

STONEGATE

**COMMUNITY DEVELOPMENT
DISTRICT**

September 13, 2023

BOARD OF SUPERVISORS

PUBLIC HEARINGS

AND REGULAR

MEETING AGENDA

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

AGENDA
LETTER

Stonegate Community Development District
OFFICE OF THE DISTRICT MANAGER
2300 Glades Road, Suite 410W•Boca Raton, Florida 33431
Phone: (561) 571-0010•Fax: (561) 571-0013•Toll-Free: (877) 276-0889

September 6, 2023

Board of Supervisors
Stonegate Community Development District

<p><u>ATTENDEES:</u> Please identify yourself each time you speak to facilitate accurate transcription of meeting minutes.</p>

Dear Board Members:

The Board of Supervisors of the Stonegate Community Development District will hold Public Hearings and a Regular Meeting on September 13, 2023 at 11:00 a.m., at the Malibu Bay Clubhouse, 1020 NE 34th Avenue, Homestead, Florida 33033. The agenda is as follows:

1. Call to Order/Roll Call
2. Public Comments: *non-agenda items*
3. Discussion: Board Direction for Pool Renovation RFP
4. Consideration of Armando Garcia Land Services, Inc., Specifications and Estimate for Updated FY2023 Lawn Maintenance Services
5. Public Hearing on Adoption of Fiscal Year 2023/2024 Budget
 - A. Proof/Affidavit of Publication
 - B. Consideration of Resolution 2023-07, Relating to the Annual Appropriations and Adopting the Budget for the Fiscal Year Beginning October 1, 2023, and Ending September 30, 2024; Authorizing Budget Amendments; and Providing an Effective Date
6. Public Hearing to Hear Comments and Objections on the Imposition of Special Assessments for Operations and Maintenance for Fiscal Year 2023/2024, Pursuant to Florida Law
 - A. Proof/Affidavit of Publication
 - B. Consideration of Resolution 2023-08, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2023/2024; Providing for the Collection and Enforcement of Special Assessments; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date

7. Consent Agenda Items

- A. Acceptance of Unaudited Financial Statements as of July 31, 2023
- B. Approval of August 1, 2023 Regular Meeting Minutes

8. Staff Reports

- A. Operations Manager: *UNUS Property Management*
- B. District Counsel: *Billing, Cochran, Lyles, Mauro & Ramsey, P.A.*
 - 2023 Legislative Update
- C. District Engineer: *Alvarez Engineers, Inc.*
- D. District Manager: *Wrathell, Hunt and Associates, LLC*
 - NEXT MEETING DATE: October 3, 2023 at 6:30 PM

○ QUORUM CHECK

SEAT 1	ALBERTO EIRAS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 2	JOE MCGUINNESS	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 3	YONIEL BOZA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 4	ART GOESSEL	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO
SEAT 5	MARIELA FIGUEROA	<input type="checkbox"/> IN PERSON	<input type="checkbox"/> PHONE	<input type="checkbox"/> NO

9. Supervisors' Requests

10. Adjournment

Should you have any questions, please do not hesitate to contact me directly at (561) 909-7930.

Sincerely,



Daniel Rom
 District Manager

FOR BOARD MEMBERS AND STAFF TO ATTEND BY TELEPHONE:
CALL-IN NUMBER: 1-888-354-0094
PARTICIPANT PASSCODE: 528 064 2804

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

4

Armando Garcia Land service Inc
16650 SW 203 AVE
Miami, FL. 33187
Cell: 786-298-7104
Fax: 786-410-5072

May 25, 2023

Stonegate CDD
 1020 Malibu Way
 Homestead, FL 33033

I. Specifications We hereby submit specifications and estimate for the following:

Updated FY 2023	
<u>Lawn Maintenance</u>	\$33,350.00
<ul style="list-style-type: none"> • Lawn Cutting --29x/year, \$950.00/cut • (Tract C Malibu Way Plat) \$200.00/cut 	
Irrigation Repairs – Annual cost not including materials \$375 per month.	\$4500.00
Fertilize-3x/year, \$3025/application	\$9,075.00
Pest Control—2x/year, \$1975.00/application	\$3,950.00
Plants Annuals—1,540 plants in pots 4 ½ @3.85/each, 4x year	\$23,716.00
Mulch—1350 bags @ \$4.85/bag, 2x per year Tract C – 377 bags	\$16,751.90
Trimming-- \$4970.00/ per application Based on (142 trees @\$35 each)	\$4,970.00
Total	\$96,312.90

- For all other services, a written proposal will be submitted.
- Any alterations to or deviation from the above specifications involving extra cost will be executed only upon written request, and will be billed as an extra charge over and above this agreement.

