

1 A bill to be entitled
2 An act relating to disaster relief; amending s.
3 161.101, F.S.; authorizing the Department of
4 Environmental Protection to waive or reduce match
5 requirements for certain local governments; amending
6 s. 194.032, F.S.; conforming provisions to changes
7 made by the act; creating s. 197.3181, F.S.; providing
8 definitions; authorizing the refund of ad valorem
9 taxes for residential improvements rendered
10 uninhabitable by certain hurricanes; providing
11 procedures and requirements to receive a refund;
12 requiring property appraisers and tax collectors to
13 take certain actions; providing construction;
14 providing retroactive applicability; providing for
15 expiration; creating s. 197.3182, F.S.; providing for
16 the extension and suspension of payments and discounts
17 of certain taxes and assessments; providing for
18 retroactive operation; providing for expiration;
19 amending s. 252.37, F.S.; providing legislative
20 intent; requiring the Division of Emergency Management
21 and local governments to enter into certain agreements
22 to receive specified funds; providing requirements for
23 such agreements; providing for availability of funds;
24 requiring the division to report progress on a certain
25 timetable to specified parties; providing for

26 | expiration; creating s. 252.71, F.S.; providing
27 | definitions; providing for the organization and
28 | operation of the Florida Emergency Management
29 | Assistance Foundation within the division; providing
30 | for a board of directors; requiring the foundation to
31 | operate under a written contract with the division;
32 | specifying requirements for such contract; providing
33 | requirements for the governance, organization, and
34 | operations of the foundation; providing for the use of
35 | property, facilities, and personal services of the
36 | division by the foundation; requiring the submission
37 | of annual budgets and reports; requiring an annual
38 | audit; providing for future repeal; authorizing the
39 | Department of Revenue to adopt emergency rules;
40 | providing for the expiration of such authority;
41 | providing appropriations; requiring such
42 | appropriations to be spent in specified ways;
43 | requiring the Florida Housing Finance Corporation to
44 | coordinate with the division and the Department of
45 | Economic Opportunity for a specified purpose; creating
46 | the Hurricane Restoration Reimbursement Grant Program
47 | within the Department of Environmental Protection;
48 | providing purpose and eligibility requirements for
49 | such program; authorizing emergency rulemaking for the
50 | administration of such program; requiring the

51 department to administer such program; providing
 52 requirements for such administration; providing for
 53 the expiration of such program; specifying that grants
 54 may only be used for reimbursement of specified costs;
 55 requiring cost-sharing; creating the Hurricane
 56 Stormwater and Wastewater Assistance Grant Program
 57 within the Department of Environmental Protection;
 58 providing purpose and eligibility requirements for
 59 such program; authorizing emergency rulemaking for the
 60 administration of such program; requiring the
 61 department to administer such program; providing
 62 requirements for such administration; providing for
 63 the expiration of such program; providing
 64 appropriations; requiring such appropriations be spent
 65 in a specified way; providing an effective date.

66
 67 Be It Enacted by the Legislature of the State of Florida:

68
 69 Section 1. Subsection (22) of section 161.101, Florida
 70 Statutes, is amended to read:

71 161.101 State and local participation in authorized
 72 projects and studies relating to beach management and erosion
 73 control.—

74 (22) Notwithstanding subsections (1), (15), and (16), and
 75 for the 2022-2023 ~~2021-2022~~ fiscal year, for ~~in the event that~~

76 | beaches located in Brevard, Broward, Charlotte, Collier, Duval,
 77 | Flagler, Indian River, Lee, Manatee, Martin, Nassau, Palm Beach,
 78 | Saint Johns, Saint Lucie, Sarasota, and Volusia Counties, ~~are~~
 79 | impacted by Hurricane Ian ~~hurricanes~~ or Hurricane Nicole ~~other~~
 80 | ~~storm events within communities with a per capita annual income~~
 81 | ~~that is less than the state's per capita annual income as shown~~
 82 | ~~in the most recent release from the United States Census Bureau~~
 83 | ~~of the United States Department of Commerce which includes both~~
 84 | ~~measurements,~~ the department may waive or reduce the match
 85 | requirements for local governments. This subsection expires July
 86 | 1, 2023 ~~2022~~.

