

1                                   A bill to be entitled  
 2           An act relating to economic development; amending s.  
 3           163.3180, F.S.; prohibiting a local government from  
 4           applying transportation concurrency or requiring  
 5           proportionate-share contribution or construction for a  
 6           new business development for a specified period;  
 7           providing exceptions; amending s. 163.31801, F.S.;  
 8           prohibiting a county, municipality, or special  
 9           district from imposing certain new or existing impact  
 10          fees on a new business development for a specified  
 11          period; providing exceptions; amending s. 288.005,  
 12          F.S.; defining the term "loan program"; creating s.  
 13          288.006, F.S.; providing requirements for loan  
 14          programs relating to accountability and proper  
 15          stewardship of funds; amending ss. 290.0411 and  
 16          290.042, F.S.; revising legislative intent and the  
 17          definition of the term "administrative closeout" for  
 18          purposes of the Florida Small Cities Community  
 19          Development Block Grant Program; amending s. 290.044,  
 20          F.S.; requiring the Department of Economic Opportunity  
 21          to adopt rules establishing a competitive selection  
 22          process for loan guarantees and grants awarded under  
 23          the block grant program; revising the criteria for the  
 24          award of grants; amending s. 290.046, F.S.; revising  
 25          limits on the number of grants that an applicant may  
 26          apply for and receive; requiring the department to

27 |       conduct a site visit before awarding a grant;  
 28 |       requiring the department to rank applications  
 29 |       according to criteria established by rule and  
 30 |       distribute funds according to the rankings; revising  
 31 |       scoring factors to consider in ranking applications;  
 32 |       revising requirements for public hearings; providing  
 33 |       that the creation of a citizen advisory task force is  
 34 |       discretionary; deleting a provision requiring a local  
 35 |       government to obtain department consent for an  
 36 |       alternative citizen participation plan; amending s.  
 37 |       290.047, F.S.; revising the maximum percentages and  
 38 |       amounts of block grant funds that may be spent on  
 39 |       certain costs and expenses; amending s. 290.0475,  
 40 |       F.S.; conforming provisions to changes made by the  
 41 |       act; amending s. 290.048, F.S.; deleting a provision  
 42 |       authorizing the department to adopt and enforce strict  
 43 |       requirements concerning an applicant's written  
 44 |       description of a service area; amending s. 331.3051,  
 45 |       F.S.; requiring Space Florida to consult with the  
 46 |       Florida Tourism Industry Marketing Corporation in  
 47 |       developing a space tourism marketing plan; authorizing  
 48 |       Space Florida to enter into an agreement with the  
 49 |       corporation for a specified purpose; revising the  
 50 |       research and development duties of Space Florida;  
 51 |       amending s. 443.141, F.S.; providing an employer  
 52 |       payment schedule for specified years' contributions to

53 the Unemployment Compensation Trust Fund; providing  
 54 for applicability; amending ss. 125.271, 163.3177,  
 55 163.3187, 163.3246, 211.3103, 212.098, 218.67,  
 56 288.018, 288.065, 288.0655, 288.0656, 288.1088,  
 57 288.1089, 290.0055, 339.2819, 339.63, 373.4595,  
 58 380.06, 380.0651, 985.686, and 1011.76, F.S.; renaming  
 59 "rural areas of critical economic concern" as "rural  
 60 areas of opportunity"; providing an effective date.  
 61

62 Be It Enacted by the Legislature of the State of Florida:  
 63

64 Section 1. Subsection (7) is added to section 163.3180,  
 65 Florida Statutes, to read:

66 163.3180 Concurrency.—

67 (7) (a) Notwithstanding any provision of law, ordinance, or  
 68 resolution, before July 1, 2017, a local government may not,  
 69 unless authorized by majority vote of the local government's  
 70 governing authority, apply transportation concurrency within its  
 71 jurisdiction or require a proportionate-share contribution or  
 72 construction for a new business development. This paragraph does  
 73 not apply to:

74 1. Proportionate-share contribution or construction  
 75 assessed on an existing business development before July 1,  
 76 2014.

77 2. A new business development that consists of more than  
 78 6,000 square feet and that is classified as other than  
 79 residential.

80 (b) In order to maintain the exemption from transportation  
 81 concurrency and proportionate-share contribution or construction  
 82 pursuant to paragraph (a), a new business development must  
 83 receive a certificate of occupancy on or before July 1, 2018. If  
 84 the certificate of occupancy is not received by July 1, 2018,  
 85 the local government may apply transportation concurrency and  
 86 require the appropriate proportionate-share contribution or  
 87 construction for the business development that would otherwise  
 88 be applied, notwithstanding this subsection. Any outstanding  
 89 obligation related to the proportionate-share contribution or  
 90 construction runs with the land and is enforceable against any  
 91 person claiming a fee interest in the land subject to that  
 92 obligation.

93 (c) This subsection does not apply if it results in a  
 94 reduction of previously pledged revenue of a local government  
 95 for currently outstanding bonds or notes or to a local  
 96 government with a mobility fee-based funding system in place on  
 97 or before January 1, 2014.

98 (d) A developer may, upon written notification to the  
 99 local government, elect to have the local government apply  
 100 transportation concurrency and proportionate-share contribution  
 101 or construction to a business development.

102 (e) This subsection expires July 1, 2018.

103 Section 2. Subsection (6) is added to section 163.31801,  
 104 Florida Statutes, to read:

105 163.31801 Impact fees; short title; intent; definitions;  
 106 ordinances levying impact fees.—

107 (6) (a) Notwithstanding any provision of law, ordinance, or  
 108 resolution, before July 1, 2017, a county, municipality, or  
 109 special district, unless authorized by majority vote of the  
 110 county's, municipality's, or special district's governing  
 111 authority, may not impose any new or existing impact fee or any  
 112 new or existing fee associated with the mitigation of  
 113 transportation impacts on a new business development. This  
 114 paragraph does not apply to:

115 1. Any impact fee or fee associated with the mitigation of  
 116 transportation impacts previously enacted by law, ordinance, or  
 117 resolution assessed on an existing business development before  
 118 July 1, 2014.

119 2. A new business development that consists of more than  
 120 6,000 square feet.

121 (b) The governing authority of any county, municipality,  
 122 or special district imposing an impact fee in existence on July  
 123 1, 2013, must reauthorize the imposition of the fee pursuant to  
 124 this subsection.

125 (c) In order to maintain the exemption from impact fees  
 126 and fees associated with the mitigation of transportation  
 127 impacts pursuant to paragraph (a), a new business development  
 128 must receive a certificate of occupancy on or before July 1,

129 2018. If the certificate of occupancy is not received by July 1,  
 130 2018, the county, municipality, or special district may impose  
 131 the appropriate impact fees and fees associated with the  
 132 mitigation of transportation impacts on the business development  
 133 that would otherwise be applied, notwithstanding this  
 134 subsection. Any outstanding obligation related to impact fees  
 135 and fees associated with the mitigation of transportation  
 136 impacts on the business development runs with the land and is  
 137 enforceable against any person claiming a fee interest in the  
 138 land subject to that obligation.

139 (d) This subsection does not apply if it results in a  
 140 reduction of previously pledged revenue of a county,  
 141 municipality, or special district for currently outstanding  
 142 bonds or notes or to a county, municipality, or special district  
 143 with a mobility fee-based funding system in place on or before  
 144 January 1, 2014.

145 (e) A developer may, upon notification to the county,  
 146 municipality, or special district, elect to have impact fees and  
 147 fees associated with the mitigation of transportation impacts  
 148 imposed on a business development.

149 (f) This subsection expires July 1, 2018.

150 Section 3. Subsection (5) is added to section 288.005,  
 151 Florida Statutes, to read:

152 288.005 Definitions.—As used in this chapter, the term:

153 (5) "Loan program" means a program established by the  
 154 Legislature and administered by the department to provide

155 appropriated funds to an eligible entity to further a specific  
 156 state purpose for a limited period with a promise that such  
 157 appropriated funds will be repaid to the state. This definition  
 158 includes any program called a "loan fund" or "loan pilot  
 159 program" as administered by the department in this chapter.  
 160 Funds may be awarded directly by the department to an eligible  
 161 recipient or awarded by the department to a loan administrator.

162 (6) "Loan Administrator" means a statutorily eligible  
 163 recipient of state funds that is authorized by the department to  
 164 make loans under a loan program.

165 Section 4. Section 288.006, Florida Statutes, is created  
 166 to read:

167 288.006 General operation of loan programs.—

168 (1) It is the intent of the Legislature that this section  
 169 promote the goals of accountability and proper stewardship by  
 170 recipients of loan program funds. This section applies to all  
 171 loan programs established under this chapter and administered by  
 172 the department.

173 (2) State funds appropriated for a loan program may only  
 174 be used by an eligible recipient or loan administrator, and the  
 175 use of such funds is restricted to the specific state purpose of  
 176 the loan program, subject to any compensation due to a recipient  
 177 or administrator as provided under this chapter.

178 (3) Upon termination of a loan program by the Legislature  
 179 or termination of a contract between the department and a  
 180 eligible recipient or loan administrator, any remaining

181 appropriated funds shall revert to the fund from which the  
 182 appropriation was made. The department shall become the  
 183 successor entity for any outstanding loans and shall pay the  
 184 former loan administrator for any allowable administrative  
 185 expenses due to the loan administrator as provided under this  
 186 chapter. The former loan administrator or successor entity to  
 187 which this subsection applies shall execute all appropriate  
 188 instruments to reconcile any remaining accounts associated with  
 189 a terminated loan program or contract.

190 (4) Loan administrators must avoid any potential conflict  
 191 of interest regarding the use of appropriated funds for a loan  
 192 program. Loan administrators and their board members, employees,  
 193 and agents may not have a financial interest in the eligible  
 194 entity awarded a loan under a loan program. No loans shall be  
 195 made to any person or entity when a conflict of interest exists  
 196 between the parties involved without full disclosure of the  
 197 conflict of interest to the department by the loan administrator  
 198 and the approval of the department.

199 (5) In determining eligibility for entities applying to be  
 200 awarded funds directly by the department or for entities  
 201 applying to be selected as a loan administrator for a loan  
 202 program, the department shall evaluate each applicant's business  
 203 practices, financial stability, and past performance of the  
 204 applicant in other state programs as additional eligibility  
 205 criteria to the loan program requirements. Eligibility may be  
 206 conditioned or denied to an entity applying to be a loan

207 recipient or loan administrator of a loan program that the  
 208 department determines to be noncompliant with any statute, rule,  
 209 or program requirement.

