

RESOLUTION NO. 2023- 46

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE AND SUBMIT APPLICATIONS FOR PROGRAMS AUTHORIZED IN SENATE BILL 4-A.

RECITALS

WHEREAS, the Florida Legislature (“Legislature”) convened for a Special Session in the second week of December 2022; and

WHEREAS, the Legislature passed Senate Bill 4-A: Disaster Relief (“SB 4-A”) on December 14, 2022; and

WHEREAS, the Governor of Florida signed SB 4-A in to law, on December 16, 2022; and

WHEREAS, SB 4-A authorizes various programs and funding for Disaster Relief for counties impacted by Hurricane Ian or Hurricane Nicole; and

WHEREAS, SB 4-A identifies St. Johns County as impacted by Hurricane Ian or Hurricane Nicole; and

WHEREAS, upon publication of the rules of each grant, staff will review the rules to ensure none of the requirements, restrictions, and/or obligations associated with the award of a grant under the Program, or the grant itself would negatively impact the interests of the County; and

WHEREAS, applying for grants authorized by SB 4-A serves the overall interest of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida that:

Section 1. The above recitals are hereby incorporated into the body of this resolution and are adopted as findings of fact.

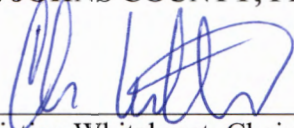
Section 2. The County Administrator, or designee, is authorized on behalf of the County to submit grant applications in accordance with Senate Bill 4-A.

Section 3. To the extent that there are typographical or administrative errors that do not change the tone, tenor, or concept of this resolution, this resolution may be revised without subsequent approval by the Board of County Commissioners.

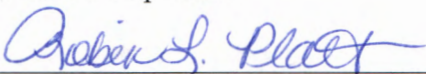
Section 4. This resolution shall be effective upon adoption by the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 7th day of February 2023.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

By: 
Christian Whitehurst, Chair

ATTEST: Brandon J. Patty, Clerk of the Circuit
Court and Comptroller

By: 
Deputy Clerk

Rendition Date FEB 07 2023



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1
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

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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

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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

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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

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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.

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

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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 and
162 determine if the applicant is entitled to a refund of taxes. No
163 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 collector
173 and the applicant if the property appraiser determines that the
174 applicant is entitled to a refund. The statement must provide:

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- 175 a. The just value of the residential improvement as
176 determined by the property appraiser on January 1, 2022.
- 177 b. The number of days during 2022 that the residential
178 improvement was uninhabitable.
- 179 c. The postdisaster just value of the residential parcel as
180 determined by the property appraiser.
- 181 d. The percent change in value applicable to the
182 residential parcel.
- 183 (3) Upon receipt of the written statement from the property
184 appraiser, the tax collector shall calculate the damage
185 differential pursuant to this section.
- 186 (a) If the property taxes for 2022 have been paid, the tax
187 collector must process a refund in an amount equal to the
188 disaster relief refund.
- 189 (b) If, at the time of receipt of the written statement
190 from the property appraiser under this subsection, the property
191 taxes have not yet been paid pursuant to s. 197.3182, the tax
192 collector must process a refund in an amount equal to the
193 disaster relief refund upon receipt of timely payment of the
194 property taxes for 2022 in accordance with s. 197.3182.
- 195 (4) A property owner who fails to file an application by
196 April 1, 2023, waives a claim for a refund of taxes under this
197 section.
- 198 (5) By September 1, 2023, the tax collector shall notify:
- 199 (a) The department of the total reduction in taxes for all
200 properties that qualified for a refund pursuant to this section.
- 201 (b) The governing board of each affected local government
202 of the reduction in such local government's taxes which occurred
203 pursuant to this section.

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

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

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

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

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

216 197.3182 Tax deadlines for real property destroyed or
217 rendered uninhabitable by Hurricane Ian or Hurricane Nicole.—

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

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

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

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

229 3. All dates or time periods and their associated
230 provisions relative to the collection of, or administrative
231 procedures regarding, delinquent taxes and non-ad valorem
232 assessments, including, but not limited to, the sale of tax

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233 certificates, are extended based on the June 1, 2023,
234 delinquency date, in accordance with s. 197.333.

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

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

241 2. Three percent in February 2023.

242 3. Two percent in March 2023.

243 4. One percent in April 2023.

244 5. Zero percent in May 2023.

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

249 (2) This section operates retroactively to January 1, 2022,
250 and expires January 1, 2024.

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

253 252.37 Financing.—

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

256 (c) Subject to appropriation, and notwithstanding paragraph
257 (a), the Legislature intends to provide the entire match
258 requirement for Public Assistance Program grants to local
259 governments within a county designated in the Federal Emergency
260 Management Agency disaster declarations for Hurricane Ian or
261 Hurricane Nicole. Local governments named in such Federal

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262 Emergency Management Agency disaster declarations must enter
263 into agreements with the division to have their portions of the
264 match requirements waived and must agree to use an equal amount
265 of funds toward further disaster recovery or mitigation. Funds
266 shall be allocated on a first-come, first-served basis.
267 Notwithstanding paragraph (a), a local government in an
268 agreement with the division under this paragraph is not required
269 to provide one-half of the required match prior to receipt of
270 Public Assistance Program financial assistance. The division
271 shall report quarterly to the Executive Office of the Governor
272 and the chair of each legislative appropriations committee on
273 the amount of match requirements waived, agreements entered into
274 with local governments, and the amount of remaining appropriated
275 funds. This paragraph expires June 30, 2027.

