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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/10/2025	.	
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The Appropriations Committee on Transportation, Tourism, and Economic Development (Smith) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Part XIII of chapter 288, Florida Statutes,  
consisting of ss. 288.9991-288.9998, Florida Statutes, is  
created and entitled "Construction Disruption Assistance Act."

Section 2. Section 288.9991, Florida Statutes, is created  
to read:

288.9991 Short title.—This part shall be known and may be



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cited as the "Construction Disruption Assistance Act."

Section 3. Section 288.9992, Florida Statutes, is created to read:

288.9992 Legislative findings; purpose.—The Legislature finds and declares that:

(1) Prolonged state and local government construction projects that directly block access to small businesses cause significant financial and operational hardships that negatively impact local economies and threaten the livelihoods of business owners and employees.

(2) It is the purpose of this act to establish a program to provide financial relief, promotional support, and loss coverage to small businesses adversely impacted by state and local government construction projects, ensuring their resilience and viability during essential infrastructure improvements.

Section 4. Section 288.9993, Florida Statutes, is created to read:

288.9993 Definitions.—As used in this part, the term:

(1) "Construction zone" means the immediate area where construction activities directly restrict physical or visual access to a small business, including partial or complete obstruction of entryways, parking, or signage visibility.

(2) "Demonstrable loss" means a verifiable reduction in revenue, property damage, or increased operational costs directly attributed to state or local government construction activities.

(3) "Department" means the Department of Commerce.

(4) "Eligible small business" means a business with 50 or fewer employees whose primary access points are obstructed by



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state or local government construction activities directly adjacent to or in front of the business, as determined by the department.

(5) "Program" means the Construction Impact Relief Revolving Loan Program established in s. 288.9995.

Section 5. Section 288.9994, Florida Statutes, is created to read:

288.9994 Rulemaking authority.—By October 1, 2025, the department shall adopt rules to implement this part, including, but not limited to, developing guidelines for the award of loans under the program and creating application forms for the program.

Section 6. Section 288.9995, Florida Statutes, is created to read:

288.9995 Construction Impact Relief Revolving Loan Program.—

(1) The Construction Impact Relief Revolving Loan Program is created within the department. The program may be funded by the Legislature. Under the program, the department shall:

(a) Provide financial assistance to eligible small businesses within construction zones, including low-interest loans of up to \$100,000, with interest not to exceed the federal funds rate at the time the loan is issued, for the operational costs of eligible small businesses during construction disruptions.

(b) Develop a public awareness and marketing campaign to promote the program in partnership with local chambers of commerce and other business organizations and to encourage customer support for small businesses adversely impacted by



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state and local government construction activities. Such  
marketing campaign efforts must include, but are not limited to,  
all of the following:

1. Digital advertising campaigns.

2. Signage and outreach.

(2) An applicant seeking to obtain financial assistance  
under paragraph (1)(a) must submit an application to the  
department. The application must require documentation of  
demonstrable loss and a plan for the use of funds. Proof of  
demonstrable loss must include, but is not limited to, all of  
the following:

(a) Documentation of reduction in revenue from the start  
date of the state or local government construction activities to  
the week before an application is submitted to the department.  
Such proof may be made by comparing the applicant's average  
weekly or monthly revenue of the year before the state or local  
government construction activities began and the applicant's  
current weekly or monthly revenue.

(b) Photo or video evidence of the obstruction to the  
applicant due to the construction zone. Such obstruction may  
include, but is not limited to, any of the following:

1. Restricting parking or primary entry access to the  
eligible small business.

2. Blocking visibility of the applicant from all directions  
of traffic flow along the road and adjoining sidewalks in which  
the applicant is located, during each phase of construction.

(3) An applicant must agree to accept consultation from the  
Florida Small Business Development Center Network created in s.  
288.001 as a condition to participate in the program. If an



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98 applicant is enrolled in any other loan program, he or she is  
99 not eligible to participate in the program.

100 Section 7. Section 288.9996, Florida Statutes, is created  
101 to read:

102 288.9996 Publication on department website; accessibility.