210 (6) An eligible recipient or loan administrator shall not  
 211 employ the same certified public accounting firm duly licensed  
 212 under chapter 473 to conduct a financial audit required by this  
 213 chapter for more than 3 consecutive years.

214 (7) Revolving loans or new negotiable instruments  
 215 involving appropriated state funds that have been repaid to the  
 216 loan administrator can be made when the loan program's statutory  
 217 structure permits, however all revolving loans or new negotiable  
 218 instruments made by a loan administrator remain subject to  
 219 subsection (2) and compensation to a loan administrator cannot  
 220 exceed any limitation provided by this chapter.

221 Section 5. Section 290.0411, Florida Statutes, is amended  
 222 to read:

223 290.0411 Legislative intent and purpose of ss. 290.0401-  
 224 290.048.—It is the intent of the Legislature to provide the  
 225 necessary means to develop, preserve, redevelop, and revitalize  
 226 Florida communities exhibiting signs of decline, ~~or~~ distress, or  
 227 economic need by enabling local governments to undertake the  
 228 necessary community and economic development programs. The  
 229 overall objective is to create viable communities by eliminating  
 230 slum and blight, fortifying communities in urgent need,  
 231 providing decent housing and suitable living environments, and  
 232 expanding economic opportunities, principally for persons of low

233 or moderate income. The purpose of ss. 290.0401-290.048 is to  
 234 assist local governments in carrying out effective community and  
 235 economic development and project planning and design activities  
 236 to arrest and reverse community decline and restore community  
 237 vitality. Community and economic development and project  
 238 planning activities to maintain viable communities, revitalize  
 239 existing communities, expand economic development and employment  
 240 opportunities, and improve housing conditions and expand housing  
 241 opportunities, providing direct benefit to persons of low or  
 242 moderate income, are the primary purposes of ss. 290.0401-  
 243 290.048. The Legislature, therefore, declares that the  
 244 development, redevelopment, preservation, and revitalization of  
 245 communities in this state and all the purposes of ss. 290.0401-  
 246 290.048 are public purposes for which public money may be  
 247 borrowed, expended, loaned, pledged to guarantee loans, and  
 248 granted.

249 Section 6. Subsection (1) of section 290.042, Florida  
 250 Statutes, is amended to read:

251 290.042 Definitions relating to Florida Small Cities  
 252 Community Development Block Grant Program Act.—As used in ss.  
 253 290.0401-290.048, the term:

254 (1) "Administrative closeout" means the notification of a  
 255 grantee by the department that all applicable administrative  
 256 actions and all required work of the grant have been completed  
 257 with the exception of the final audit.

258 Section 7. Section 290.044, Florida Statutes, is amended

259 to read:

260 290.044 Florida Small Cities Community Development Block  
 261 Grant Program Fund; administration; distribution.—

262 (1) The Florida Small Cities Community Development Block  
 263 Grant Program Fund is created. All revenue designated for  
 264 deposit in such fund shall be deposited by the appropriate  
 265 agency. The department shall administer this fund as a grant and  
 266 loan guarantee program for carrying out the purposes of ss.  
 267 290.0401-290.048.

268 (2) The department shall distribute such funds as loan  
 269 guarantees and grants to eligible local governments on the basis  
 270 of a competitive selection process established by rule.

271 (3) The department shall require applicants for grants to  
 272 compete against each other in the following grant program  
 273 categories:

- 274 (a) Housing rehabilitation.
- 275 (b) Economic development.
- 276 (c) Neighborhood revitalization.
- 277 (d) Commercial revitalization.

278 (4)~~(3)~~ The department shall define ~~the~~ broad community  
 279 development objectives ~~objective~~ to be achieved by the  
 280 activities in each of the ~~following~~ grant program categories  
 281 with the use of funds from the Florida Small Cities Community  
 282 Development Block Program Fund. Such objectives shall be  
 283 designed to meet at least one of the national objectives  
 284 provided in the Housing and Community Development Act of 1974~~.~~

285 ~~and require applicants for grants to compete against each other~~  
 286 ~~in these grant program categories:~~

- 287 ~~(a) Housing.~~
- 288 ~~(b) Economic development.~~
- 289 ~~(c) Neighborhood revitalization.~~
- 290 ~~(d) Commercial revitalization.~~
- 291 ~~(e) Project planning and design.~~

292 (5)~~(4)~~ The department may set aside an amount of up to 5  
 293 percent of the funds annually for use in any eligible local  
 294 government jurisdiction for which an emergency or natural  
 295 disaster has been declared by executive order. Such funds may  
 296 only be provided to a local government to fund eligible  
 297 emergency-related activities for which no other source of  
 298 federal, state, or local disaster funds is available. The  
 299 department may provide for such set-aside by rule. In the last  
 300 quarter of the state fiscal year, any funds not allocated under  
 301 the emergency-related set-aside shall be distributed to unfunded  
 302 applications from the most recent funding cycle.

303 (6)~~(5)~~ The department shall establish a system of  
 304 monitoring grants, including site visits, to ensure the proper  
 305 expenditure of funds and compliance with the conditions of the  
 306 recipient's contract. The department shall establish criteria  
 307 for implementation of internal control, to include, but not be  
 308 limited to, the following measures:

- 309 (a) Ensuring that subrecipient audits performed by a  
 310 certified public accountant are received and responded to in a

311 | timely manner.

312 |         (b) Establishing a uniform system of monitoring that  
313 | documents appropriate followup as needed.

314 |         (c) Providing specific justification for contract  
315 | amendments that takes into account any change in contracted  
316 | activities and the resultant cost adjustments which shall be  
317 | reflected in the amount of the grant.

318 |         Section 8. Section 290.046, Florida Statutes, is amended  
319 | to read:

320 |             290.046 Applications for grants; procedures;  
321 | requirements.—

322 |             (1) In applying for a grant under a specific program  
323 | category, an applicant shall propose eligible activities that  
324 | directly address the objectives ~~objective~~ of that program  
325 | category.

326 |             (2) (a) Not including applications for economic development  
327 | grants ~~Except as provided in paragraph (c),~~ each eligible local  
328 | government may submit one ~~an~~ application for a grant ~~under~~  
329 | ~~either the housing program category or the neighborhood~~  
330 | ~~revitalization program category~~ during each application ~~annual~~  
331 | ~~funding cycle. An applicant may not receive more than one grant~~  
332 | ~~in any state fiscal year from any of the following categories:~~  
333 | ~~housing, neighborhood revitalization, or commercial~~  
334 | ~~revitalization.~~

335 |             (b) 1. ~~An~~ ~~Except as provided in paragraph (c),~~ each  
336 | eligible local government may apply up to three times in any one

337 annual funding cycle for an economic development ~~a grant under~~  
 338 ~~the economic development program category~~ but shall receive no  
 339 more than one such grant per annual funding cycle. A local  
 340 government may have more than one open economic development  
 341 grant. ~~Applications for grants under the economic development~~  
 342 ~~program category may be submitted at any time during the annual~~  
 343 ~~funding cycle, and such grants shall be awarded no less~~  
 344 ~~frequently than three times per funding cycle.~~

345 2. The department shall establish minimum criteria  
 346 pertaining to the number of jobs created for persons of low or  
 347 moderate income, the degree of private-sector ~~private-sector~~  
 348 financial commitment, and the economic feasibility of the  
 349 proposed project and shall establish any other criteria the  
 350 department deems appropriate. Assistance to a private, for-  
 351 profit business may not be provided from a grant award unless  
 352 sufficient evidence exists to demonstrate that without such  
 353 public assistance the creation or retention of such jobs would  
 354 not occur.

355 (c)1. A local government ~~governments~~ with an open housing  
 356 rehabilitation, neighborhood revitalization, or commercial  
 357 revitalization contract shall not be eligible to apply for  
 358 another housing rehabilitation, neighborhood revitalization, or  
 359 commercial revitalization grant until administrative closeout of  
 360 its ~~their~~ existing contract. The department shall notify a local  
 361 government of administrative closeout or of any outstanding  
 362 closeout issues within 45 days after ~~of~~ receipt of a closeout

363 package from the local government. A local government  
 364 ~~governments~~ with an open housing rehabilitation, neighborhood  
 365 revitalization, or commercial revitalization community  
 366 development block grant contract whose activities are on  
 367 schedule in accordance with the expenditure rates and  
 368 accomplishments described in the contract may apply for an  
 369 economic development grant.

370 2. A local government ~~governments~~ with an open economic  
 371 development community development block grant contract whose  
 372 activities are on schedule in accordance with the expenditure  
 373 rates and accomplishments described in the contract may apply  
 374 for a housing rehabilitation, ~~or~~ neighborhood revitalization, or  
 375 ~~and a~~ commercial revitalization community development block  
 376 grant. A local government ~~governments~~ with an open economic  
 377 development contract whose activities are on schedule in  
 378 accordance with the expenditure rates and accomplishments  
 379 described in the contract may receive no more than one  
 380 additional economic development grant in each fiscal year.

