

1                               A bill to be entitled  
2       An act relating to water management districts;  
3       amending s. 112.3261, F.S.; defining the term  
4       "expenditure"; requiring the Commission on Ethics to  
5       investigate a lobbyist or principal who has made a  
6       prohibited expenditure and to provide the Governor  
7       with a report of its findings and recommendations  
8       regarding such investigation; prohibiting certain  
9       persons from making or accepting expenditures;  
10      amending s. 373.0693, F.S.; deleting a provision  
11      requiring legislative approval before the  
12      establishment of a subdistrict or basin in a certain  
13      water management district takes effect; amending s.  
14      373.079, F.S.; requiring a quorum for the conduct of  
15      official business by the governing board of a water  
16      management district; providing requirements for a  
17      quorum; requiring an affirmative vote of a majority of  
18      the members of the governing board before any action  
19      may be taken by the board; amending s. 373.470, F.S.;  
20      requiring the South Florida Water Management District,  
21      in cooperation with the Department of Environmental  
22      Protection, to provide a detailed report that includes  
23      the total estimated remaining cost of implementation  
24      of the Comprehensive Everglades Restoration Plan and  
25      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 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

51        maximum total millage rate; reenacting and amending s.  
52        373.535, F.S.; requiring that the preliminary budget  
53        for each water management district include a section  
54        that contains the district's capital improvement plan  
55        for the 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  
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  
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 11.3261, 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.  
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  
132 the 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;  
143 staff.—

144 (7) The governing board shall meet at least once a month  
145 and upon call of the chair. A quorum is necessary for the board  
146 to conduct official business. A majority of the members of the  
147 governing board, which includes both appointed members and  
148 vacancies, constitutes a quorum. A board member's appearance at  
149 a board meeting, whether such appearance is in person or through  
150 the use of communications media technology, must be counted for

151 the determination of a quorum. Except where otherwise provided  
152 by law, action may be taken by the governing board only upon an  
153 affirmative vote of a majority of the members of the governing  
154 board. The governing board, a basin board, a committee, or an  
155 advisory board may conduct meetings by means of communications  
156 media technology in accordance with rules adopted pursuant to s.  
157 120.54(5)(b) ~~s. 120.54~~.

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

161 373.470 Everglades restoration.—

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

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

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

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

176 year.

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

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

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

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

188 1. A description of all expenditures, by source and  
189 amount, from the former Conservation and Recreation Lands Trust  
190 Fund, the Land Acquisition Trust Fund, the former Preservation  
191 2000 Trust Fund, the Florida Forever Trust Fund, the Save Our  
192 Everglades Trust Fund, and other named funds or accounts for the  
193 acquisition or construction of project components or other  
194 features or facilities that benefit the comprehensive plan.

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

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

199 (c) The district, in cooperation with the department,  
200 shall provide a detailed report on progress made in the



201 implementation of the comprehensive plan, including the total  
202 estimated remaining cost of implementation of the comprehensive  
203 plan. The report must also include the status of and applicable  
204 performance indicators for all project components. The project  
205 components must be subdivided into the following categories  
206 based on the project's status:

207 1. Planning and design phase.

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

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

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

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

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

224 5. The estimated expenditures for the project in the prior  
225 fiscal year compared to the actual expenditures, with an

226 explanation for significant variances ~~initiated after the~~  
227 ~~effective date of this act or the date of the last report~~  
228 ~~prepared under this subsection, whichever is later.~~

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

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

238 (8) INTEGRATED DELIVERY SCHEDULE.—The Legislature  
239 recognizes the value of the integrated delivery schedule as a  
240 forward-looking snapshot of upcoming planning, design, and  
241 construction schedules for the comprehensive plan and as a tool  
242 that provides information to decision-makers and facilitates  
243 achievement of the goals and purposes of the comprehensive plan  
244 at the earliest possible time to the extent practical, given  
245 funding, engineering, and other contractual constraints. The  
246 Legislature further recognizes that the schedule acts as a  
247 planning document and does not represent a budget or financial  
248 commitment on behalf of any of the participants of the South  
249 Florida Ecosystem Restoration Task Force. Therefore, when making  
250 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 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  
(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.

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

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

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

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

320        **Section 7. Section 373.535, Florida Statutes, is amended**  
321 **to read:**

322            373.535 Preliminary district budgets.—

323            (1) BUDGET DEVELOPMENT.—

324            (a) By January 15 of each year, each water management  
325 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 plan:

351 a. Estimated beginning and ending date.

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

354 c. Funding source, grouped by federal, state, and local  
355 pursuant to s. 373.503(3)(a)1., local pursuant to s.  
356 373.503(3)(a)2., or other.

357 d. Total cost of the project.

358 e. Whether the project is funded from reserves.

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

360 g. Current year estimated expenditures.

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

363 i. Project description.