87 | Section 2. Paragraph (b) of subsection (1) of section
 88 | 194.032, Florida Statutes, is amended to read:

89 | 194.032 Hearing purposes; timetable.—

90 | (1)

91 | (b) Notwithstanding the provisions of paragraph (a), the
 92 | value adjustment board may meet prior to the approval of the
 93 | assessment rolls by the Department of Revenue, but not earlier
 94 | than July 1, to hear appeals pertaining to the denial by the
 95 | property appraiser of exemptions, tax abatements under s.
 96 | 197.3195, tax refunds under ss. 197.3181 and 197.319 ~~s. 197.319~~,
 97 | agricultural and high-water recharge classifications,
 98 | classifications as historic property used for commercial or
 99 | certain nonprofit purposes, and deferrals under subparagraphs
 100 | (a)2., 3., and 4. In such event, however, the board may not

101 certify any assessments under s. 193.122 until the Department of
102 Revenue has approved the assessments in accordance with s.
103 193.1142 and all hearings have been held with respect to the
104 particular parcel under appeal.

105 Section 3. Section 197.3181, Florida Statutes, is created
106 to read:

107 197.3181 Refund of taxes for residential improvements
108 rendered uninhabitable by Hurricane Ian or Hurricane Nicole.-

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

110 (a) "Damage differential" means the product arrived at by
111 multiplying the percent change in value by a ratio, the
112 numerator of which is the number of days the residential
113 improvement was rendered uninhabitable in 2022, and the
114 denominator of which is 365.

115 (b) "Disaster relief refund" means the product arrived at
116 by multiplying the damage differential by the amount of timely
117 paid taxes initially levied in 2022.

118 (c) "Percent change in value" means the difference between
119 the just value of a residential parcel as of January 1, 2022,
120 and its postdisaster just value, expressed as a percentage of
121 the just value of the parcel as of January 1, 2022.

122 (d) "Postdisaster just value" means the just value of the
123 residential parcel on January 1, 2022, adjusted by subtracting
124 the just value of the residential improvement on January 1,
125 2022.

HB 3A

2022A

126 (e) "Residential improvement" means a residential dwelling
127 or house on real estate used and owned as a homestead as defined
128 in s. 196.012(13) or used as nonhomestead residential property
129 as defined in s. 193.1554(1). A residential improvement does not
130 include a structure that is not essential to the use and
131 occupancy of the residential dwelling or house, including, but
132 not limited to, a detached utility building, detached carport,
133 detached garage, bulkhead, fence, or swimming pool, and does not
134 include land.

135 (f) "Uninhabitable" means the loss of use and occupancy of
136 a residential improvement for the purpose for which it was
137 constructed resulting from damage to or destruction of, or from
138 a condition that compromises the structural integrity of, the
139 residential improvement which was caused by Hurricane Ian or
140 Hurricane Nicole during the 2022 calendar year.

141 (2) If a residential improvement is rendered uninhabitable
142 for at least 30 days, taxes originally levied and paid for 2022
143 may be refunded in the following manner:

144 (a) The property owner must file an application for refund
145 with the property appraiser on a form prescribed by the
146 department and furnished by the property appraiser, no sooner
147 than January 1, 2023, and no later than April 1, 2023. The
148 property appraiser may allow applications to be filed
149 electronically.

150 (b) The application for refund must identify the

151 residential parcel upon which the residential improvement was
152 rendered uninhabitable and the number of days that the
153 residential improvement was uninhabitable during 2022. For
154 purposes of determining uninhabitability, the application must
155 be accompanied by supporting documentation, including, but not
156 limited to, utility bills, insurance information, contractors'
157 statements, building permit applications, or building inspection
158 certificates of occupancy.

159 (c) The application for refund must be verified under oath
160 and is subject to penalty of perjury.