381 (d) ~~Beginning October 1, 1988,~~ The department may not  
 382 ~~shall~~ award a ~~no~~ grant until it ~~the~~ department has conducted  
 383 ~~determined,~~ based upon a site visit to verify the information  
 384 contained in the local government's application, ~~that the~~  
 385 ~~proposed area matches and adheres to the written description~~  
 386 ~~contained within the applicant's request. If, based upon review~~  
 387 ~~of the application or a site visit, the department determines~~  
 388 ~~that any information provided in the application which affects~~

389 ~~eligibility or scoring has been misrepresented, the applicant's~~  
 390 ~~request shall be rejected by the department pursuant to s.~~  
 391 ~~290.0475(7). Mathematical errors in applications which may be~~  
 392 ~~discovered and corrected by readily computing available numbers~~  
 393 ~~or formulas provided in the application shall not be a basis for~~  
 394 ~~such rejection.~~

395 (3) (a) The department shall rank each application received  
 396 during the application cycle according to criteria established  
 397 by rule. The ranking system shall include a procedure to  
 398 eliminate or reduce any population-related bias that places  
 399 exceptionally small communities at a disadvantage in the  
 400 competition for funds. Each application shall be ranked  
 401 ~~competitively based on community need and program impact.~~  
 402 ~~Community need shall be weighted 25 percent. Program impact~~  
 403 ~~shall be weighted 65 percent. Outstanding performance in equal~~  
 404 ~~opportunity employment and housing shall be weighted 10 percent.~~

405 (b) Funds shall be distributed according to the rankings  
 406 established in each application cycle. If economic development  
 407 funds remain available after the application cycle closes, the  
 408 remaining funds shall be awarded to eligible projects on a  
 409 first-come, first-served basis until such funds are fully  
 410 obligated. The criteria used to measure community need shall  
 411 ~~include, at a minimum, indicators of the extent of poverty in~~  
 412 ~~the community and the condition of physical structures. Each~~  
 413 ~~application, regardless of the program category for which it is~~  
 414 ~~being submitted, shall be scored competitively on the same~~

415 ~~community need criteria. In recognition of the benefits~~  
416 ~~resulting from the receipt of grant funds, the department shall~~  
417 ~~provide for the reduction of community need scores for specified~~  
418 ~~increments of grant funds provided to a local government since~~  
419 ~~the state began using the most recent census data. In the year~~  
420 ~~in which new census data are first used, no such reduction shall~~  
421 ~~occur.~~

422 (c) The application's program impact score, equal  
423 employment opportunity and fair housing score, and communitywide  
424 needs score may take into consideration scoring factors  
425 including, but not limited to, unemployment, poverty levels,  
426 low-income and moderate-income populations, benefits to low-  
427 income and moderate-income residents, use of minority-owned and  
428 woman-owned business enterprises in previous grants, health and  
429 safety issues, and the condition of physical structures. The  
430 ~~criteria used to measure the impact of an applicant's proposed~~  
431 ~~activities shall include, at a minimum, indicators of the direct~~  
432 ~~benefit received by persons of low income and persons of~~  
433 ~~moderate income, the extent to which the problem identified is~~  
434 ~~addressed by the proposed activities, and the extent to which~~  
435 ~~resources other than the funds being applied for under this~~  
436 ~~program are being used to carry out the proposed activities.~~

437 (d) ~~Applications shall be scored competitively on program~~  
438 ~~impact criteria that are uniquely tailored to the community~~  
439 ~~development objective established in each program category. The~~  
440 ~~criteria used to measure the direct benefit to persons of low~~

441 ~~income and persons of moderate income shall represent no less~~  
 442 ~~than 42 percent of the points assigned to the program impact~~  
 443 ~~factor. For the housing and neighborhood revitalization~~  
 444 ~~categories, the department shall also include the following~~  
 445 ~~criteria in the scoring of applications:~~

446 ~~1. The proportion of very-low-income and low-income~~  
 447 ~~households served.~~

448 ~~2. The degree to which improvements are related to the~~  
 449 ~~health and safety of the households served.~~

450 ~~(4) An applicant for a neighborhood revitalization or~~  
 451 ~~commercial revitalization grant shall demonstrate that its~~  
 452 ~~activities are to be carried out in distinct service areas which~~  
 453 ~~are characterized by the existence of slums or blighted~~  
 454 ~~conditions, or by the concentration of persons of low or~~  
 455 ~~moderate income.~~

456 ~~(4)-(5)~~ In order to provide citizens with information  
 457 concerning an applicant's proposed project, the applicant shall  
 458 make available to the public information concerning the amounts  
 459 of funds available for various activities and the range of  
 460 activities that may be undertaken. In addition, the applicant  
 461 shall hold a minimum of two public hearings in the local  
 462 jurisdiction within which the project is to be implemented to  
 463 obtain the views of citizens before submitting the final  
 464 application to the department. The applicant shall conduct the  
 465 initial hearing to solicit public input concerning community  
 466 needs, inform the public about funding opportunities available

467 to address community needs, and discuss activities that may be  
 468 undertaken. Before a second public hearing is held, the  
 469 applicant must publish a summary of the proposed application  
 470 that provides citizens with an opportunity to examine its  
 471 contents and submit their comments. The applicant shall conduct  
 472 a second hearing to obtain comments from citizens concerning the  
 473 proposed application and to modify the proposed application if  
 474 appropriate ~~program before an application is submitted to the~~  
 475 ~~department, the applicant shall:~~

476 ~~(a) Make available to the public information concerning~~  
 477 ~~the amounts of funds available for various activities and the~~  
 478 ~~range of activities that may be undertaken.~~

479 ~~(b) Hold at least one public hearing to obtain the views~~  
 480 ~~of citizens on community development needs.~~

481 ~~(c) Develop and publish a summary of the proposed~~  
 482 ~~application that will provide citizens with an opportunity to~~  
 483 ~~examine its contents and submit their comments.~~

484 ~~(d) Consider any comments and views expressed by citizens~~  
 485 ~~on the proposed application and, if appropriate, modify the~~  
 486 ~~proposed application.~~

487 ~~(e) Hold at least one public hearing in the jurisdiction~~  
 488 ~~within which the project is to be implemented to obtain the~~  
 489 ~~views of citizens on the final application prior to its~~  
 490 ~~submission to the department.~~

491 ~~(5)-(6)~~ (5) The local government may ~~shall~~ establish a citizen  
 492 advisory task force composed of citizens in the jurisdiction in

493 | which the proposed project is to be implemented to provide input  
 494 | relative to all phases of the project process. ~~The local~~  
 495 | ~~government must obtain consent from the department for any other~~  
 496 | ~~type of citizen participation plan upon a showing that such plan~~  
 497 | ~~is better suited to secure citizen participation for that~~  
 498 | ~~locality.~~

499 |       (6)~~(7)~~ The department shall, before ~~prior to~~ approving an  
 500 | application for a grant, determine that the applicant has the  
 501 | administrative capacity to carry out the proposed activities and  
 502 | has performed satisfactorily in carrying out past activities  
 503 | funded by community development block grants. The evaluation of  
 504 | past performance shall take into account procedural aspects of  
 505 | previous grants as well as substantive results. If the  
 506 | department determines that any applicant has failed to  
 507 | accomplish substantially the results it proposed in its last  
 508 | previously funded application, it may prohibit the applicant  
 509 | from receiving a grant or may penalize the applicant in the  
 510 | rating of the current application. An ~~No~~ application for grant  
 511 | funds may not be denied solely upon the basis of the past  
 512 | performance of the eligible applicant.

513 |       Section 9. Subsections (3) and (6) of section 290.047,  
 514 | Florida Statutes, are amended to read:

515 |             290.047 Establishment of grant ceilings and maximum  
 516 | administrative cost percentages; elimination of population bias;  
 517 | loans in default.—

518 |       (3) The maximum percentage of block grant funds that can

519 be spent on administrative costs by an eligible local government  
 520 shall be 15 percent for the housing rehabilitation program  
 521 category, 8 percent for both the neighborhood and the commercial  
 522 revitalization program categories, and 8 percent for the  
 523 economic development program category. The maximum amount of  
 524 block grant funds that may be spent on administrative costs by  
 525 an eligible local government for the economic development  
 526 program category is \$120,000. The purpose of the ceiling is to  
 527 maximize the amount of block grant funds actually going toward  
 528 the redevelopment of the area. The department will continue to  
 529 encourage eligible local governments to consider ways to limit  
 530 the amount of block grant funds used for administrative costs,  
 531 consistent with the need for prudent management and  
 532 accountability in the use of public funds. However, this  
 533 subsection does ~~shall not be construed, however, to~~ prohibit  
 534 eligible local governments from contributing their own funds or  
 535 making in-kind contributions to cover administrative costs which  
 536 exceed the prescribed ceilings, provided that all such  
 537 contributions come from local government resources other than  
 538 Community Development Block Grant funds.

539 (6) The maximum amount ~~percentage~~ of block grant funds  
 540 that may be spent on engineering and architectural costs by an  
 541 eligible local government shall be determined in accordance with  
 542 a method ~~schedule~~ adopted by the department by rule. Any such  
 543 method ~~schedule~~ so adopted shall be consistent with the schedule  
 544 used by the United States Farmer's Home Administration as

545 applied to projects in Florida or another comparable schedule as  
 546 amended.

547 Section 10. Section 290.0475, Florida Statutes, is amended  
 548 to read:

549 290.0475 Rejection of grant applications; penalties for  
 550 failure to meet application conditions.—Applications are  
 551 ineligible ~~received~~ for funding if ~~under all program categories~~  
 552 ~~shall be rejected without scoring only in the event that~~ any of  
 553 the following circumstances arise:

554 (1) The application is not received by the department by  
 555 the application deadline;—

556 (2) The proposed project does not meet one of the three  
 557 national objectives as contained in federal and state  
 558 legislation;—

559 (3) The proposed project is not an eligible activity as  
 560 contained in the federal legislation;—

561 (4) The application is not consistent with the local  
 562 government's comprehensive plan adopted pursuant to s.  
 563 163.3184;—

564 (5) The applicant has an open community development block  
 565 grant, except as provided in s. 290.046(2)(b) and (c) and  
 566 department rules; 290.046(2)(e).

567 (6) The local government is not in compliance with the  
 568 citizen participation requirements prescribed in ss. 104(a)(1)  
 569 and (2) and 106(d)(5)(c) of Title I of the Housing and Community  
 570 Development Act of 1984, s. 290.046(4), and department rules;—

571 or-

572 (7) Any information provided in the application that  
 573 affects eligibility or scoring is found to have been  
 574 misrepresented, and the information is not a mathematical error  
 575 which may be discovered and corrected by readily computing  
 576 available numbers or formulas provided in the application.