THIS CONTRACT IS INTENDED TO PROTECT THE HIGHEST QUALITY OF THE PROPERTY MAINTENANCE ON ANNUAL CONTRACT BASIS. HOWEVER, EITHER PARTY MAY TERMINATE THE CONTRACT BY A 60 DAY WRITTEN NOTICE, THAT COULD BE SEND VIA MAIL OR FAX..

THANK YOU FOR THE OPPORTUNITY OF ALLOWING ME TO CONTINUE TO OFFER THIS WORK TO STONEGATE CDD.

ALL OTHER MAINTENANCE THAT IS REQUIRED AND THEREFORE REQUESTED WILL BE AT AN ADDITIONAL COST TO BE DETERMINED AS PER JOB SPECIFICATIONS.

SINCERELY,

Armando Garcia
Land Service INC

Stonegate CDD DATE

Armando Garcia DATE
Land Service Inc

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

5A

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

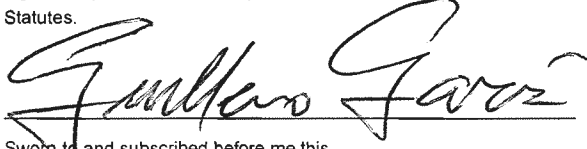
STONEGATE COMMUNITY DEVELOPMENT DISTRICT - PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2023/2024 BUDGET; - SEPT. 13, 2023

in the XXXX Court,
was published in a newspaper by print in the issues of Miami Daily Business Review f/k/a Miami Review on

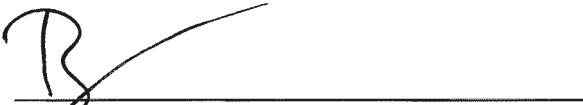
08/17/2023 08/24/2023

SEE ATTACHED

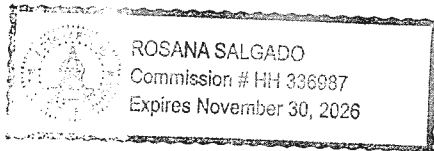
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this
24 day of AUGUST, A.D. 2023



(SEAL)
GUILLERMO GARCIA personally known to me



**STONEGATE COMMUNITY DEVELOPMENT DISTRICT
 NOTICE OF PUBLIC HEARING TO CONSIDER THE
 ADOPTION OF THE FISCAL YEAR 2023/2024 BUDGET;
 NOTICE OF PUBLIC HEARING TO CONSIDER THE
 IMPOSITION OF OPERATIONS AND MAINTENANCE
 SPECIAL ASSESSMENTS, ADOPTION OF AN
 ASSESSMENT ROLL, AND THE LEVY, COLLECTION, AND
 ENFORCEMENT OF THE SAME; AND NOTICE OF
 REGULAR BOARD OF SUPERVISORS' MEETING**

The Board of Supervisors of the Stonegate Community Development District will hold the following two (2) public hearings and regular meeting:

DATE: September 13, 2023
 TIME: 11:00 AM
 LOCATION: Malibu Bay Clubhouse
 1020 NE 34th Avenue
 Homestead, Florida 33033

The first public hearing is being held pursuant to Chapter 190, *Florida Statutes*, to receive public comment and objections on the District's proposed budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024**"). The second public hearing is being held pursuant to Chapters 190 and 197, *Florida Statutes*, to consider and receive public comments on the imposition of operations and maintenance special assessments ("**O&M Assessments**") upon the lands located within the District, to fund the Proposed Budget for Fiscal Year 2023/2024; to consider the adoption of an assessment roll; and, to provide for the levy, collection, and enforcement of assessments. At the conclusion of the hearings, the Board will, by resolution, adopt a final budget and levy O&M Assessments as finally approved by the Board. A Board meeting of the District will also be held where the Board may consider any other District business.

The District imposes O&M Assessments on benefitted property within the District for the purpose of funding the District's general administrative, operations, and maintenance budget. Pursuant to Section 170.07, *Florida Statutes*, a description of the services to be funded by the O&M Assessments, and the properties to be improved and benefitted from the O&M Assessments, are all set forth in the Proposed Budget. A geographic depiction of the property potentially subject to the proposed O&M Assessments is identified in the map attached hereto. The table below shows the schedule of the proposed O&M Assessments, which are subject to change at the hearing:

Land Use	Total # of Units	ERD Factor	Proposed Annual O&M Assessment (including collection costs / early payment discounts)
Residential Unit	1,055	1	\$1,410.16

The proposed O&M Assessments as stated include collection costs and/or early payment discounts, which Miami-Dade County ("**County**") may impose on assessments that are collected on the County tax bill. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the "maximum rate" authorized by law for O&M Assessments, such that no assessment hearing shall be held or notice provided in future years unless the assessments are proposed to be increased or another criterion within Section 197.3632(4), *Florida Statutes*, is met. Note that the O&M Assessments do not include any debt service assessments previously levied by the District and due to be collected for Fiscal Year 2023/2024.