161 (d) The property appraiser shall review the application
162 and determine if the applicant is entitled to a refund of taxes.
163 No later than June 1, 2023, the property appraiser must:

164 1. Notify the applicant if the property appraiser
165 determines that the applicant is not entitled to receive a
166 refund. If the property appraiser determines that the applicant
167 is not entitled to a refund, the applicant may file a petition
168 with the value adjustment board, pursuant to s. 194.011(3),
169 requesting that the refund be granted. The petition must be
170 filed with the value adjustment board on or before the 30th day
171 following the issuance of the notice by the property appraiser.

172 2. Issue an official written statement to the tax
173 collector and the applicant if the property appraiser determines
174 that the applicant is entitled to a refund. The statement must
175 provide:

176 a. The just value of the residential improvement as
177 determined by the property appraiser on January 1, 2022.

178 b. The number of days during 2022 that the residential
179 improvement was uninhabitable.

180 c. The postdisaster just value of the residential parcel
181 as determined by the property appraiser.

182 d. The percent change in value applicable to the
183 residential parcel.

184 (3) Upon receipt of the written statement from the
185 property appraiser, the tax collector shall calculate the damage
186 differential pursuant to this section.

187 (a) If the property taxes for 2022 have been paid, the tax
188 collector must process a refund in an amount equal to the
189 disaster relief refund.

190 (b) If, at the time of receipt of the written statement
191 from the property appraiser under this subsection, the property
192 taxes have not yet been paid pursuant to s. 197.3182, the tax
193 collector must process a refund in an amount equal to the
194 disaster relief refund upon receipt of timely payment of the
195 property taxes for 2022 in accordance with s. 197.3182.

196 (4) A property owner who fails to file an application by
197 April 1, 2023, waives a claim for a refund of taxes under this
198 section.

199 (5) By September 1, 2023, the tax collector shall notify:

200 (a) The department of the total reduction in taxes for all

HB 3A

2022A

201 properties that qualified for a refund pursuant to this section.

202 (b) The governing board of each affected local government
203 of the reduction in such local government's taxes which occurred
204 pursuant to this section.

205 (6) For purposes of this section, a residential
206 improvement that is uninhabitable has no value.

207 (7) The disaster relief refund is determined only for
208 purposes of calculating tax refunds for 2022 under this section
209 and does not determine a parcel's just value as of January 1,
210 2023, or any subsequent year.

211 (8) This section does not affect the requirements of s.
212 197.333.

213 (9) This section applies retroactively to January 1, 2022,
214 and expires January 1, 2024.

215 Section 4. Section 197.3182, Florida Statutes, is created
216 to read:

217 197.3182 Tax deadlines for real property destroyed or
218 rendered uninhabitable by Hurricane Ian or Hurricane Nicole.—

219 (1) Notwithstanding any other law, for ad valorem taxes
220 and non-ad valorem assessments levied in 2022, for all real
221 property that has been completely destroyed or otherwise
222 rendered uninhabitable due to damage or destruction caused by
223 Hurricane Ian or Hurricane Nicole:

224 (a) The deadlines set forth in s. 197.333 are suspended
225 and extended as follows:

HB 3A

2022A

226 1. Ad valorem taxes and non-ad valorem assessments levied
227 in 2022, shall be due and payable on January 1, 2023.

228 2. Ad valorem taxes and non-ad valorem assessments shall
229 become delinquent on June 1, 2023.

230 3. All dates or time periods and their associated
231 provisions relative to the collection of, or administrative
232 procedures regarding, delinquent taxes and non-ad valorem
233 assessments, including, but not limited to, the sale of tax
234 certificates, are extended based on the June 1, 2023,
235 delinquency date, in accordance with s. 197.333.

236 (b) The deadlines set forth in s. 197.162 governing
237 discounts for payments of all taxes assessed on the county tax
238 rolls and collected by the county tax collector before the
239 delinquency date are extended as follows:

240 1. Four percent in November 2022, December 2022, and
241 January 2023.

242 2. Three percent in February 2023.

243 3. Two percent in March 2023.

244 4. One percent in April 2023.

245 5. Zero percent in May 2023.

246 (c) The deadlines set forth in s. 197.222(1)(c) and (d)
247 governing ad valorem taxes prepaid in installments and the
248 discounts applied to those payments are suspended and extended
249 for 60 days.

