final district budget adoption hearing conducted under s.
467 200.065(2)(d). If written disapproval is not received at least 5
468 business days before the final budget adoption hearing, the
469 governing board may proceed with final adoption. Any provision
470 rejected by the Executive Office of the Governor or the
471 Legislative Budget Commission may not be included in a
472 district's final budget and may not be acted upon through any
473 other means without the prior approval of the entity rejecting
474 the provision.

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

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

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

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

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

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

505 a. Water resource planning and monitoring;

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

507 c. Operation and maintenance of works and lands;

508 d. Regulation;

509 e. Outreach for which the information provided must contain
510 a full description and accounting of expenditures for water
511 resources education; public information and public relations,
512 including public service announcements and advertising in any
513 media; and lobbying activities related to local, regional, state
514 and federal governmental affairs, whether incurred by district
515 staff or through contractual services; and

516 f. Management and administration.

517

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

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

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

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

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

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

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

540 373.6075 Purchases from contracts of other entities.—

541 (1) A water management district may purchase commodities
542 and contractual services, excluding services subject to s.
543 287.055, from the purchasing contracts of special districts,
544 municipalities, counties, other political subdivisions,
545 educational institutions, other states, nonprofit entities,
546 purchasing cooperatives, or the Federal Government, which have
547 been procured pursuant to competitive bid, request for proposal,
548 request for qualification, competitive selection, or competitive
549 negotiation, and which are otherwise in compliance with general
550 law if the purchasing contract of the other entity is procured
551 by a process that meets the procurement requirements of the

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552 water management district.

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

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

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

577 380.093 Resilient Florida Grant Program; comprehensive
578 statewide flood vulnerability and sea level rise data set and
579 assessment; Statewide Flooding and Sea Level Rise Resilience
580 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.

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

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

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

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

613 7. The project sponsor.

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

620 a. Counties.

621 b. Municipalities.

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

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

629
630 For the plans submitted by December 1, 2024, such entities may
631 submit projects identified in existing vulnerability assessments
632 that do not comply with subsection (3) only if the entity is
633 actively developing a vulnerability assessment that is either
634 under a signed grant agreement with the department pursuant to
635 subsection (3) or funded by another state or federal agency, or
636 is self-funded and intended to meet the requirements of
637 paragraph (3) (d) or if the existing vulnerability assessment was
638 completed using previously compliant statutory requirements.

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

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

- 652 a. Water management districts.
- 653 b. Drainage districts.
- 654 c. Erosion control districts.
- 655 d. Flood control districts.
- 656 e. Regional water supply authorities.

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

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

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668 (e) Each project included in the plan must have a minimum
669 50 percent cost share unless the project assists or is within a
670 community eligible for a reduced cost share. For purposes of
671 this section, the term "community eligible for a reduced cost
672 share" means:

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

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

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

692 (h) The total amount of funding proposed for each year of
693 the plan must ~~may not~~ be at least ~~less than~~ \$100 million. No
694 more than 25 percent of the total amount proposed may fund
695 projects submitted by water management districts. Upon review
696 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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726 (2) The taxes provided for in this section shall be
727 extended by the county property appraiser on the county tax roll
728 in each county within, or partly within, the basin and shall be
729 collected by the tax collector in the same manner and time as
730 county taxes, and the proceeds therefrom paid to the district
731 for basin purposes. Said taxes shall be a lien, until paid, on
732 the property against which assessed and enforceable in like
733 manner as county taxes. The property appraisers, tax collectors,
734 and clerks of the circuit court of the respective counties shall
735 be entitled to compensation for services performed in connection
736 with such taxes at the same rates as apply to county taxes.

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

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