For Fiscal Year 2023/2024, the District intends to have the County tax collector collect the assessments imposed on certain developed property, and will directly collect the assessments imposed on the remaining benefitted property by sending out a bill prior to, or during, November 2023. It is important to pay your assessment because failure to pay will cause a tax certificate to be issued against the property which may result in loss of title, or for direct billed assessments, may result in a foreclosure action, which also may result in a loss of title. The District's decision to collect assessments on the tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

2/3

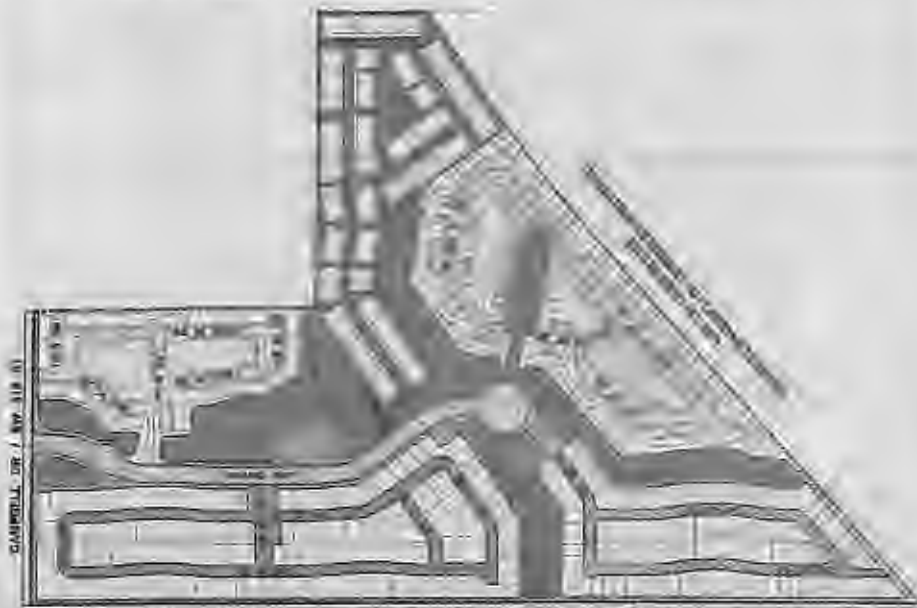
Stonegate Community Development District

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the Proposed Budget, proposed assessment roll, and the agenda for the hearings and meeting may be obtained at the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010 ("District Manager's Office"), during normal business hours or on the District's website at <https://stonegateodd.net/>. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the hearings or meeting. There may be occasions when staff or board members may participate by speaker telephone.

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the proposed budget, proposed assessment roll, and the agenda for the hearings and meeting may be obtained at the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010, during normal business hours. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the hearings and meeting. There may be occasions when staff or board members may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (877) 276-0889 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear at the public hearings and meeting, and may also file written objections with the District Manager within twenty (20) days of publication of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.



District Manager
3/17-24

23-48/0006578678M

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

5B

RESOLUTION 2023-07

THE ANNUAL APPROPRIATION RESOLUTION OF THE STONEGATE COMMUNITY DEVELOPMENT DISTRICT (“DISTRICT”) RELATING TO THE ANNUAL APPROPRIATIONS AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024; AUTHORIZING BUDGET AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District Manager has, prior to the fifteenth (15th) day in June, 2023, submitted to the Board of Supervisors (“**Board**”) of the Stonegate Community Development District (“**District**”) a proposed budget (“**Proposed Budget**”) for the fiscal year beginning October 1, 2023 and ending September 30, 2023 (“**Fiscal Year 2023/2024**”) along with an explanatory and complete financial plan for each fund of the District, pursuant to the provisions of Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, at least sixty (60) days prior to the adoption of the Proposed Budget, the District filed a copy of the Proposed Budget with the local governing authorities having jurisdiction over the area included in the District pursuant to the provisions of Section 190.008(2)(b), *Florida Statutes*; and

WHEREAS, the Board set a public hearing thereon and caused notice of such public hearing to be given by publication pursuant to Section 190.008(2)(a), *Florida Statutes*; and

WHEREAS, the District Manager posted the Proposed Budget on the District’s website at least two days before the public hearing; and

WHEREAS, Section 190.008(2)(a), *Florida Statutes*, requires that, prior to October 1st of each year, the Board, by passage of the Annual Appropriation Resolution, shall adopt a budget for the ensuing fiscal year and appropriate such sums of money as the Board deems necessary to defray all expenditures of the District during the ensuing fiscal year; and

WHEREAS, the District Manager has prepared a Proposed Budget, whereby the budget shall project the cash receipts and disbursements anticipated during a given time period, including reserves for contingencies for emergency or other unanticipated expenditures during the fiscal year.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE STONEGATE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BUDGET

- a. The Board has reviewed the Proposed Budget, a copy of which is on file with the office of the District Manager and at the District’s Local Records Office, and hereby approves certain amendments thereto, as shown in Section 2 below.