577 Section 11. Subsection (5) of section 290.048, Florida  
 578 Statutes, is amended to read:

579 290.048 General powers of department under ss. 290.0401-  
 580 290.048.—The department has all the powers necessary or  
 581 appropriate to carry out the purposes and provisions of the  
 582 program, including the power to:

583 ~~(5) Adopt and enforce strict requirements concerning an~~  
 584 ~~applicant's written description of a service area. Each such~~  
 585 ~~description shall contain maps which illustrate the location of~~  
 586 ~~the proposed service area. All such maps must be clearly legible~~  
 587 ~~and must:~~

588 ~~(a) Contain a scale which is clearly marked on the map.~~

589 ~~(b) Show the boundaries of the locality.~~

590 ~~(c) Show the boundaries of the service area where the~~  
 591 ~~activities will be concentrated.~~

592 ~~(d) Display the location of all proposed area activities.~~

593 ~~(e) Include the names of streets, route numbers, or easily~~  
 594 ~~identifiable landmarks where all service activities are located.~~

595 Section 12. Subsection (5) and paragraph (b) of subsection  
 596 (8) of section 331.3051, Florida Statutes, are amended to read:

597 331.3051 Duties of Space Florida.—Space Florida shall:  
 598 (5) Consult with the Florida Tourism Industry Marketing  
 599 Corporation ~~Enterprise Florida, Inc.~~, in developing a space  
 600 tourism marketing plan. Space Florida and the Florida Tourism  
 601 Industry Marketing Corporation ~~Enterprise Florida, Inc.~~, may  
 602 enter into a mutually beneficial agreement that provides funding  
 603 to the corporation ~~Enterprise Florida, Inc.~~, for its services to  
 604 implement this subsection.

605 (8) Carry out its responsibility for research and  
 606 development by:

607 (b) Working in collaboration with one or more public or  
 608 private universities and other public or private entities to  
 609 ~~develop a proposal for a Center of Excellence for Aerospace that~~  
 610 ~~will foster and~~ promote the research necessary to develop  
 611 commercially promising, advanced, and innovative science and  
 612 technology and ~~will~~ transfer those discoveries to the commercial  
 613 sector.

614 Section 13. Paragraph (f) of subsection (1) of section  
 615 443.141, Florida Statutes, is amended to read:

616 443.141 Collection of contributions and reimbursements.—

617 (1) PAST DUE CONTRIBUTIONS AND REIMBURSEMENTS; DELINQUENT,  
 618 ERRONEOUS, INCOMPLETE, OR INSUFFICIENT REPORTS.—

619 (f) Payments for 2012, 2013, ~~and~~ 2014, and subsequent  
 620 contributions.—For an annual administrative fee not to exceed  
 621 \$5, a contributing employer may pay its quarterly contributions  
 622 due for wages paid in the first three quarters of 2012, 2013,

623 ~~and~~ 2014, and any subsequent year in equal installments if those  
 624 contributions are paid as follows:

625 1. For contributions due for wages paid in the first  
 626 quarter of each year, one-fourth of the contributions due must  
 627 be paid on or before April 30, one-fourth must be paid on or  
 628 before July 31, one-fourth must be paid on or before October 31,  
 629 and one-fourth must be paid on or before December 31.

630 2. In addition to the payments specified in subparagraph  
 631 1., for contributions due for wages paid in the second quarter  
 632 of each year, one-third of the contributions due must be paid on  
 633 or before July 31, one-third must be paid on or before October  
 634 31, and one-third must be paid on or before December 31.

635 3. In addition to the payments specified in subparagraphs  
 636 1. and 2., for contributions due for wages paid in the third  
 637 quarter of each year, one-half of the contributions due must be  
 638 paid on or before October 31, and one-half must be paid on or  
 639 before December 31.

640 4. The annual administrative fee assessed for electing to  
 641 pay under the installment method shall be collected at the time  
 642 the employer makes the first installment payment each year. The  
 643 fee shall be segregated from the payment and deposited into the  
 644 Operating Trust Fund of the Department of Revenue.

645 5. Interest does not accrue on any contribution that  
 646 becomes due for wages paid in the first three quarters of each  
 647 year if the employer pays the contribution in accordance with  
 648 subparagraphs 1.-4. Interest and fees continue to accrue on

649 prior delinquent contributions and commence accruing on all  
 650 contributions due for wages paid in the first three quarters of  
 651 each year which are not paid in accordance with subparagraphs  
 652 1.-3. Penalties may be assessed in accordance with this chapter.  
 653 The contributions due for wages paid in the fourth quarter of  
 654 2012, 2013, ~~and 2014,~~ and subsequent years are not affected by  
 655 this paragraph and are due and payable in accordance with this  
 656 chapter.

657 Section 14. Paragraph (a) of subsection (1) of section  
 658 125.271, Florida Statutes, is amended to read:

659 125.271 Emergency medical services; county emergency  
 660 medical service assessments.—

661 (1) As used in this section, the term "county" means:

662 (a) A county that is within a rural area of opportunity  
 663 ~~critical economic concern~~ as designated by the Governor pursuant  
 664 to s. 288.0656;

665  
 666 Once a county has qualified under this subsection, it always  
 667 retains the qualification.

668 Section 15. Paragraphs (a), (b), and (e) of subsection (7)  
 669 of section 163.3177, Florida Statutes, are amended to read:

670 163.3177 Required and optional elements of comprehensive  
 671 plan; studies and surveys.—

672 (7) (a) The Legislature finds that:

673 1. There are a number of rural agricultural industrial  
 674 centers in the state that process, produce, or aid in the

675 production or distribution of a variety of agriculturally based  
676 products, including, but not limited to, fruits, vegetables,  
677 timber, and other crops, and juices, paper, and building  
678 materials. Rural agricultural industrial centers have a  
679 significant amount of existing associated infrastructure that is  
680 used for processing, producing, or distributing agricultural  
681 products.

682 2. Such rural agricultural industrial centers are often  
683 located within or near communities in which the economy is  
684 largely dependent upon agriculture and agriculturally based  
685 products. The centers significantly enhance the economy of such  
686 communities. However, these agriculturally based communities are  
687 often socioeconomically challenged and designated as rural areas  
688 of opportunity ~~critical economic concern~~. If such rural  
689 agricultural industrial centers are lost and not replaced with  
690 other job-creating enterprises, the agriculturally based  
691 communities will lose a substantial amount of their economies.

692 3. The state has a compelling interest in preserving the  
693 viability of agriculture and protecting rural agricultural  
694 communities and the state from the economic upheaval that would  
695 result from short-term or long-term adverse changes in the  
696 agricultural economy. To protect these communities and promote  
697 viable agriculture for the long term, it is essential to  
698 encourage and permit diversification of existing rural  
699 agricultural industrial centers by providing for jobs that are  
700 not solely dependent upon, but are compatible with and

701 complement, existing agricultural industrial operations and to  
 702 encourage the creation and expansion of industries that use  
 703 agricultural products in innovative ways. However, the expansion  
 704 and diversification of these existing centers must be  
 705 accomplished in a manner that does not promote urban sprawl into  
 706 surrounding agricultural and rural areas.

707 (b) As used in this subsection, the term "rural  
 708 agricultural industrial center" means a developed parcel of land  
 709 in an unincorporated area on which there exists an operating  
 710 agricultural industrial facility or facilities that employ at  
 711 least 200 full-time employees in the aggregate and process and  
 712 prepare for transport a farm product, as defined in s. 163.3162,  
 713 or any biomass material that could be used, directly or  
 714 indirectly, for the production of fuel, renewable energy,  
 715 bioenergy, or alternative fuel as defined by law. The center may  
 716 also include land contiguous to the facility site which is not  
 717 used for the cultivation of crops, but on which other existing  
 718 activities essential to the operation of such facility or  
 719 facilities are located or conducted. The parcel of land must be  
 720 located within, or within 10 miles of, a rural area of  
 721 opportunity ~~critical economic concern~~.

722 (e) ~~Nothing in~~ This subsection does not ~~shall be construed~~  
 723 ~~to~~ confer the status of rural area of opportunity ~~critical~~  
 724 ~~economic concern~~, or any of the rights or benefits derived from  
 725 such status, on any land area not otherwise designated as such  
 726 pursuant to s. 288.0656(7).

727 Section 16. Subsection (3) of section 163.3187, Florida  
 728 Statutes, is amended to read:

729 163.3187 Process for adoption of small-scale comprehensive  
 730 plan amendment.—

731 (3) If the small scale development amendment involves a  
 732 site within a rural area of opportunity ~~critical-economic~~  
 733 ~~concern~~ as defined under s. 288.0656(2)(d) for the duration of  
 734 such designation, the 10-acre limit listed in subsection (1)  
 735 shall be increased by 100 percent to 20 acres. The local  
 736 government approving the small scale plan amendment shall  
 737 certify to the Office of Tourism, Trade, and Economic  
 738 Development that the plan amendment furthers the economic  
 739 objectives set forth in the executive order issued under s.  
 740 288.0656(7), and the property subject to the plan amendment  
 741 shall undergo public review to ensure that all concurrency  
 742 requirements and federal, state, and local environmental permit  
 743 requirements are met.

744 Section 17. Subsection (10) of section 163.3246, Florida  
 745 Statutes, is amended to read:

746 163.3246 Local government comprehensive planning  
 747 certification program.—

748 (10) Notwithstanding subsections (2), (4), (5), (6), and  
 749 (7), any municipality designated as a rural area of opportunity  
 750 ~~critical-economic concern~~ pursuant to s. 288.0656 which is  
 751 located within a county eligible to levy the Small County Surtax  
 752 under s. 212.055(3) shall be considered certified during the

753 effectiveness of the designation of rural area of opportunity  
 754 ~~critical economic concern~~. The state land planning agency shall  
 755 provide a written notice of certification to the local  
 756 government of the certified area, which shall be considered  
 757 final agency action subject to challenge under s. 120.569. The  
 758 notice of certification shall include the following components:

- 759 (a) The boundary of the certification area.
- 760 (b) A requirement that the local government submit either  
 761 an annual or biennial monitoring report to the state land  
 762 planning agency according to the schedule provided in the  
 763 written notice. The monitoring report shall, at a minimum,  
 764 include the number of amendments to the comprehensive plan  
 765 adopted by the local government, the number of plan amendments  
 766 challenged by an affected person, and the disposition of those  
 767 challenges.

768 Section 18. Paragraph (a) of subsection (6) of section  
 769 211.3103, Florida Statutes, is amended to read:

770 211.3103 Levy of tax on severance of phosphate rock; rate,  
 771 basis, and distribution of tax.—

772 (6) (a) Beginning July 1 of the 2011-2012 fiscal year, the  
 773 proceeds of all taxes, interest, and penalties imposed under  
 774 this section are exempt from the general revenue service charge  
 775 provided in s. 215.20, and such proceeds shall be paid into the  
 776 State Treasury as follows:

- 777 1. To the credit of the Conservation and Recreation Lands  
 778 Trust Fund, 25.5 percent.

