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CS/HB 755, Engrossed 1

2026 Legislature

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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.

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

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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

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and record in the public records of the county where the 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.—

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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 \$5million 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:

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

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

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