

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; amending s. 377.24,  
 9           F.S.; revising the criteria for a prohibition on  
 10          drilling, exploration, or production of specified  
 11          petroleum products; providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

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

17           255.05 Bond of contractor constructing public buildings;  
 18           form; action by claimants.—

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

26 and record in the public records of the county where the  
27 improvement is located, a payment and performance bond with a  
28 surety insurer authorized to do business in this state as  
29 surety. A public entity may not require a contractor to secure a  
30 surety bond under this section from a specific agent or bonding  
31 company.

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

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

41 2. The leasehold interest created by the ground lease of  
42 99 years or more is subject to any claims by claimants who are  
43 lienors as defined in s. 713.01 and applicable lien provisions  
44 in chapter 713. The underlying real property owned by the state,  
45 or any county, city, or political subdivision thereof, or other  
46 public authority is not subject to any lien rights created under  
47 chapter 713.

48 Section 2. Paragraph (b) of subsection (3) of section  
49 259.105, Florida Statutes, is amended to read:

50 259.105 The Florida Forever Act.—

51 (3) Less the costs of issuing and the costs of funding  
52 reserve accounts and other costs associated with bonds, the  
53 proceeds of cash payments or bonds issued pursuant to this  
54 section shall be deposited into the Florida Forever Trust Fund  
55 created by s. 259.1051. The proceeds shall be distributed by the  
56 Department of Environmental Protection in the following manner:

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

74 Section 3. Subsection (10) of section 377.24, Florida  
75 Statutes, is amended to read:

76           377.24 Notice of intention to drill well; permits;  
77 abandoned wells and dry holes.—

78           (10) Notwithstanding any law or rule to the contrary, the  
79 drilling, exploration, or production of oil, gas, or other  
80 petroleum products is prohibited in counties designated as rural  
81 areas of opportunity under s. 288.0656 if the proposed site is  
82 within 10 miles of a national estuarine research reserve. If  
83 such a county also contains an area of critical state concern,  
84 the drilling, exploration, or production of oil, gas, or other  
85 petroleum products is prohibited within 30 miles of a national  
86 estuarine research reserve.

87           Section 4. This act shall take effect July 1, 2026.