779 2. To the credit of the General Revenue Fund of the state,  
780 35.7 percent.

781 3. For payment to counties in proportion to the number of  
782 tons of phosphate rock produced from a phosphate rock matrix  
783 located within such political boundary, 12.8 percent. The  
784 department shall distribute this portion of the proceeds  
785 annually based on production information reported by the  
786 producers on the annual returns for the taxable year. Any such  
787 proceeds received by a county shall be used only for phosphate-  
788 related expenses.

789 4. For payment to counties that have been designated as a  
790 rural area of opportunity ~~critical economic concern~~ pursuant to  
791 s. 288.0656 in proportion to the number of tons of phosphate  
792 rock produced from a phosphate rock matrix located within such  
793 political boundary, 10.0 percent. The department shall  
794 distribute this portion of the proceeds annually based on  
795 production information reported by the producers on the annual  
796 returns for the taxable year. Payments under this subparagraph  
797 shall be made to the counties unless the Legislature by special  
798 act creates a local authority to promote and direct the economic  
799 development of the county. If such authority exists, payments  
800 shall be made to that authority.

801 5. To the credit of the Nonmandatory Land Reclamation  
802 Trust Fund, 6.2 percent.

803 6. To the credit of the Phosphate Research Trust Fund in  
804 the Division of Universities of the Department of Education, 6.2

805 | percent.

806 |         7. To the credit of the Minerals Trust Fund, 3.6 percent.

807 |         Section 19. Paragraph (c) of subsection (1) of section

808 | 212.098, Florida Statutes, is amended to read:

809 |         212.098 Rural Job Tax Credit Program.—

810 |         (1) As used in this section, the term:

811 |         (c) "Qualified area" means any area that is contained  
 812 | within a rural area of opportunity ~~critical economic concern~~  
 813 | designated under s. 288.0656, a county that has a population of  
 814 | fewer than 75,000 persons, or a county that has a population of  
 815 | 125,000 or less and is contiguous to a county that has a  
 816 | population of less than 75,000, selected in the following  
 817 | manner: every third year, the Department of Economic Opportunity  
 818 | shall rank and tier the state's counties according to the  
 819 | following four factors:

820 |             1. Highest unemployment rate for the most recent 36-month  
 821 | period.

822 |             2. Lowest per capita income for the most recent 36-month  
 823 | period.

824 |             3. Highest percentage of residents whose incomes are below  
 825 | the poverty level, based upon the most recent data available.

826 |             4. Average weekly manufacturing wage, based upon the most  
 827 | recent data available.

828 |         Section 20. Subsection (1) of section 218.67, Florida  
 829 | Statutes, is amended to read:

830 |         218.67 Distribution for fiscally constrained counties.—

831 (1) Each county that is entirely within a rural area of  
 832 opportunity ~~critical economic concern~~ as designated by the  
 833 Governor pursuant to s. 288.0656 or each county for which the  
 834 value of a mill will raise no more than \$5 million in revenue,  
 835 based on the taxable value certified pursuant to s.  
 836 1011.62(4)(a)1.a., from the previous July 1, shall be considered  
 837 a fiscally constrained county.

838 Section 21. Subsection (1) of section 288.018, Florida  
 839 Statutes, is amended to read:

840 288.018 Regional Rural Development Grants Program.—

841 (1) The department shall establish a matching grant  
 842 program to provide funding to regionally based economic  
 843 development organizations representing rural counties and  
 844 communities for the purpose of building the professional  
 845 capacity of their organizations. Such matching grants may also  
 846 be used by an economic development organization to provide  
 847 technical assistance to businesses within the rural counties and  
 848 communities that it serves. The department is authorized to  
 849 approve, on an annual basis, grants to such regionally based  
 850 economic development organizations. The maximum amount an  
 851 organization may receive in any year will be \$35,000, or  
 852 \$100,000 in a rural area of opportunity ~~critical economic~~  
 853 ~~concern~~ recommended by the Rural Economic Development Initiative  
 854 and designated by the Governor, and must be matched each year by  
 855 an equivalent amount of nonstate resources.

856 Section 22. Paragraphs (a) and (c) of subsection (2) of

857 section 288.065, Florida Statutes, are amended to read:

858 288.065 Rural Community Development Revolving Loan Fund.—

859 (2) (a) The program shall provide for long-term loans, loan  
 860 guarantees, and loan loss reserves to units of local  
 861 governments, or economic development organizations substantially  
 862 underwritten by a unit of local government, within counties with  
 863 populations of 75,000 or fewer, or within any county with a  
 864 population of 125,000 or fewer which is contiguous to a county  
 865 with a population of 75,000 or fewer, based on the most recent  
 866 official population estimate as determined under s. 186.901,  
 867 including those residing in incorporated areas and those  
 868 residing in unincorporated areas of the county, or to units of  
 869 local government, or economic development organizations  
 870 substantially underwritten by a unit of local government, within  
 871 a rural area of opportunity ~~critical economic concern~~.

872 (c) All repayments of principal and interest shall be  
 873 returned to the loan fund and made available for loans to other  
 874 applicants. However, in a rural area of opportunity ~~critical~~  
 875 ~~economic concern~~ designated by the Governor, and upon approval  
 876 by the department, repayments of principal and interest may be  
 877 retained by the applicant if such repayments are dedicated and  
 878 matched to fund regionally based economic development  
 879 organizations representing the rural area of opportunity  
 880 ~~critical economic concern~~.

881 Section 23. Paragraphs (b), (c), and (e) of subsection (2)  
 882 of section 288.0655, Florida Statutes, are amended to read:

883 | 288.0655 Rural Infrastructure Fund.—

884 | (2)

885 | (b) To facilitate access of rural communities and rural

886 | areas of opportunity ~~critical economic concern~~ as defined by the

887 | Rural Economic Development Initiative to infrastructure funding

888 | programs of the Federal Government, such as those offered by the

889 | United States Department of Agriculture and the United States

890 | Department of Commerce, and state programs, including those

891 | offered by Rural Economic Development Initiative agencies, and

892 | to facilitate local government or private infrastructure funding

893 | efforts, the department may award grants for up to 30 percent of

894 | the total infrastructure project cost. If an application for

895 | funding is for a catalyst site, as defined in s. 288.0656, the

896 | department may award grants for up to 40 percent of the total

897 | infrastructure project cost. Eligible projects must be related

898 | to specific job-creation or job-retention opportunities.

899 | Eligible projects may also include improving any inadequate

900 | infrastructure that has resulted in regulatory action that

901 | prohibits economic or community growth or reducing the costs to

902 | community users of proposed infrastructure improvements that

903 | exceed such costs in comparable communities. Eligible uses of

904 | funds shall include improvements to public infrastructure for

905 | industrial or commercial sites and upgrades to or development of

906 | public tourism infrastructure. Authorized infrastructure may

907 | include the following public or public-private partnership

908 | facilities: storm water systems; telecommunications facilities;

909 broadband facilities; roads or other remedies to transportation  
 910 impediments; nature-based tourism facilities; or other physical  
 911 requirements necessary to facilitate tourism, trade, and  
 912 economic development activities in the community. Authorized  
 913 infrastructure may also include publicly or privately owned  
 914 self-powered nature-based tourism facilities, publicly owned  
 915 telecommunications facilities, and broadband facilities, and  
 916 additions to the distribution facilities of the existing natural  
 917 gas utility as defined in s. 366.04(3)(c), the existing electric  
 918 utility as defined in s. 366.02, or the existing water or  
 919 wastewater utility as defined in s. 367.021(12), or any other  
 920 existing water or wastewater facility, which owns a gas or  
 921 electric distribution system or a water or wastewater system in  
 922 this state where:

923         1. A contribution-in-aid of construction is required to  
 924 serve public or public-private partnership facilities under the  
 925 tariffs of any natural gas, electric, water, or wastewater  
 926 utility as defined herein; and

927         2. Such utilities as defined herein are willing and able  
 928 to provide such service.

929         (c) To facilitate timely response and induce the location  
 930 or expansion of specific job creating opportunities, the  
 931 department may award grants for infrastructure feasibility  
 932 studies, design and engineering activities, or other  
 933 infrastructure planning and preparation activities. Authorized  
 934 grants shall be up to \$50,000 for an employment project with a

935 business committed to create at least 100 jobs; up to \$150,000  
 936 for an employment project with a business committed to create at  
 937 least 300 jobs; and up to \$300,000 for a project in a rural area  
 938 of opportunity ~~critical economic concern~~. Grants awarded under  
 939 this paragraph may be used in conjunction with grants awarded  
 940 under paragraph (b), provided that the total amount of both  
 941 grants does not exceed 30 percent of the total project cost. In  
 942 evaluating applications under this paragraph, the department  
 943 shall consider the extent to which the application seeks to  
 944 minimize administrative and consultant expenses.

945 (e) To enable local governments to access the resources  
 946 available pursuant to s. 403.973(18), the department may award  
 947 grants for surveys, feasibility studies, and other activities  
 948 related to the identification and preclearance review of land  
 949 which is suitable for preclearance review. Authorized grants  
 950 under this paragraph shall not exceed \$75,000 each, except in  
 951 the case of a project in a rural area of opportunity ~~critical~~  
 952 ~~economic concern~~, in which case the grant shall not exceed  
 953 \$300,000. Any funds awarded under this paragraph must be matched  
 954 at a level of 50 percent with local funds, except that any funds  
 955 awarded for a project in a rural area of opportunity ~~critical~~  
 956 ~~economic concern~~ must be matched at a level of 33 percent with  
 957 local funds. If an application for funding is for a catalyst  
 958 site, as defined in s. 288.0656, the requirement for local match  
 959 may be waived pursuant to the process in s. 288.06561. In  
 960 evaluating applications under this paragraph, the department

961 shall consider the extent to which the application seeks to  
 962 minimize administrative and consultant expenses.

963 Section 24. Paragraphs (a), (b), and (d) of subsection (2)  
 964 and subsection (7) of section 288.0656, Florida Statutes, are  
 965 amended to read:

966 288.0656 Rural Economic Development Initiative.—

967 (2) As used in this section, the term:

968 (a) "Catalyst project" means a business locating or  
 969 expanding in a rural area of opportunity ~~critical economic~~  
 970 ~~concern~~ to serve as an economic generator of regional  
 971 significance for the growth of a regional target industry  
 972 cluster. The project must provide capital investment on a scale  
 973 significant enough to affect the entire region and result in the  
 974 development of high-wage and high-skill jobs.

