

By Senator Wright

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1 A bill to be entitled
2 An act relating to seaports; amending s. 311.07, F.S.;
3 revising the minimum amount of funds to be made
4 available for the Florida Seaport Transportation and
5 Economic Development Program from the State
6 Transportation Trust Fund beginning in a specified
7 fiscal year; amending s. 311.09, F.S.; revising the
8 amount the Department of Transportation is required to
9 include in its annual legislative budget request for
10 the program; deleting obsolete language; amending s.
11 311.10, F.S.; revising the amount of funds to be made
12 available from the State Transportation Trust Fund to
13 fund the Strategic Port Investment Initiative
14 beginning in a specified fiscal year; reenacting ss.
15 320.20(3) and 339.0801(1)(f), F.S., relating to the
16 disposition of license tax moneys and the allocation
17 of increased revenues from certain provisions,
18 respectively, to incorporate the amendment made to s.
19 311.07, F.S., in references thereto; providing an
20 effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Subsection (2) of section 311.07, Florida
25 Statutes, is amended to read:

26 311.07 Florida seaport transportation and economic
27 development funding.—

28 (2) Beginning in the 2026-2027 fiscal year, a minimum of
29 \$50 ~~\$25~~ million per year shall be made available from the State

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30 Transportation Trust Fund to fund the Florida Seaport
31 Transportation and Economic Development Program. The Florida
32 Seaport Transportation and Economic Development Council created
33 in s. 311.09 shall develop guidelines for project funding.
34 Council staff, the Department of Transportation, and the
35 Department of Economic Opportunity shall work in cooperation to
36 review projects and allocate funds in accordance with the
37 schedule required for the Department of Transportation to
38 include these projects in the tentative work program developed
39 pursuant to s. 339.135(4).

40 Section 2. Subsections (9), (12), and (13) of section
41 311.09, Florida Statutes, are amended to read:

42 311.09 Florida Seaport Transportation and Economic
43 Development Council.—

44 (9) The Department of Transportation shall include at least
45 \$50 ~~\$25~~ million per year in its annual legislative budget
46 request for the Florida Seaport Transportation and Economic
47 Development Program funded under s. 311.07. Such budget must
48 include funding for projects approved by the council which have
49 been determined by each agency to be consistent. The department
50 shall include the specific approved Florida Seaport
51 Transportation and Economic Development Program projects to be
52 funded under s. 311.07 during the ensuing fiscal year in the
53 tentative work program developed pursuant to s. 339.135(4). The
54 total amount of funding to be allocated to Florida Seaport
55 Transportation and Economic Development Program projects under
56 s. 311.07 during the successive 4 fiscal years must ~~shall~~ also
57 be included in the tentative work program developed pursuant to
58 s. 339.135(4). The council may submit to the department a list

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59 of approved projects that could be made production-ready within
60 the next 2 years. The department shall submit the list ~~shall be~~
61 ~~submitted by the department~~ as part of the needs and project
62 list prepared pursuant to s. 339.135(2) (b). However, the
63 department shall, upon written request of the Florida Seaport
64 Transportation and Economic Development Council, submit work
65 program amendments pursuant to s. 339.135(7) to the Governor
66 within 10 days after the later of the date the request is
67 received by the department or the effective date of the
68 amendment, termination, or closure of the applicable funding
69 agreement between the department and the affected seaport, as
70 required to release the funds from the existing commitment.
71 Notwithstanding s. 339.135(7) (c), any work program amendment to
72 transfer prior year funds from one approved seaport project to
73 another seaport project is subject to the procedures in s.
74 339.135(7) (d). Notwithstanding any provision of law to the
75 contrary, the department may transfer unexpended budget between
76 the seaport projects as identified in the approved work program
77 amendments.

78 ~~(12) Until July 1, 2014, Citrus County may apply for a~~
79 ~~grant through the Florida Seaport Transportation and Economic~~
80 ~~Development Council to perform a feasibility study regarding the~~
81 ~~establishment of a port in Citrus County. The council shall~~
82 ~~evaluate such application pursuant to subsections (5)–(8) and,~~
83 ~~if approved, the Department of Transportation shall include the~~
84 ~~feasibility study in its budget request pursuant to subsection~~
85 ~~(9). If the study determines that a port in Citrus County is not~~
86 ~~feasible, the membership of Port Citrus on the council shall~~
87 ~~terminate.~~

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88 ~~(13) Until July 1, 2024, Putnam County may apply for a~~
89 ~~grant through the Florida Seaport Transportation and Economic~~
90 ~~Development Council to perform a study examining the economic,~~
91 ~~technical, and operational viability of the establishment of a~~
92 ~~port in Putnam County. The council shall evaluate the grant~~
93 ~~application pursuant to subsections (5) (8), and, if approved,~~
94 ~~the Department of Transportation must include the feasibility~~
95 ~~study in its budget request pursuant to subsection (9). The~~
96 ~~council shall review the study upon completion to determine if a~~
97 ~~port in Putnam County is viable. If the council does not approve~~
98 ~~the study, the membership of Putnam County on the council must~~
99 ~~terminate.~~