250 (2) This section operates retroactively to January 1,

HB 3A

2022A

251 2022, and expires January 1, 2024.

252 Section 5. Paragraph (c) is added to subsection (5) of
253 section 252.37, Florida Statutes, to read:

254 252.37 Financing.—

255 (5) Unless otherwise specified in the General
256 Appropriations Act:

257 (c) Subject to appropriation, and notwithstanding
258 paragraph (a), the Legislature intends to provide the entire
259 match requirement for Public Assistance Program grants to local
260 governments within a county designated in the Federal Emergency
261 Management Agency disaster declarations for Hurricane Ian or
262 Hurricane Nicole. Local governments named in such Federal
263 Emergency Management Agency disaster declarations must enter
264 into agreements with the division to have their portions of the
265 match requirements waived and must agree to use an equal amount
266 of funds toward further disaster recovery or mitigation. Funds
267 shall be allocated on a first-come, first-served basis.
268 Notwithstanding paragraph (a), a local government in an
269 agreement with the division under this paragraph is not required
270 to provide one-half of the required match prior to receipt of
271 Public Assistance Program financial assistance. The division
272 shall report quarterly to the Executive Office of the Governor
273 and the chair of each legislative appropriations committee on
274 the amount of match requirements waived, agreements entered into
275 with local governments, and the amount of remaining appropriated

276 funds. This paragraph expires June 30, 2027.

277 Section 6. Section 252.71, Florida Statutes, is created to
278 read:

279 252.71 Florida Emergency Management Assistance
280 Foundation.-

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

282 (a) "Foundation" means the Florida Emergency Management
283 Assistance Foundation for the division.

284 (b) "Personal services" includes full-time or part-time
285 personnel of the division.

286 (2) The foundation is hereby created as a direct-support
287 organization of the division to provide assistance, funding, and
288 support to the division in its disaster response, recovery, and
289 relief efforts for natural emergencies.

290 (a) The foundation must be an organization that is a
291 Florida nonprofit corporation incorporated under chapter 617,
292 approved by the Department of State, and recognized under s.
293 501(c)(3) of the Internal Revenue Code. The foundation is exempt
294 from paying fees under s. 617.0122.

295 (b) The foundation is organized and operated exclusively
296 to obtain funds; request and receive grants, gifts, and bequests
297 of moneys or other items; acquire, receive, hold, invest, and
298 administer in its own name securities, funds, or property; and
299 make expenditures to or for the direct or indirect benefit of
300 the division, political subdivisions of this state, and

301 individuals adversely impacted by a natural emergency occurring
302 within this state.

303 (c) The division must determine that the foundation is
304 operating in a manner consistent with the goals of the division
305 and in the best interest of the state.

306 (3) The foundation shall be governed by a board of
307 directors.

308 (a) The board of directors shall consist of five members
309 appointed by the director of the division. A majority of the
310 members must be knowledgeable about emergency management
311 activities and programs. The importance of geographic
312 representation shall be considered in appointing members.
313 Members must be residents of this state at the time of
314 appointment and throughout their terms.

315 (b) The term of office of the appointed members of the
316 board of directors shall be 3 years, except that the initial
317 terms of appointment shall be two members for 1 year, two
318 members for 2 years, and one member for 3 years. A member may be
319 reappointed when his or her term expires and may continue to
320 serve in such capacity upon expiration of his or her term until
321 an appointment is made to fill the vacancy. However, a member
322 may not serve more than two consecutive terms.

323 (c) Upon a finding based on a majority vote of the board
324 of directors, the director of the division may remove any member
325 of the board for cause.

HB 3A

2022A

326 (d) Any vacancy that occurs shall be filled in the same
327 manner as the original appointment for the unexpired term of
328 that seat.

329 (e) Members of the board of directors shall serve without
330 compensation, but are entitled to receive reimbursement for per
331 diem and travel expenses in accordance with s. 112.061, and
332 shall be paid from funds managed by the foundation.

333 (f) Moneys of the foundation must be held in a separate
334 depository account in the name of the foundation, subject to the
335 provisions of the contract with the division, and shall be used
336 in a manner consistent with the goals of the foundation.