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

278 252.71 Florida Emergency Management Assistance Foundation.—

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

280 (a) "Foundation" means the Florida Emergency Management
281 Assistance Foundation for the division.

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

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

288 (a) The foundation must be an organization that is a
289 Florida nonprofit corporation incorporated under chapter 617,
290 approved by the Department of State, and recognized under s.

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291 501(c)(3) of the Internal Revenue Code. The foundation is exempt
292 from paying fees under s. 617.0122.

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

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

304 (3) The foundation shall be governed by a board of
305 directors.

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

313 (b) The term of office of the appointed members of the
314 board of directors shall be 3 years, except that the initial
315 terms of appointment shall be two members for 1 year, two
316 members for 2 years, and one member for 3 years. A member may be
317 reappointed when his or her term expires and may continue to
318 serve in such capacity upon expiration of his or her term until
319 an appointment is made to fill the vacancy. However, a member

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320 may not serve more than two consecutive terms.

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

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

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

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

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

338 (a) Approval of the articles of incorporation and bylaws of
339 the foundation by the director of the division.

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

346 (c) Reversion of moneys and property held by the foundation
347 to the:

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

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349 operate by the division;

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

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

354 4. State if the division ceases to exist.

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

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

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

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

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

374 (b) By August 1 of each year, the foundation shall submit
375 to the division its federal Internal Revenue Service Application
376 for Recognition of Exemption form (Form 1023) and federal
377 Internal Revenue Service Return of Organization Exempt from

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378 Income Tax form (Form 990).

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

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

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

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

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

396 Section 8. For the 2022-2023 fiscal year, the nonrecurring
397 sum of \$350,000,000 from the General Revenue Fund is
398 appropriated to the Division of Emergency Management within the
399 Executive Office of the Governor to provide the match
400 requirement for Public Assistance Program grants pursuant to s.
401 252.37(5) (c), Florida Statutes, as created by this act.
402 Appropriated funds may only be used to meet federal match
403 requirements as provided in s. 252.37(5) (c), Florida Statutes,
404 as created by this act. Notwithstanding s. 216.301, Florida
405 Statutes, and pursuant to s. 216.351, Florida Statutes, the
406 balance of this appropriation which is not disbursed by June 30,

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407 2023, may be carried forward for up to 5 years after the
408 effective date of this act.

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

414 (1) From these funds, \$60,000,000 shall be used to fund the
415 Hurricane Housing Recovery Program, to be administered in
416 accordance with part VII of chapter 420, Florida Statutes, for
417 eligible counties and municipalities based on Hurricane Ian and
418 Hurricane Nicole Federal Emergency Management Agency damage
419 assessment data and population. Hurricane recovery purposes may
420 include, but are not limited to, repair and replacement of
421 housing; repair, replacement, and relocation assistance for
422 manufactured homes; acquisition of building materials for home
423 repair and construction; or housing reentry assistance, such as
424 security deposits, utility deposits, and temporary storage of
425 household furnishings. Of this amount for the Hurricane Housing
426 Recovery Program, up to \$25,000,000 may be used to provide
427 assistance to homeowners to pay insurance deductibles.

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

433 (3) The Florida Housing Finance Corporation shall
434 coordinate with the Executive Office of the Governor's Division
435 of Emergency Management and the Department of Economic

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436 Opportunity to prevent duplication of benefits related to other
437 state or federal programs for recipients of funds appropriated
438 under this section.

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

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

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

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

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

461 (c) Incurred after September 23, 2022.

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

464 (3) Financial assistance grants may only be provided to

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465 mitigate damage to property located in Brevard, Broward,
466 Charlotte, Collier, Duval, Flagler, Indian River, Lee, Manatee,
467 Martin, Nassau, Palm Beach, Saint Johns, Saint Lucie, Sarasota,
468 and Volusia Counties that is a:

469 (a) Residential property that meets the following
470 requirements:

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

473 2. The homeowner must have been granted a homestead
474 exemption on the home under chapter 196, Florida Statutes;

475 (b) Residential condominium, as defined in chapter 718,
476 Florida Statutes; or

477 (c) Cooperative, as defined in chapter 719, Florida
478 Statutes.

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

488 1. Applications may be submitted beginning February 1,
489 2023.

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

492 (b) If the department determines that an application meets
493 the requirements of this section, the department shall enter

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494 into a cost-share grant agreement with the applicant consistent
495 with this section.

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

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

502 2. All invoices and payment receipts for eligible projects.

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

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

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

519 Section 11. Hurricane Stormwater and Wastewater Assistance
520 Grant Program.—

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

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

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

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

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

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

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

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

550 (a) The applicant's stormwater or wastewater systems
551 sustained damages as a result of Hurricane Ian or Hurricane

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552 Nicole.

553 (b) The damage to the stormwater or wastewater system poses
554 an immediate threat to the public health or the environment if
555 not immediately addressed.

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

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

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

559 Section 12. For the 2022-2023 fiscal year, the sum of
560 \$251.5 million in nonrecurring funds is appropriated from the
561 General Revenue Fund to the Department of Environmental
562 Protection as follows: \$250 million as Fixed Capital Outlay for
563 damages related to Hurricane Ian or Hurricane Nicole, including
564 \$100 million for beach erosion projects as identified in s.
565 161.101(22), Florida Statutes; \$50 million for the Hurricane
566 Restoration Reimbursement Grant Program; \$100 million for the
567 Hurricane Stormwater and Wastewater Assistance Grant Program;
568 and \$1.5 million as administrative costs for the department to
569 implement this section.

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