

1                   A bill to be entitled  
2       An act relating to areas of critical state concern;  
3       amending s. 255.05, F.S.; providing an exemption from  
4       specified payment and performance bond requirements  
5       for specified entities; amending s. 259.105, F.S.;  
6       extending specific Florida Forever appropriations to  
7       be used for the purchase of lands in the Florida Keys  
8       Area of Critical State Concern; providing an effective  
9       date.

10  
11   Be It Enacted by the Legislature of the State of Florida:

12  
13       **Section 1. Paragraph (h) is added to subsection (1) of**  
14       **section 255.05, Florida Statutes, to read:**

15       255.05 Bond of contractor constructing public buildings;  
16       form; action by claimants.—

17       (1) A person entering into a formal contract with the  
18       state or any county, city, or political subdivision thereof, or  
19       other public authority or private entity, for the construction  
20       of a public building, for the prosecution and completion of a  
21       public work, or for repairs upon a public building or public  
22       work shall be required, before commencing the work or before  
23       recommencing the work after a default or abandonment, to execute  
24       and record in the public records of the county where the  
25       improvement is located, a payment and performance bond with a

surety insurer authorized to do business in this state as surety. A public entity may not require a contractor to secure a surety bond under this section from a specific agent or bonding company.

(h) A person may be exempted from executing the payment and performance bond required under this subsection if the following conditions are met:

1. The work is done on property located within an area of critical state concern which is subject to a long-term ground lease of 99 years or more with Habitat for Humanity International, Inc., or any of its local affiliates, at the discretion of the official or board that owns the subject underlying property in fee simple.

2. The leasehold interest created by the ground lease of 99 years or more is subject to any claims by claimants who are lienors as defined in s. 713.01 and applicable lien provisions in chapter 713. The underlying real property owned by the state, or any county, city, or political subdivision thereof, or other public authority is not subject to any lien rights created under chapter 713.

**Section 2. Paragraph (b) of subsection (3) of section 259.105, Florida Statutes, is amended to read:**

259.105 The Florida Forever Act.—

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the

51 proceeds of cash payments or bonds issued pursuant to this  
52 section shall be deposited into the Florida Forever Trust Fund  
53 created by s. 259.1051. The proceeds shall be distributed by the  
54 Department of Environmental Protection in the following manner:

55       (b) Thirty-five percent to the Department of Environmental  
56 Protection for the acquisition of lands and capital project  
57 expenditures described in this section. Of the proceeds  
58 distributed pursuant to this paragraph, it is the intent of the  
59 Legislature that an increased priority be given to those  
60 acquisitions which achieve a combination of conservation goals,  
61 including protecting Florida's water resources and natural  
62 groundwater recharge. At a minimum, 3 percent, and no more than  
63 10 percent, of the funds allocated pursuant to this paragraph  
64 shall be spent on capital project expenditures identified during  
65 the time of acquisition which meet land management planning  
66 activities necessary for public access. Beginning in the 2017-  
67 2018 fiscal year and continuing through the 2035-2036 ~~2026-2027~~  
68 fiscal year, at least \$5 million of the funds allocated pursuant  
69 to this paragraph shall be spent on land acquisition within the  
70 Florida Keys Area of Critical State Concern as authorized  
71 pursuant to s. 259.045.

72       **Section 3.** This act shall take effect July 1, 2026.