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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

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26 all project components; requiring that the project
27 components be subdivided into specified categories
28 based on the project's status; specifying requirements
29 for performance indicators for certain projects or
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

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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

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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:

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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

251 members of the task force shall identify project funding sources
252 to reflect whether funding will use recurring state funds
253 provided pursuant to s. 375.041(3)(b)1., 4., and 5., or whether
254 the project may be funded with nonrecurring state funds.

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

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

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

262 **Section 6. Subsection (3) of section 373.503, Florida
263 Statutes, is amended to read:**

264 373.503 Manner of taxation.—

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

274 2.a. A district may levy separate ad valorem taxes on
275 property within the district or basin for the purposes of the

276 construction of capital improvement projects. Such levy must be
277 by resolution adopted by a majority vote of the district's
278 governing board and conditioned to take effect only upon
279 approval by a majority vote of the electors in the district or
280 basin, as applicable, voting in a referendum held at a general
281 election as defined in s. 97.021. The resolution must be
282 conditioned to take effect on the January 1 immediately
283 following voter approval of the referendum. The resolution must
284 include the millage to be levied, a detailed description of the
285 capital improvement projects to be funded by the millage, such
286 projects' expected dates of completion, and the maximum duration
287 for the levy of the millage, which may not extend beyond the
288 date that the projects are expected to be completed. The millage
289 levied under this subparagraph may be up to an amount that, when
290 combined with millage levied under subparagraph 1., does not
291 exceed the maximum total millage rate authorized under paragraph
292 (b). The referendum question on the ballot must specify a brief
293 and general description of the purpose of the levy and the
294 maximum length of time the millage may be imposed.

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

301 (b) 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) 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) 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

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326 year for legislative review to the President of the Senate, the
327 Speaker of the House of Representatives, and the chairs of each
328 legislative committee and subcommittee having substantive or
329 fiscal jurisdiction over water management districts, as
330 determined by the President of the Senate or the Speaker of the
331 House of Representatives, as applicable, in the form and manner
332 prescribed in s. 373.536(5) (e).

333 (b) Each preliminary budget must also include:

334 1. A section that clearly identifies and provides
335 justification for each proposed expenditure listed in s.
336 373.536(5) (e)4.e. and f. and identifies the source of funds for
337 each proposed expenditure.

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

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

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

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

493 2. The estimated amount of unobligated funds or net cash
494 balance on hand at the beginning of the fiscal year; an
495 accounting of the source, balance, and projected future use of
496 the unobligated funds; and the estimated amount of funds to be
497 raised by district taxes or received from other sources to meet
498 the requirements of the district.

499 3. The millage rates and the percentage increase above the
500 rolled-back rate, together with a summary of the reasons the

501 increase is required, and the percentage increase in taxable
502 value resulting from new construction within the district.

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

506 a. Water resource planning and monitoring;

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

508 c. Operation and maintenance of works and lands;

509 d. Regulation;

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

517 f. Management and administration.

518

519 In addition to the program areas reported by all water
520 management districts, the South Florida Water Management
521 District shall include in its budget document separate sections
522 on all costs associated with the Everglades Construction Project
523 and the Comprehensive Everglades Restoration Plan, incorporating
524 the amount of state revenues appropriated for the fiscal year.

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

526 each area of responsibility listed in subparagraph 4. and for
527 water resource, water supply, and alternative water supply
528 development projects identified in the district's regional water
529 supply plans.

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

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

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

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

541 373.6075 Purchases from contracts of other entities.—

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

551 law if the purchasing contract of the other entity is procured
552 by a process that meets the procurement requirements of the
553 water management district.

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

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

575 **Section 10. Paragraphs (a), (c), (d), (e), and (h) of**

576 subsection (5) of section 380.093, Florida Statutes, are amended
577 to read:

578 380.093 Resilient Florida Grant Program; comprehensive
579 statewide flood vulnerability and sea level rise data set and
580 assessment; Statewide Flooding and Sea Level Rise Resilience
581 Plan; regional resilience entities.—

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

584 (a) By December 1 of each year, the department shall
585 develop a Statewide Flooding and Sea Level Rise Resilience Plan
586 on a 3-year planning horizon and submit it to the Governor, the
587 President of the Senate, and the Speaker of the House of
588 Representatives. The plan must consist of ranked projects that
589 address risks of flooding and sea level rise to coastal and
590 inland communities in the state. All eligible projects submitted
591 to the department pursuant to this section must be ranked and
592 included in the plan. All eligible projects submitted by a water
593 management district must be ranked on a separate list. Each plan
594 must include a detailed narrative overview describing how the
595 plan was developed, including a description of the methodology
596 used by the department to determine project eligibility, a
597 description of the methodology used to rank projects, the
598 specific scoring system used, the project proposal application
599 form, a copy of each submitted project proposal application form
600 separated by eligible projects and ineligible projects, the

601 total number of project proposals received and deemed eligible,
602 the total funding requested, and the total funding requested for
603 eligible projects.

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

607 1. A description of the project.

608 2. The location of the project.

609 3. An estimate of how long the project will take to
610 complete.

611 4. An estimate of the cost of the project.

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

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

616 7. The project sponsor.

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

623 a. Counties.

624 b. Municipalities.

625 c. Special districts as defined in s. 189.012 which are

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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

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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

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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.