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

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

369 ~~5.4.~~ An analysis of each preliminary budget to determine  
370 the adequacy of fiscal resources available to the district and  
371 the adequacy of proposed district expenditures related to the  
372 core mission areas of responsibility for water supply, including  
373 alternative water supply and water resource development projects  
374 identified in the district's regional water supply plans, water  
375 quality, flood protection and floodplain management, and natural

376 systems. The analysis must be based on the particular needs  
377 within each district for core mission areas of responsibility.  
378 The water supply analysis must specifically include a  
379 determination of the adequacy of each district's fiscal  
380 resources provided in the district's preliminary budget to  
381 achieve appropriate progress toward meeting the districtwide 20-  
382 year projected water supply demands, including funding for  
383 alternative water supply development and conservation projects.

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

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

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



401 obligations.

402 3. The timeline for the project.

403 4. The total expenditures to date and estimated remaining  
404 expenditures needed for project completion.

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

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

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

416 (2) LEGISLATIVE REVIEW.—

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

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

426 comments in writing on or before March 15 of each year to the  
427 President of the Senate, the Speaker of the House of  
428 Representatives, and the Executive Office of the Governor.

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

433 (3) FUNDING AUTHORITY GRANTED.—Each district shall use the  
434 preliminary budget as submitted pursuant to subsection (1), and  
435 as may be amended by the district in response to review by the  
436 Legislature pursuant to this section and s. 373.503, as the  
437 basis for developing the tentative budget for the next fiscal  
438 year as provided in s. 373.536(5). However, this subsection may  
439 not be construed to impair any contractual obligations.

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

442 373.536 District budget and hearing thereon.—

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

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

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

450 2. Any cumulative purchase of land during a single fiscal

451 year in excess of \$50 million.

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

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

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

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

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

464  
465 Written disapproval of any provision in the tentative budget  
466 must be received by the district at least 5 business days before  
467 the final district budget adoption hearing conducted under s.  
468 200.065(2)(d). If written disapproval is not received at least 5  
469 business days before the final budget adoption hearing, the  
470 governing board may proceed with final adoption. Any provision  
471 rejected by the Executive Office of the Governor or the  
472 Legislative Budget Commission may not be included in a  
473 district's final budget and may not be acted upon through any  
474 other means without the prior approval of the entity rejecting  
475 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 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 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 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.—

(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.
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

626 responsible for the management and maintenance of inlets and  
627 intracoastal waterways or for the operation and maintenance of a  
628 potable water facility, a wastewater facility, an airport, or a  
629 seaport facility.

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

632  
633 For the plans submitted by December 1, 2024, such entities may  
634 submit projects identified in existing vulnerability assessments  
635 that do not comply with subsection (3) only if the entity is  
636 actively developing a vulnerability assessment that is either  
637 under a signed grant agreement with the department pursuant to  
638 subsection (3) or funded by another state or federal agency, or  
639 is self-funded and intended to meet the requirements of  
640 paragraph (3)(d) or if the existing vulnerability assessment was  
641 completed using previously compliant statutory requirements.  
642 Projects identified from this category of vulnerability  
643 assessments will be eligible for submittal until the prior  
644 vulnerability assessment has been updated to meet most recent  
645 statutory requirements.

646 2. By September 1 of each year, all of the following  
647 entities may submit to the department a list of any proposed  
648 projects that address risks of flooding or sea level rise  
649 identified in the comprehensive statewide flood vulnerability  
650 and sea level rise assessment or vulnerability assessments that

651 meet the requirements of subsection (3), or that mitigate the  
652 risks of flooding or sea level rise on water supplies or water  
653 resources of the state and a corresponding evaluation of each  
654 project:

- 655 a. Water management districts.
- 656 b. Drainage districts.
- 657 c. Erosion control districts.
- 658 d. Flood control districts.
- 659 e. Regional water supply authorities.

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

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

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

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

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

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

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

701 projects that receive funding for the first year of the project  
702 must be included in subsequent plans and funded until the  
703 project is complete, provided that the project sponsor has  
704 complied with all contractual obligations and funds are  
705 available.

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

710 373.0697 Basin taxes.—The respective basins may, pursuant  
711 to s. 9(b), Art. VII of the State Constitution, by resolution  
712 request the governing board of the district to levy ad valorem  
713 taxes within such basin. Upon receipt of such request, a basin  
714 tax levy shall be made by the governing board of the district to  
715 finance basin functions enumerated in s. 373.0695,  
716 notwithstanding the provisions of any other general or special  
717 law to the contrary, and subject to the provisions of s.  
718 373.503(3).

719 (1) The amount of money to be raised by said tax levy  
720 shall be determined by the adoption of an annual budget by the  
721 district board of governors, and the average millage for the  
722 basin shall be that amount required to raise the amount called  
723 for by the annual budget when applied to the total assessment of  
724 the basin as determined for county taxing purposes. However, no  
725 such tax shall be levied within the basin unless and until the

726 annual budget and required tax levy shall have been approved by  
727 formal action of the basin board, and no county in the district  
728 shall be taxed under this provision at a rate to exceed 1 mill.

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

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

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