975 (b) "Catalyst site" means a parcel or parcels of land  
 976 within a rural area of opportunity ~~critical economic concern~~  
 977 that has been prioritized as a geographic site for economic  
 978 development through partnerships with state, regional, and local  
 979 organizations. The site must be reviewed by REDI and approved by  
 980 the department for the purposes of locating a catalyst project.

981 (d) "Rural area of opportunity ~~critical economic concern~~"  
 982 means a rural community, or a region composed of rural  
 983 communities, designated by the Governor, that has been adversely  
 984 affected by an extraordinary economic event, severe or chronic  
 985 distress, or a natural disaster or that presents a unique  
 986 economic development opportunity of regional impact.

987 (7) (a) REDI may recommend to the Governor up to three  
 988 rural areas of opportunity ~~critical economic concern~~. The  
 989 Governor may by executive order designate up to three rural  
 990 areas of opportunity ~~critical economic concern~~ which will  
 991 establish these areas as priority assignments for REDI as well  
 992 as to allow the Governor, acting through REDI, to waive  
 993 criteria, requirements, or similar provisions of any economic  
 994 development incentive. Such incentives shall include, but not be  
 995 limited to, ~~the~~ Qualified Target Industry Tax Refund Program  
 996 under s. 288.106, the Quick Response Training Program under s.  
 997 288.047, the Quick Response Training Program for participants in  
 998 the welfare transition program under s. 288.047(8),  
 999 transportation projects under s. 339.2821, the brownfield  
 1000 redevelopment bonus refund under s. 288.107, and the rural job  
 1001 tax credit program under ss. 212.098 and 220.1895.

1002 (b) Designation as a rural area of opportunity ~~critical~~  
 1003 ~~economic concern~~ under this subsection shall be contingent upon  
 1004 the execution of a memorandum of agreement among the department;  
 1005 the governing body of the county; and the governing bodies of  
 1006 any municipalities to be included within a rural area of  
 1007 opportunity ~~critical economic concern~~. Such agreement shall  
 1008 specify the terms and conditions of the designation, including,  
 1009 but not limited to, the duties and responsibilities of the  
 1010 county and any participating municipalities to take actions  
 1011 designed to facilitate the retention and expansion of existing  
 1012 businesses in the area, as well as the recruitment of new

1013 businesses to the area.

1014 (c) Each rural area of opportunity ~~critical economic~~  
 1015 ~~concern~~ may designate catalyst projects, provided that each  
 1016 catalyst project is specifically recommended by REDI, identified  
 1017 as a catalyst project by Enterprise Florida, Inc., and confirmed  
 1018 as a catalyst project by the department. All state agencies and  
 1019 departments shall use all available tools and resources to the  
 1020 extent permissible by law to promote the creation and  
 1021 development of each catalyst project and the development of  
 1022 catalyst sites.

1023 Section 25. Paragraph (a) of subsection (3) of section  
 1024 288.1088, Florida Statutes, is amended to read:

1025 288.1088 Quick Action Closing Fund.—

1026 (3)(a) The department and Enterprise Florida, Inc., shall  
 1027 jointly review applications pursuant to s. 288.061 and determine  
 1028 the eligibility of each project consistent with the criteria in  
 1029 subsection (2). Waiver of these criteria may be considered under  
 1030 the following criteria:

- 1031 1. Based on extraordinary circumstances;
- 1032 2. In order to mitigate the impact of the conclusion of  
 1033 the space shuttle program; or
- 1034 3. In rural areas of opportunity ~~critical economic concern~~  
 1035 if the project would significantly benefit the local or regional  
 1036 economy.

1037 Section 26. Paragraphs (b), (c), and (d) of subsection (4)  
 1038 of section 288.1089, Florida Statutes, are amended to read:

1039 288.1089 Innovation Incentive Program.—

1040 (4) To qualify for review by the department, the applicant

1041 must, at a minimum, establish the following to the satisfaction

1042 of the department:

1043 (b) A research and development project must:

1044 1. Serve as a catalyst for an emerging or evolving

1045 technology cluster.

1046 2. Demonstrate a plan for significant higher education

1047 collaboration.

1048 3. Provide the state, at a minimum, a cumulative break-

1049 even economic benefit within a 20-year period.

1050 4. Be provided with a one-to-one match from the local

1051 community. The match requirement may be reduced or waived in

1052 rural areas of opportunity ~~critical economic concern~~ or reduced

1053 in rural areas, brownfield areas, and enterprise zones.

1054 (c) An innovation business project in this state, other

1055 than a research and development project, must:

1056 1.a. Result in the creation of at least 1,000 direct, new

1057 jobs at the business; or

1058 b. Result in the creation of at least 500 direct, new jobs

1059 if the project is located in a rural area, a brownfield area, or

1060 an enterprise zone.

1061 2. Have an activity or product that is within an industry

1062 that is designated as a target industry business under s.

1063 288.106 or a designated sector under s. 288.108.

1064 3.a. Have a cumulative investment of at least \$500 million

1065 within a 5-year period; or

1066       b. Have a cumulative investment that exceeds \$250 million

1067 within a 10-year period if the project is located in a rural

1068 area, brownfield area, or an enterprise zone.

1069       4. Be provided with a one-to-one match from the local

1070 community. The match requirement may be reduced or waived in

1071 rural areas of opportunity ~~critical economic concern~~ or reduced

1072 in rural areas, brownfield areas, and enterprise zones.

1073       (d) For an alternative and renewable energy project in

1074 this state, the project must:

1075       1. Demonstrate a plan for significant collaboration with

1076 an institution of higher education;

1077       2. Provide the state, at a minimum, a cumulative break-

1078 even economic benefit within a 20-year period;

1079       3. Include matching funds provided by the applicant or

1080 other available sources. The match requirement may be reduced or

1081 waived in rural areas of opportunity ~~critical economic concern~~

1082 or reduced in rural areas, brownfield areas, and enterprise

1083 zones;

1084       4. Be located in this state; and

1085       5. Provide at least 35 direct, new jobs that pay an

1086 estimated annual average wage that equals at least 130 percent

1087 of the average private sector wage.

1088       Section 27. Paragraph (d) of subsection (6) of section

1089 290.0055, Florida Statutes, is amended to read:

1090       290.0055 Local nominating procedure.-

1091 (6)

1092 (d)1. The governing body of a jurisdiction which has

1093 nominated an application for an enterprise zone that is at least

1094 15 square miles and less than 20 square miles and includes a

1095 portion of the state designated as a rural area of opportunity

1096 ~~critical-economic-concern~~ under s. 288.0656(7) may apply to the

1097 department to expand the boundary of the existing enterprise

1098 zone by not more than 3 square miles.

1099 2. The governing body of a jurisdiction which has

1100 nominated an application for an enterprise zone that is at least

1101 20 square miles and includes a portion of the state designated

1102 as a rural area of opportunity ~~critical-economic-concern~~ under

1103 s. 288.0656(7) may apply to the department to expand the

1104 boundary of the existing enterprise zone by not more than 5

1105 square miles.

1106 3. An application to expand the boundary of an enterprise

1107 zone under this paragraph must be submitted by December 31,

1108 2013.

1109 4. Notwithstanding the area limitations specified in

1110 subsection (4), the department may approve the request for a

1111 boundary amendment if the area continues to satisfy the

1112 remaining requirements of this section.

1113 5. The department shall establish the initial effective

1114 date of an enterprise zone designated under this paragraph.

1115 Section 28. Paragraph (c) of subsection (4) of section

1116 339.2819, Florida Statutes, is amended to read:

1117 | 339.2819 Transportation Regional Incentive Program.—  
 1118 | (4)  
 1119 | (c) The department shall give priority to projects that:  
 1120 | 1. Provide connectivity to the Strategic Intermodal System  
 1121 | developed under s. 339.64.  
 1122 | 2. Support economic development and the movement of goods  
 1123 | in rural areas of opportunity ~~critical economic concern~~  
 1124 | designated under s. 288.0656(7).  
 1125 | 3. Are subject to a local ordinance that establishes  
 1126 | corridor management techniques, including access management  
 1127 | strategies, right-of-way acquisition and protection measures,  
 1128 | appropriate land use strategies, zoning, and setback  
 1129 | requirements for adjacent land uses.  
 1130 | 4. Improve connectivity between military installations and  
 1131 | the Strategic Highway Network or the Strategic Rail Corridor  
 1132 | Network.  
 1133 |  
 1134 | The department shall also consider the extent to which local  
 1135 | matching funds are available to be committed to the project.  
 1136 | Section 29. Paragraph (b) of subsection (5) of section  
 1137 | 339.63, Florida Statutes, is amended to read:  
 1138 | 339.63 System facilities designated; additions and  
 1139 | deletions.—  
 1140 | (5)  
 1141 | (b) A facility designated part of the Strategic Intermodal  
 1142 | System pursuant to paragraph (a) that is within the jurisdiction

1143 of a local government that maintains a transportation  
 1144 concurrency system shall receive a waiver of transportation  
 1145 concurrency requirements applicable to Strategic Intermodal  
 1146 System facilities in order to accommodate any development at the  
 1147 facility which occurs pursuant to a building permit issued on or  
 1148 before December 31, 2017, but only if such facility is located:

1149 1. Within an area designated pursuant to s. 288.0656(7) as  
 1150 a rural area of opportunity ~~critical economic concern~~;

1151 2. Within a rural enterprise zone as defined in s.  
 1152 290.004(5); or

1153 3. Within 15 miles of the boundary of a rural area of  
 1154 opportunity ~~critical economic concern~~ or a rural enterprise  
 1155 zone.