337 (4) The foundation shall operate under a written contract
338 with the division. The written contract must, at a minimum,
339 provide for:

340 (a) Approval of the articles of incorporation and bylaws
341 of the foundation by the director of the division.

342 (b) Certification by the division that the foundation is
343 complying with the terms of the contract and is doing so
344 consistent with the goals and purposes of the division and in
345 the best interests of the state. The division must make this
346 certification annually and it must be reported in the official
347 minutes of a meeting of the foundation.

348 (c) Reversion of moneys and property held by the
349 foundation to the:

350 1. Division if the foundation is no longer approved to

HB 3A

2022A

351 operate by the division;

352 2. Division if the foundation fails to maintain its tax-
353 exempt status pursuant to s. 501(c)(3) of the Internal Revenue
354 Code;

355 3. Division if the foundation ceases to exist; or

356 4. State if the division ceases to exist.

357 (d) Prominent disclosure of the distinction between the
358 division and the foundation to donors, including such disclosure
359 in all promotional and fundraising publications or activities.

360 (e) Approval by the board of directors of an annual
361 operating budget for the foundation.

362 (f) Adoption of an ethics code as required by s. 112.3251.

363 (5) The division may permit the use of its property,
364 facilities, and personal services by the foundation and shall
365 set forth any requirements or conditions on such use in the
366 contract between the division and the foundation, including
367 provisions governing the use of such property, facilities, and
368 personal services during a declared state of emergency for a
369 natural emergency. However, the division may not permit the use
370 of such property, facilities, or personal services by the
371 foundation if it does not provide equal employment opportunities
372 to all persons regardless of race, color, national origin,
373 gender, age, or religion.

374 (6)(a) The fiscal year of the foundation shall begin on
375 July 1 of each year and end on June 30 of the following year.

HB 3A

2022A

376 (b) By August 1 of each year, the foundation shall submit
377 to the division its federal Internal Revenue Service Application
378 for Recognition of Exemption form (Form 1023) and federal
379 Internal Revenue Service Return of Organization Exempt from
380 Income Tax form (Form 990).

381 (c) By September 30 of each year, the foundation shall
382 submit the budget and a report of contributions and expenditures
383 to the division in a manner prescribed by the division.

384 (7) The foundation shall provide for an annual financial
385 audit in accordance with s. 215.981.

386 (8) This section is repealed December 31, 2024, unless
387 reviewed and saved from repeal by the Legislature.

388 Section 7. The Department of Revenue may, and all
389 conditions are deemed met to, adopt emergency rules pursuant to
390 s. 120.54(4), Florida Statutes, to administer the creation of
391 ss. 197.3181 and 197.3182, Florida Statutes, and the amendment
392 made to s. 194.032, Florida Statutes, by this act.

393 Notwithstanding any other law, emergency rules adopted pursuant
394 to this section are effective for 6 months after adoption and
395 may be renewed during the pendency of procedures to adopt
396 permanent rules addressing the subject of the emergency rules.
397 This section expires July 1, 2024.

398 Section 8. For the 2022-2023 fiscal year, the nonrecurring
399 sum of \$350,000,000 from the General Revenue Fund is
400 appropriated to the Division of Emergency Management within the

HB 3A

2022A

401 Executive Office of the Governor to provide the match
402 requirement for Public Assistance Program grants pursuant to s.
403 252.37(5) (c), Florida Statutes, as created by this act.
404 Appropriated funds may only be used to meet federal match
405 requirements as provided in s. 252.37(5) (c), Florida Statutes,
406 as created by this act. Notwithstanding s. 216.301, Florida
407 Statutes, and pursuant to s. 216.351, Florida Statutes, the
408 balance of this appropriation which is not disbursed by June 30,
409 2023, may be carried forward for up to 5 years after the
410 effective date of this act.

411 Section 9. For the 2022-2023 fiscal year, the nonrecurring
412 sum of \$150,000,000 from the General Revenue Fund is
413 appropriated in the Affordable Housing for Hurricane Recovery
414 appropriation category to the Florida Housing Finance
415 Corporation.