100 Section 3. Subsection (1) of section 311.10, Florida
101 Statutes, is amended to read:

102 311.10 Strategic Port Investment Initiative.—

103 (1) There is created the Strategic Port Investment
104 Initiative within the Department of Transportation. Beginning in
105 the 2026-2027 fiscal year ~~2012-2013~~, a minimum of \$70 ~~\$35~~
106 million annually shall be made available from the State
107 Transportation Trust Fund to fund the Strategic Port Investment
108 Initiative. The Department of Transportation shall work with the
109 deepwater ports listed in s. 311.09 to develop and maintain a
110 priority list of strategic investment projects. Project
111 selection must ~~shall~~ be based on projects that meet the state's
112 economic development goal of becoming a hub for trade,
113 logistics, and export-oriented activities by doing all of the
114 following:

115 (a) Providing important access and major on-port capacity
116 improvements.†

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117 (b) Providing capital improvements to strategically
118 position the state to maximize opportunities in international
119 trade, logistics, or the cruise industry.†

120 (c) Achieving state goals of an integrated intermodal
121 transportation system.†~~and~~

122 (d) Demonstrating the feasibility and availability of
123 matching funds through local or private partners.

124 Section 4. For the purpose of incorporating the amendment
125 made by this act to section 311.07, Florida Statutes, in
126 references thereto, subsection (3) of section 320.20, Florida
127 Statutes, is reenacted to read:

128 320.20 Disposition of license tax moneys.—The revenue
129 derived from the registration of motor vehicles, including any
130 delinquent fees and excluding those revenues collected and
131 distributed under the provisions of s. 320.081, must be
132 distributed monthly, as collected, as follows:

133 (3) Notwithstanding any other provision of law except
134 subsections (1) and (2), \$15 million shall be deposited annually
135 into the State Transportation Trust Fund solely for the purposes
136 of funding the Florida Seaport Transportation and Economic
137 Development Program as provided in chapter 311. Such revenues
138 shall be distributed on a 50-50 matching basis to any port
139 listed in s. 311.09(1) to be used for funding projects as
140 described in s. 311.07(3)(b). Such revenues may be assigned,
141 pledged, or set aside as a trust for the payment of principal or
142 interest on bonds, tax anticipation certificates, or any other
143 form of indebtedness issued by an individual port or appropriate
144 local government having jurisdiction thereof, or collectively by
145 interlocal agreement among any of the ports, or used to purchase

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146 credit support to permit such borrowings. However, such debt is
147 not a general obligation of the state. The state covenants with
148 holders of such revenue bonds or other instruments of
149 indebtedness issued that it will not repeal or impair or amend
150 in any manner that will materially and adversely affect the
151 rights of such holders so long as bonds authorized by this
152 section are outstanding. Any revenues that are not pledged to
153 the repayment of bonds authorized by this section may be used
154 for purposes authorized under the Florida Seaport Transportation
155 and Economic Development Program. This revenue source is in
156 addition to any amounts provided and appropriated in accordance
157 with s. 311.07. The Florida Seaport Transportation and Economic
158 Development Council shall approve the distribution of funds to
159 ports for projects that have been approved pursuant to s.
160 311.09(5)-(8). The council and the Department of Transportation
161 may perform acts required to facilitate and implement this
162 subsection. To better enable the ports to cooperate to their
163 mutual advantage, the governing body of each port may exercise
164 powers provided to municipalities or counties in s. 163.01(7)(d)
165 subject to chapter 311 and special acts, if any, pertaining to a
166 port. The use of funds provided pursuant to this subsection are
167 limited to eligible projects listed in this subsection. Income
168 derived from a project completed with the use of program funds,
169 beyond operating costs and debt service, is restricted solely to
170 further port capital improvements consistent with maritime
171 purposes. Use of such income for nonmaritime purposes is
172 prohibited. The revenues available under this subsection may not
173 be pledged to the payment of any bonds other than the Florida
174 Ports Financing Commission Series 1996 and Series 1999 Bonds

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175 currently outstanding; however, such revenues may be pledged to
176 secure payment of refunding bonds to refinance the Florida Ports
177 Financing Commission Series 1996 and Series 1999 Bonds.

178 Refunding bonds secured by revenues available under this
179 subsection may not be issued with a final maturity later than
180 the final maturity of the Florida Ports Financing Commission
181 Series 1996 and Series 1999 Bonds or which provide for higher
182 debt service in any year than is currently payable on such
183 bonds. Any revenue bonds or other indebtedness issued after July
184 1, 2000, other than refunding bonds shall be issued by the
185 Division of Bond Finance at the request of the Department of
186 Transportation pursuant to the State Bond Act.

187 Section 5. For the purpose of incorporating the amendment
188 made by this act to section 311.07, Florida Statutes, in a
189 reference thereto, paragraph (f) of subsection (1) of section
190 339.0801, Florida Statutes, is reenacted to read:

191 339.0801 Allocation of increased revenues derived from
192 amendments to s. 319.32(5)(a) by ch. 2012-128.—Funds that result
193 from increased revenues to the State Transportation Trust Fund
194 derived from the amendments to s. 319.32(5)(a) made by this act
195 must be used annually, first as set forth in subsection (1) and
196 then as set forth in subsections (2)-(4), notwithstanding any
197 other provision of law:

198 (1)

199 (f) Any revenues that are not used for the payment of bonds
200 as authorized by this subsection may be used for purposes
201 authorized under the Florida Seaport Transportation and Economic
202 Development Program. This revenue source is in addition to any
203 amounts provided for and appropriated in accordance with ss.

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204 311.07 and 320.20(3) and (4).

205 Section 6. This act shall take effect July 1, 2024.