1156 Section 30. Paragraph (c) of subsection (3) of section  
 1157 373.4595, Florida Statutes, is amended to read:

1158 373.4595 Northern Everglades and Estuaries Protection  
 1159 Program.—

1160 (3) LAKE OKEECHOBEE WATERSHED PROTECTION PROGRAM.—A  
 1161 protection program for Lake Okeechobee that achieves phosphorus  
 1162 load reductions for Lake Okeechobee shall be immediately  
 1163 implemented as specified in this subsection. The program shall  
 1164 address the reduction of phosphorus loading to the lake from  
 1165 both internal and external sources. Phosphorus load reductions  
 1166 shall be achieved through a phased program of implementation.  
 1167 Initial implementation actions shall be technology-based, based  
 1168 upon a consideration of both the availability of appropriate

1169 technology and the cost of such technology, and shall include  
 1170 phosphorus reduction measures at both the source and the  
 1171 regional level. The initial phase of phosphorus load reductions  
 1172 shall be based upon the district's Technical Publication 81-2  
 1173 and the district's WOD program, with subsequent phases of  
 1174 phosphorus load reductions based upon the total maximum daily  
 1175 loads established in accordance with s. 403.067. In the  
 1176 development and administration of the Lake Okeechobee Watershed  
 1177 Protection Program, the coordinating agencies shall maximize  
 1178 opportunities provided by federal cost-sharing programs and  
 1179 opportunities for partnerships with the private sector.

1180 (c) Lake Okeechobee Watershed Phosphorus Control Program.—  
 1181 The Lake Okeechobee Watershed Phosphorus Control Program is  
 1182 designed to be a multifaceted approach to reducing phosphorus  
 1183 loads by improving the management of phosphorus sources within  
 1184 the Lake Okeechobee watershed through implementation of  
 1185 regulations and best management practices, development and  
 1186 implementation of improved best management practices,  
 1187 improvement and restoration of the hydrologic function of  
 1188 natural and managed systems, and utilization of alternative  
 1189 technologies for nutrient reduction. The coordinating agencies  
 1190 shall facilitate the application of federal programs that offer  
 1191 opportunities for water quality treatment, including  
 1192 preservation, restoration, or creation of wetlands on  
 1193 agricultural lands.

1194 1. Agricultural nonpoint source best management practices,

1195 developed in accordance with s. 403.067 and designed to achieve  
 1196 the objectives of the Lake Okeechobee Watershed Protection  
 1197 Program, shall be implemented on an expedited basis. The  
 1198 coordinating agencies shall develop an interagency agreement  
 1199 pursuant to ss. 373.046 and 373.406(5) that assures the  
 1200 development of best management practices that complement  
 1201 existing regulatory programs and specifies how those best  
 1202 management practices are implemented and verified. The  
 1203 interagency agreement shall address measures to be taken by the  
 1204 coordinating agencies during any best management practice  
 1205 reevaluation performed pursuant to sub-subparagraph d. The  
 1206 department shall use best professional judgment in making the  
 1207 initial determination of best management practice effectiveness.

1208 a. As provided in s. 403.067(7)(c), the Department of  
 1209 Agriculture and Consumer Services, in consultation with the  
 1210 department, the district, and affected parties, shall initiate  
 1211 rule development for interim measures, best management  
 1212 practices, conservation plans, nutrient management plans, or  
 1213 other measures necessary for Lake Okeechobee watershed total  
 1214 maximum daily load reduction. The rule shall include thresholds  
 1215 for requiring conservation and nutrient management plans and  
 1216 criteria for the contents of such plans. Development of  
 1217 agricultural nonpoint source best management practices shall  
 1218 initially focus on those priority basins listed in subparagraph  
 1219 (b)1. The Department of Agriculture and Consumer Services, in  
 1220 consultation with the department, the district, and affected

1221 parties, shall conduct an ongoing program for improvement of  
 1222 existing and development of new interim measures or best  
 1223 management practices for the purpose of adoption of such  
 1224 practices by rule. The Department of Agriculture and Consumer  
 1225 Services shall work with the University of Florida's Institute  
 1226 of Food and Agriculture Sciences to review and, where  
 1227 appropriate, develop revised nutrient application rates for all  
 1228 agricultural soil amendments in the watershed.

1229         b. Where agricultural nonpoint source best management  
 1230 practices or interim measures have been adopted by rule of the  
 1231 Department of Agriculture and Consumer Services, the owner or  
 1232 operator of an agricultural nonpoint source addressed by such  
 1233 rule shall either implement interim measures or best management  
 1234 practices or demonstrate compliance with the district's WOD  
 1235 program by conducting monitoring prescribed by the department or  
 1236 the district. Owners or operators of agricultural nonpoint  
 1237 sources who implement interim measures or best management  
 1238 practices adopted by rule of the Department of Agriculture and  
 1239 Consumer Services shall be subject to the provisions of s.  
 1240 403.067(7). The Department of Agriculture and Consumer Services,  
 1241 in cooperation with the department and the district, shall  
 1242 provide technical and financial assistance for implementation of  
 1243 agricultural best management practices, subject to the  
 1244 availability of funds.

1245         c. The district or department shall conduct monitoring at  
 1246 representative sites to verify the effectiveness of agricultural

1247 nonpoint source best management practices.

1248         d. Where water quality problems are detected for  
 1249 agricultural nonpoint sources despite the appropriate  
 1250 implementation of adopted best management practices, the  
 1251 Department of Agriculture and Consumer Services, in consultation  
 1252 with the other coordinating agencies and affected parties, shall  
 1253 institute a reevaluation of the best management practices and  
 1254 make appropriate changes to the rule adopting best management  
 1255 practices.

1256         2. Nonagricultural nonpoint source best management  
 1257 practices, developed in accordance with s. 403.067 and designed  
 1258 to achieve the objectives of the Lake Okeechobee Watershed  
 1259 Protection Program, shall be implemented on an expedited basis.  
 1260 The department and the district shall develop an interagency  
 1261 agreement pursuant to ss. 373.046 and 373.406(5) that assures  
 1262 the development of best management practices that complement  
 1263 existing regulatory programs and specifies how those best  
 1264 management practices are implemented and verified. The  
 1265 interagency agreement shall address measures to be taken by the  
 1266 department and the district during any best management practice  
 1267 reevaluation performed pursuant to sub-subparagraph d.

1268         a. The department and the district are directed to work  
 1269 with the University of Florida's Institute of Food and  
 1270 Agricultural Sciences to develop appropriate nutrient  
 1271 application rates for all nonagricultural soil amendments in the  
 1272 watershed. As provided in s. 403.067(7)(c), the department, in

1273 consultation with the district and affected parties, shall  
1274 develop interim measures, best management practices, or other  
1275 measures necessary for Lake Okeechobee watershed total maximum  
1276 daily load reduction. Development of nonagricultural nonpoint  
1277 source best management practices shall initially focus on those  
1278 priority basins listed in subparagraph (b)1. The department, the  
1279 district, and affected parties shall conduct an ongoing program  
1280 for improvement of existing and development of new interim  
1281 measures or best management practices. The district shall adopt  
1282 technology-based standards under the district's WOD program for  
1283 nonagricultural nonpoint sources of phosphorus. Nothing in this  
1284 sub-subparagraph shall affect the authority of the department or  
1285 the district to adopt basin-specific criteria under this part to  
1286 prevent harm to the water resources of the district.

1287       b. Where nonagricultural nonpoint source best management  
1288 practices or interim measures have been developed by the  
1289 department and adopted by the district, the owner or operator of  
1290 a nonagricultural nonpoint source shall implement interim  
1291 measures or best management practices and be subject to the  
1292 provisions of s. 403.067(7). The department and district shall  
1293 provide technical and financial assistance for implementation of  
1294 nonagricultural nonpoint source best management practices,  
1295 subject to the availability of funds.

1296       c. The district or the department shall conduct monitoring  
1297 at representative sites to verify the effectiveness of  
1298 nonagricultural nonpoint source best management practices.

1299 d. Where water quality problems are detected for  
 1300 nonagricultural nonpoint sources despite the appropriate  
 1301 implementation of adopted best management practices, the  
 1302 department and the district shall institute a reevaluation of  
 1303 the best management practices.

1304 3. The provisions of subparagraphs 1. and 2. shall not  
 1305 preclude the department or the district from requiring  
 1306 compliance with water quality standards or with current best  
 1307 management practices requirements set forth in any applicable  
 1308 regulatory program authorized by law for the purpose of  
 1309 protecting water quality. Additionally, subparagraphs 1. and 2.  
 1310 are applicable only to the extent that they do not conflict with  
 1311 any rules promulgated by the department that are necessary to  
 1312 maintain a federally delegated or approved program.

1313 4. Projects that reduce the phosphorus load originating  
 1314 from domestic wastewater systems within the Lake Okeechobee  
 1315 watershed shall be given funding priority in the department's  
 1316 revolving loan program under s. 403.1835. The department shall  
 1317 coordinate and provide assistance to those local governments  
 1318 seeking financial assistance for such priority projects.

1319 5. Projects that make use of private lands, or lands held  
 1320 in trust for Indian tribes, to reduce nutrient loadings or  
 1321 concentrations within a basin by one or more of the following  
 1322 methods: restoring the natural hydrology of the basin, restoring  
 1323 wildlife habitat or impacted wetlands, reducing peak flows after  
 1324 storm events, increasing aquifer recharge, or protecting range

1325 and timberland from conversion to development, are eligible for  
 1326 grants available under this section from the coordinating  
 1327 agencies. For projects of otherwise equal priority, special  
 1328 funding priority will be given to those projects that make best  
 1329 use of the methods outlined above that involve public-private  
 1330 partnerships or that obtain federal match money. Preference  
 1331 ranking above the special funding priority will be given to  
 1332 projects located in a rural area of opportunity ~~critical~~  
 1333 ~~economic concern~~ designated by the Governor. Grant applications  
 1334 may be submitted by any person or tribal entity, and eligible  
 1335 projects may include, but are not limited to, the purchase of  
 1336 conservation and flowage easements, hydrologic restoration of  
 1337 wetlands, creating treatment wetlands, development of a  
 1338 management plan for natural resources, and financial support to  
 1339 implement a management plan.

1340 6.a. The department shall require all entities disposing  
 1341 of domestic wastewater residuals within the Lake Okeechobee  
 1342 watershed and the remaining areas of Okeechobee, Glades, and  
 1343 Hendry Counties to develop and submit to the department an  
 1344 agricultural use plan that limits applications based upon  
 1345 phosphorus loading. By July 1, 2005, phosphorus concentrations  
 1346 originating from these application sites shall not exceed the  
 1347 limits established in the district's WOD program. After December  
 1348 31, 2007, the department may not authorize the disposal of  
 1349 domestic wastewater residuals within the Lake Okeechobee  
 1350 watershed unless the applicant can affirmatively demonstrate

1351 that the phosphorus in the residuals will not add to phosphorus  
 1352 loadings in Lake Okeechobee or its tributaries. This  
 1353 demonstration shall be based on achieving a net balance between  
 1354 phosphorus imports relative to exports on the permitted  
 1355 application site. Exports shall include only phosphorus removed  
 1356 from the Lake Okeechobee watershed through products generated on  
 1357 the permitted application site. This prohibition does not apply  
 1358 to Class AA residuals that are marketed and distributed as  
 1359 fertilizer products in accordance with department rule.

