

By the Committee on Transportation; and Senator Rodriguez

596-02944-18

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1 A bill to be entitled  
2 An act relating to the Small Business Road  
3 Construction Mitigation Grant Program; creating s.  
4 339.28154, F.S.; providing legislative findings;  
5 requiring the Department of Transportation to create a  
6 Small Business Road Construction Mitigation Grant  
7 Program; defining the terms "construction mitigation  
8 zone" and "qualified business"; requiring the  
9 department to disburse grants to qualified businesses  
10 for the purpose of maintaining the businesses during a  
11 road construction project; limiting the amount of each  
12 grant; providing application and eligibility  
13 requirements; requiring the Department of Economic  
14 Opportunity to provide assistance under certain  
15 circumstances; providing for prioritization of awards;  
16 providing that any grant awarded offsets any civil  
17 damages against the Department of Transportation;  
18 requiring the Department of Transportation to submit a  
19 certain report to the Legislature and initiate  
20 rulemaking by specified dates; providing an effective  
21 date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Section 339.28154, Florida Statutes, is created  
26 to read:

27 339.28154 Small Business Road Construction Mitigation Grant  
28 Program.—

29 (1) The Legislature finds that it is in the best interest

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30 of the state to support small businesses that are negatively  
31 impacted by state road construction projects and to mitigate the  
32 negative impacts on such businesses. While the benefit of road  
33 construction and development by the state ultimately helps small  
34 business growth, small businesses may experience, in the short  
35 term, decreased revenue that may decrease economic activity,  
36 state revenue, and employment.

37 (2) The department shall, subject to legislative  
38 appropriation, create a Small Business Road Construction  
39 Mitigation Grant Program to provide support for qualified  
40 businesses that are impacted by state road construction  
41 projects.

42 (3) As used in this section, the term:

43 (a) "Construction mitigation zone" means a geographic area  
44 with a high concentration of qualified businesses which is  
45 designated by the department as being impacted by a road  
46 construction project of the department.

47 (b) "Qualified business" means an entity that:

- 48 1. Is engaged in a for-profit business enterprise;
- 49 2. Employs up to 40 full-time or part-time employees; and
- 50 3. Is located in a construction mitigation zone.

51 (4) (a) The department shall disburse grants to qualified  
52 businesses for the purpose of maintaining the businesses during  
53 a road construction project.

54 (b) The grant to each qualified business may not exceed the  
55 decline in revenue demonstrated by the business or \$15,000 per  
56 calendar year, whichever is less.

57 (c) A qualified business may apply to the department for a  
58 grant only for a construction project lasting 90 days or more.

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59 To be eligible for a grant, the qualified business must  
60 demonstrate in its application a significant decline in revenue,  
61 including timelines connecting the project to such decline in  
62 revenue, in a format and manner prescribed by the department.  
63 The Department of Economic Opportunity shall, upon request and  
64 at no cost to the applicant, assist an applicant in preparing  
65 documentation to demonstrate such decline.

66 (5) The department shall prioritize the awarding of each  
67 grant on a case-by-case basis using all of the following  
68 criteria:

69 (a) Rate of decline in revenue.

70 (b) Duration of construction.

71 (c) Proximity to construction.

72 (d) Severity of traffic disruption.

73 (e) Lack of access to parking.

74 (f) Lack of access for pedestrian traffic.

75 (g) Any other criteria the department determines to be  
76 relevant.

77 (6) Any grant received shall offset any damages awarded in  
78 a civil action against the department relating to the road  
79 construction project.

80 (7) On or before January 31, 2019, the department shall  
81 submit a report to the President of the Senate and the Speaker  
82 of the House of Representatives detailing best practices and  
83 methods to reduce the negative impacts of road construction  
84 projects on qualified businesses, including a list of  
85 recommendations.

86 (8) By August 31, 2018, the department shall initiate  
87 rulemaking to implement this section.

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Section 2. This act shall take effect July 1, 2018.