103 (1) The department shall maintain and publish detailed  
104 information about the program on its website. The information  
105 must include, but is not limited to, all of the following:

106 (a) A clear description of the application process.

107 (b) Detailed eligibility criteria for applicants.

108 (c) The timeline and procedures for review, approval, and  
109 disbursement of funds.

110 (d) Contact information, including e-mail addresses and  
111 telephone numbers, applicants or interested parties may obtain  
112 for additional information or assistance.

113 (2) The department shall update the information as changes  
114 occur and ensure the website is accessible to all potential  
115 applicants or interested parties, including those with  
116 disabilities, in accordance with applicable state and federal  
117 accessibility laws.

118 Section 8. Section 288.9997, Florida Statutes, is created  
119 to read:

120 288.9997 Liability.—

121 (1) The department or any of its officers, employees,  
122 agents, or contractors may not be held liable in any civil  
123 action arising out of or relating to the administration,  
124 processing, approval, denial, or disbursement of funds under the  
125 program, provided such actions were made in good faith and  
126 without gross negligence or willful misconduct.



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(2) An applicant must acknowledge, as a condition of applying to the program, that submitting an application does not guarantee funding and that the department is not liable for any damages, including, but not limited to, lost profits or business interruptions resulting from the department denying a loan or delaying disbursement of a loan, or from government construction activities.

(3) This part may not be construed to create a private right of action against the department or any of its officers, employees, agents, or contractors. Eligibility determinations, prioritization of applications, and loan award decisions made in accordance with applicable program rules and guidelines are considered final agency action and are not subject to further judicial review except as provided in s. 120.68.

(4) The department may adopt rules establishing clear application procedures, evaluation criteria, and dispute resolution processes to ensure consistency and transparency in program administration. An applicant's compliance with such rules constitutes a presumption of good faith.

Section 9. Section 288.9998, Florida Statutes, is created to read:

288.9998 Annual reporting requirement.—The department shall, by November 1 of each year, submit an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which summarizes the performance of the program, including the total number of small businesses and residents served, the total funds disbursed, and the program outcomes.

Section 10. This act shall take effect July 1, 2025.



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===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

    Delete everything before the enacting clause  
and insert:

        A bill to be entitled

        An act relating to construction disruption assistance;  
        creating part XIII of ch. 288, F.S., to be entitled  
        the "Construction Disruption Assistance Act"; creating  
        s. 288.9991, F.S.; providing a short title; creating  
        s. 288.9992, F.S.; providing legislative findings and  
        purpose; creating s. 288.9993, F.S.; defining terms;  
        creating s. 288.9994, F.S.; establishing rulemaking  
        authority; creating s. 288.9995, F.S.; establishing  
        the Construction Impact Relief Revolving Loan Program  
        within the Department of Commerce; authorizing the  
        Legislature to fund the program; requiring the  
        department to provide specified financial assistance  
        to eligible small businesses within construction  
        zones; requiring the department to develop a public  
        awareness and marketing campaign to promote the  
        program in partnership with specified entities;  
        providing requirements for the campaign; requiring  
        applicants to submit specified information with their  
        applications; requiring an applicant to agree to  
        accept consultation from the Florida Small Business  
        Development Center Network as a condition to  
        participate in the program; prohibiting an applicant  
        from participating in the program under certain



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circumstances; creating s. 288.9996, F.S.; directing the department to maintain and publish certain information about the program on its website, and to update such information as changes occur; requiring such information to be accessible to certain persons with disabilities; creating s. 288.9997, F.S.; providing that the department or any of its officers, employees, agents, or contracts are not liable in any civil action arising out of or relating to specified duties of the program if such actions were made in good faith and without gross negligence or willful misconduct; providing construction; requiring an applicant to acknowledge that submitting and application does not guarantee funding; providing that the department is not liable for any damages resulting in the department denying an applicant; providing construction; providing that certain determinations, prioritizations, and decisions made are deemed final agency action and not subject to further judicial review; providing an exception; authorizing the department to adopt rules; providing that an applicant's compliance with such rules constitutes a presumption of good faith; creating s. 288.9998, F.S.; requiring the department to submit an annual report containing certain information by a specified date to the Governor and the Legislature; providing an effective date.