1360 b. Private and government-owned utilities within Monroe,  
 1361 Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian  
 1362 River, Okeechobee, Highlands, Hendry, and Glades Counties that  
 1363 dispose of wastewater residual sludge from utility operations  
 1364 and septic removal by land spreading in the Lake Okeechobee  
 1365 watershed may use a line item on local sewer rates to cover  
 1366 wastewater residual treatment and disposal if such disposal and  
 1367 treatment is done by approved alternative treatment methodology  
 1368 at a facility located within the areas designated by the  
 1369 Governor as rural areas of opportunity ~~critical economic concern~~  
 1370 pursuant to s. 288.0656. This additional line item is an  
 1371 environmental protection disposal fee above the present sewer  
 1372 rate and shall not be considered a part of the present sewer  
 1373 rate to customers, notwithstanding provisions to the contrary in  
 1374 chapter 367. The fee shall be established by the county  
 1375 commission or its designated assignee in the county in which the  
 1376 alternative method treatment facility is located. The fee shall

1377 be calculated to be no higher than that necessary to recover the  
 1378 facility's prudent cost of providing the service. Upon request  
 1379 by an affected county commission, the Florida Public Service  
 1380 Commission will provide assistance in establishing the fee.  
 1381 Further, for utilities and utility authorities that use the  
 1382 additional line item environmental protection disposal fee, such  
 1383 fee shall not be considered a rate increase under the rules of  
 1384 the Public Service Commission and shall be exempt from such  
 1385 rules. Utilities using the provisions of this section may  
 1386 immediately include in their sewer invoicing the new  
 1387 environmental protection disposal fee. Proceeds from this  
 1388 environmental protection disposal fee shall be used for  
 1389 treatment and disposal of wastewater residuals, including any  
 1390 treatment technology that helps reduce the volume of residuals  
 1391 that require final disposal, but such proceeds shall not be used  
 1392 for transportation or shipment costs for disposal or any costs  
 1393 relating to the land application of residuals in the Lake  
 1394 Okeechobee watershed.

1395 c. No less frequently than once every 3 years, the Florida  
 1396 Public Service Commission or the county commission through the  
 1397 services of an independent auditor shall perform a financial  
 1398 audit of all facilities receiving compensation from an  
 1399 environmental protection disposal fee. The Florida Public  
 1400 Service Commission or the county commission through the services  
 1401 of an independent auditor shall also perform an audit of the  
 1402 methodology used in establishing the environmental protection

1403 disposal fee. The Florida Public Service Commission or the  
 1404 county commission shall, within 120 days after completion of an  
 1405 audit, file the audit report with the President of the Senate  
 1406 and the Speaker of the House of Representatives and shall  
 1407 provide copies to the county commissions of the counties set  
 1408 forth in sub-subparagraph b. The books and records of any  
 1409 facilities receiving compensation from an environmental  
 1410 protection disposal fee shall be open to the Florida Public  
 1411 Service Commission and the Auditor General for review upon  
 1412 request.

1413         7. The Department of Health shall require all entities  
 1414 disposing of septage within the Lake Okeechobee watershed to  
 1415 develop and submit to that agency an agricultural use plan that  
 1416 limits applications based upon phosphorus loading. By July 1,  
 1417 2005, phosphorus concentrations originating from these  
 1418 application sites shall not exceed the limits established in the  
 1419 district's WOD program.

1420         8. The Department of Agriculture and Consumer Services  
 1421 shall initiate rulemaking requiring entities within the Lake  
 1422 Okeechobee watershed which land-apply animal manure to develop  
 1423 resource management system level conservation plans, according  
 1424 to United States Department of Agriculture criteria, which limit  
 1425 such application. Such rules may include criteria and thresholds  
 1426 for the requirement to develop a conservation or nutrient  
 1427 management plan, requirements for plan approval, and  
 1428 recordkeeping requirements.

1429           9. The district, the department, or the Department of  
 1430 Agriculture and Consumer Services, as appropriate, shall  
 1431 implement those alternative nutrient reduction technologies  
 1432 determined to be feasible pursuant to subparagraph (d)6.

1433           Section 31. Paragraph (e) of subsection (2) and paragraph  
 1434 (b) of subsection (26) of section 380.06, Florida Statutes, are  
 1435 amended to read:

1436           380.06 Developments of regional impact.—

1437           (2) STATEWIDE GUIDELINES AND STANDARDS.—

1438           (e) With respect to residential, hotel, motel, office, and  
 1439 retail developments, the applicable guidelines and standards  
 1440 shall be increased by 50 percent in urban central business  
 1441 districts and regional activity centers of jurisdictions whose  
 1442 local comprehensive plans are in compliance with part II of  
 1443 chapter 163. With respect to multiuse developments, the  
 1444 applicable individual use guidelines and standards for  
 1445 residential, hotel, motel, office, and retail developments and  
 1446 multiuse guidelines and standards shall be increased by 100  
 1447 percent in urban central business districts and regional  
 1448 activity centers of jurisdictions whose local comprehensive  
 1449 plans are in compliance with part II of chapter 163, if one land  
 1450 use of the multiuse development is residential and amounts to  
 1451 not less than 35 percent of the jurisdiction's applicable  
 1452 residential threshold. With respect to resort or convention  
 1453 hotel developments, the applicable guidelines and standards  
 1454 shall be increased by 150 percent in urban central business

1455 districts and regional activity centers of jurisdictions whose  
 1456 local comprehensive plans are in compliance with part II of  
 1457 chapter 163 and where the increase is specifically for a  
 1458 proposed resort or convention hotel located in a county with a  
 1459 population greater than 500,000 and the local government  
 1460 specifically designates that the proposed resort or convention  
 1461 hotel development will serve an existing convention center of  
 1462 more than 250,000 gross square feet built before ~~prior to~~ July  
 1463 1, 1992. The applicable guidelines and standards shall be  
 1464 increased by 150 percent for development in any area designated  
 1465 by the Governor as a rural area of opportunity ~~critical economic~~  
 1466 ~~concern~~ pursuant to s. 288.0656 during the effectiveness of the  
 1467 designation.

1468 (26) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.—

1469 (b) Upon receipt of written confirmation from the state  
 1470 land planning agency that any required mitigation applicable to  
 1471 completed development has occurred, an industrial development of  
 1472 regional impact located within the coastal high-hazard area of a  
 1473 rural area of opportunity ~~county of economic concern~~ which was  
 1474 approved before ~~prior to~~ the adoption of the local government's  
 1475 comprehensive plan required under s. 163.3167 and which plan's  
 1476 future land use map and zoning designates the land use for the  
 1477 development of regional impact as commercial may be unilaterally  
 1478 abandoned without the need to proceed through the process  
 1479 described in paragraph (a) if the developer or owner provides a  
 1480 notice of abandonment to the local government and records such

1481 notice with the applicable clerk of court. Abandonment shall be  
 1482 deemed to have occurred upon the recording of the notice. All  
 1483 development following abandonment shall be fully consistent with  
 1484 the current comprehensive plan and applicable zoning.

1485 Section 32. Paragraph (g) of subsection (3) of section  
 1486 380.0651, Florida Statutes, is amended to read:

1487 380.0651 Statewide guidelines and standards.—

1488 (3) The following statewide guidelines and standards shall  
 1489 be applied in the manner described in s. 380.06(2) to determine  
 1490 whether the following developments shall be required to undergo  
 1491 development-of-regional-impact review:

1492 (g) Residential development.—No rule may be adopted  
 1493 concerning residential developments which treats a residential  
 1494 development in one county as being located in a less populated  
 1495 adjacent county unless more than 25 percent of the development  
 1496 is located within 2 ~~or less~~ miles or less of the less populated  
 1497 adjacent county. The residential thresholds of adjacent counties  
 1498 with less population and a lower threshold shall not be  
 1499 controlling on any development wholly located within areas  
 1500 designated as rural areas of opportunity ~~critical economic~~  
 1501 ~~concern~~.

1502 Section 33. Paragraph (b) of subsection (2) of section  
 1503 985.686, Florida Statutes, is amended to read:

1504 985.686 Shared county and state responsibility for  
 1505 juvenile detention.—

1506 (2) As used in this section, the term:

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1507 (b) "Fiscally constrained county" means a county within a  
 1508 rural area of opportunity ~~critical economic concern~~ as  
 1509 designated by the Governor pursuant to s. 288.0656 or each  
 1510 county for which the value of a mill will raise no more than \$5  
 1511 million in revenue, based on the certified school taxable value  
 1512 certified pursuant to s. 1011.62(4)(a)1.a., from the previous  
 1513 July 1.

1514 Section 34. Subsection (2) of section 1011.76, Florida  
 1515 Statutes, is amended to read:

1516 1011.76 Small School District Stabilization Program.—

1517 (2) In order to participate in this program, a school  
 1518 district must be located in a rural area of opportunity ~~critical~~  
 1519 ~~economic concern~~ designated by the Executive Office of the  
 1520 Governor, and the district school board must submit a resolution  
 1521 to the Department of Economic Opportunity requesting  
 1522 participation in the program. A rural area of opportunity  
 1523 ~~critical economic concern~~ must be a rural community, or a region  
 1524 composed of such, that has been adversely affected by an  
 1525 extraordinary economic event or a natural disaster or that  
 1526 presents a unique economic development concern or opportunity of  
 1527 regional impact. The resolution must be accompanied by ~~with~~  
 1528 documentation of the economic conditions in the community and  
 1529 provide information indicating the negative impact of these  
 1530 conditions on the school district's financial stability, and the  
 1531 school district must participate in a best financial management  
 1532 practices review to determine potential efficiencies that could

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1533 | be implemented to reduce program costs in the district.

1534 |       Section 35. This act shall take effect July 1, 2014.