416 (1) From these funds, \$60,000,000 shall be used to fund
417 the Hurricane Housing Recovery Program for eligible counties and
418 municipalities based on Hurricane Ian and Hurricane Nicole
419 Federal Emergency Management Agency damage assessment data and
420 population. Hurricane recovery purposes may include, but are not
421 limited to, repair and replacement of housing; repair,
422 replacement, and relocation assistance for manufactured homes;
423 acquisition of building materials for home repair and
424 construction; or housing reentry assistance, such as security
425 deposits, utility deposits, and temporary storage of household

426 furnishings. Of this amount for the Hurricane Housing Recovery
427 Program, up to \$25,000,000 may be used to provide assistance to
428 homeowners to pay insurance deductibles.

429 (2) From these funds, \$90,000,000 shall be used to fund
430 the Rental Recovery Loan Program for eligible counties and
431 municipalities based on Hurricane Ian and Hurricane Nicole
432 Federal Emergency Management Agency damage assessment data and
433 population.

434 (3) The Florida Housing Finance Corporation shall
435 coordinate with the Executive Office of the Governor's Division
436 of Emergency Management and the Department of Economic
437 Opportunity to prevent duplication of benefits related to other
438 state or federal programs for recipients of funds appropriated
439 under this section.

440 Section 10. Hurricane Restoration Reimbursement Grant
441 Program.—

442 (1) There is hereby created within the Department of
443 Environmental Protection the Hurricane Restoration Reimbursement
444 Grant Program for the purpose of providing financial assistance
445 to mitigate coastal beach erosion for coastal homeowners whose
446 property was significantly impacted by Hurricane Ian or
447 Hurricane Nicole in 2022. The department is authorized to
448 provide financial assistance grants to eligible recipients
449 located in Brevard, Broward, Charlotte, Collier, Duval, Flagler,
450 Indian River, Lee, Manatee, Martin, Nassau, Palm Beach, Saint

451 Johns, Saint Lucie, Sarasota, and Volusia Counties.

452 (2) The department may provide grants to property owners
 453 to mitigate for coastal beach erosion caused by Hurricane Ian or
 454 Hurricane Nicole during 2022. Grant funding may only be used to
 455 reimburse a property owner for construction costs:

456 (a) Related to sand placement and temporary or permanent
 457 coastal armoring construction projects to mitigate coastal beach
 458 erosion and may not be used for the repair of residential
 459 structures.

460 (b) Incurred as a result of preparation for or damage
 461 sustained from Hurricane Ian or Hurricane Nicole in 2022.

462 (c) Incurred after September 23, 2022.

463 (d) Related to a project that has been permitted, is
 464 exempt from permitting requirements, or is otherwise authorized
 465 by law.

466 (3) Financial assistance grants may only be provided to
 467 mitigate damage to property located in Brevard, Broward,
 468 Charlotte, Collier, Duval, Flagler, Indian River, Lee, Manatee,
 469 Martin, Nassau, Palm Beach, Saint Johns, Saint Lucie, Sarasota,
 470 and Volusia Counties that is a:

471 (a) Residential property that meets the following
 472 requirements:

473 1. The parcel must be a single-family, site-built,
 474 residential property; and

475 2. The homeowner must have been granted a homestead

HB 3A

2022A

476 exemption on the home under chapter 196, Florida Statutes;

477 (b) Residential condominium, as defined in chapter 718,
478 Florida Statutes; or

479 (c) Cooperative, as defined in chapter 719, Florida
480 Statutes.

481 (4) (a) The department shall cost-share with \$1 provided by
482 the property owner for every \$1 provided by the state with a
483 maximum of \$150,000 in state funding toward the actual cost of
484 an eligible project. The department shall prioritize applicants
485 who are low-income or moderate-income persons, as defined in s.
486 420.0004, Florida Statutes. Grants will be awarded to property
487 owners for eligible projects following the receipt of a
488 completed application on a first-come, first-served basis until
489 funding is exhausted.

490 1. Applications may be submitted beginning February 1,
491 2023.

492 2. Applicants must include evidence that the project meets
493 the criteria in subsections (2) and (3).

494 (b) If the department determines that an application meets
495 the requirements of this section, the department shall enter
496 into a cost-share grant agreement with the applicant consistent
497 with this section.

498 (c) The department shall disburse grant funds on a
499 reimbursement basis. In order to receive reimbursement, property
500 owners must submit, at a minimum:

501 1. If applicable, the permit issued under chapter 161,
502 Florida Statutes, or applicable statute, and evidence that the
503 project complies with all permitting requirements.

504 2. All invoices and payment receipts for eligible
505 projects.

506 3. If applicable, documentation that the eligible project
507 was completed by a licensed professional or contractor.

508 (5) No later than January 31, 2023, the department shall
509 adopt emergency rules prescribing the procedures,
510 administration, and criteria for approving the applications for
511 the Hurricane Restoration Reimbursement Grant Program. The
512 department is authorized, and all conditions are deemed met, to
513 adopt emergency rules under ss. 120.536(1) and 120.54(4),
514 Florida Statutes, to implement this section. The Legislature
515 finds that such emergency rulemaking authority is necessary to
516 address critical shoreline erosion which may result in the loss
517 of property by homeowners in those areas of the state that
518 sustained damage due to Hurricane Ian or Hurricane Nicole during
519 2022. Such rules shall remain effective for 6 months after the
520 date of adoption.

521 (6) This section expires July 1, 2023.

522 Section 11. Hurricane Stormwater and Wastewater Assistance
523 Grant Program.—

524 (1) There is hereby created within the Department of
525 Environmental Protection the Hurricane Stormwater and Wastewater

526 Assistance Grant Program for the purpose of providing financial
527 assistance to local governments located in Brevard, Broward,
528 Charlotte, Collier, Duval, Flagler, Indian River, Lee, Manatee,
529 Martin, Nassau, Palm Beach, Saint Johns, Saint Lucie, Sarasota,
530 and Volusia Counties and impacted by Hurricane Ian or Hurricane
531 Nicole.

532 (2) The department shall administer the Hurricane
533 Stormwater and Wastewater Assistance Grant Program to remediate
534 damage to stormwater and wastewater systems resulting from
535 Hurricane Ian or Hurricane Nicole.

536 (3) Eligible recipients of such grants include counties,
537 municipalities, and special taxing districts that operate a
538 stormwater or wastewater management system.

539 (4) All information pertaining to the grant application
540 process must be provided on the department's website no later
541 than February 1, 2023.

542 (5) No later than January 31, 2023, the department must
543 adopt emergency rules prescribing the procedure and application
544 for the Hurricane Stormwater and Wastewater Assistance Grant
545 Program. All conditions are deemed met to adopt such emergency
546 rules under ss. 120.536(1) and 120.54(4), Florida Statutes, to
547 implement this section. Such rules shall remain effective for 6
548 months after the date of adoption.

549 (6) Grant applications must be submitted to the department
550 on or before March 31, 2023.

HB 3A

2022A

551 (7) To be eligible for the program, the applicant must
552 provide proof that:

553 (a) The applicant's stormwater or wastewater systems
554 sustained damages as a result of Hurricane Ian or Hurricane
555 Nicole.

556 (b) The damage to the stormwater or wastewater system
557 poses an immediate threat to the public health or the
558 environment if not immediately addressed.

559 (8) Grants may not exceed \$10 million per project.

560 (9) Grants must be awarded by May 1, 2023.

561 (10) This section expires July 1, 2023.

562 Section 12. For the 2022-2023 fiscal year, the sum of
563 \$251.5 million in nonrecurring funds is appropriated from the
564 General Revenue Fund to the Department of Environmental
565 Protection as follows: \$250 million as Fixed Capital Outlay for
566 damages related to Hurricane Ian or Hurricane Nicole including
567 \$100 million for beach erosion projects as identified in s.
568 161.101(22), Florida Statutes; \$50 million for the Hurricane
569 Restoration Reimbursement Grant Program; \$100 million for the
570 Hurricane Stormwater and Wastewater Assistance Grant Program;
571 and \$1.5 million as administrative costs for the department to
572 implement this section.

573 Section 13. This act shall take effect upon becoming a
574 law.