- b. The Proposed Budget, attached hereto as **Exhibit "A,"** as amended by the Board, is hereby adopted in accordance with the provisions of Section 190.008(2)(a), *Florida Statutes ("Adopted Budget")*, and incorporated herein by reference; provided, however, that the comparative figures contained in the Adopted Budget may be subsequently revised as deemed necessary by the District Manager to reflect actual revenues and expenditures.
- c. The Adopted Budget, as amended, shall be maintained in the office of the District Manager and at the District's Local Records Office and identified as "The Budget for the Stonegate Community Development District for the Fiscal Year Ending September 30, 2024."
- d. The Adopted Budget shall be posted by the District Manager on the District's official website within thirty (30) days after adoption, and shall remain on the website for at least 2 years.

SECTION 2. APPROPRIATIONS

There is hereby appropriated out of the revenues of the District, for Fiscal Year 2023/2024, the sum of \$1,841,776 to be raised by the levy of assessments and/or otherwise, which sum is deemed by the Board to be necessary to defray all expenditures of the District during said budget year, to be divided and appropriated in the following fashion:

TOTAL GENERAL FUND	\$1,387,906
DEBT SERVICE FUND - SERIES 2013 (REFUNDED SERIES 2004)	\$ 600,910
DEBT SERVICE FUND - SERIES 2020	<u>\$ 322,360</u>
TOTAL ALL FUNDS	\$1,841,776

SECTION 3. BUDGET AMENDMENTS

Pursuant to Section 189.016, *Florida Statutes*, the District at any time within Fiscal Year 2023/2024 or within 60 days following the end of the Fiscal Year 2023/2024 may amend its Adopted Budget for that fiscal year as follows:

- a. The Board may authorize an increase or decrease in line item appropriations within a fund by motion recorded in the minutes if the total appropriations of the fund do not increase.
- b. The District Manager or Treasurer may authorize an increase or decrease in line item appropriations within a fund if the total appropriations of the fund do not increase and if the aggregate change in the original appropriation item does not exceed \$15,000 or 15% of the original appropriation.

- c. By resolution, the Board may increase any appropriation item and/or fund to reflect receipt of any additional unbudgeted monies and make the corresponding change to appropriations or the unappropriated balance.
- d. Any other budget amendments shall be adopted by resolution and consistent with Florida law.

The District Manager or Treasurer must establish administrative procedures to ensure that any budget amendments are in compliance with this Section 3 and Section 189.016, *Florida Statutes*, among other applicable laws. Among other procedures, the District Manager or Treasurer must ensure that any amendments to budget under subparagraphs c. and d. above are posted on the District’s website within 5 days after adoption and remain on the website for at least 2 years.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS 13TH DAY OF SEPTEMBER, 2023.

ATTEST:

**STONEGATE COMMUNITY DEVELOPMENT
DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Fiscal Year 2023/2024 Budget

Exhibit A: Fiscal Year 2023/2024 Budget

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
PROPOSED BUDGET
FISCAL YEAR 2024**

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
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**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
REVENUES					
Assessment levy - gross	\$ 945,726				\$ 1,437,402
Allowable discounts	(37,829)				(57,496)
Assessment levy - net	<u>907,897</u>	\$ 815,470	\$ 92,427	\$ 907,897	1,379,906
Interest	1000	1,069	-	1,069	1,000
Miscellaneous	5000	1,905	3,095	5,000	5,000
Clubhouse rental fees	2000	-	2,000	2,000	2,000
Total revenues	<u>915,897</u>	<u>818,444</u>	<u>97,522</u>	<u>915,966</u>	<u>1,387,906</u>
EXPENDITURES					
Professional & administrative					
Supervisors	6,000	1,000	3,000	4,000	6,000
Payroll Taxes	459	76	230	306	459
Management/recording/accounting	43,655	21,828	21,827	43,655	43,655
Legal	20,000	3,553	6,000	9,553	20,000
Engineering	10,000	368	3,000	3,368	10,000
Audit	7,100	2,500	4,600	7,100	7,100
Assessment roll preparation	5,332	2,666	2,666	5,332	5,332
Arbitrage rebate calculation	1,250	500	750	1,250	1,250
Dissemination agent	1,051	525	526	1,051	1,051
Trustee	6,500	4,031	2,469	6,500	6,500
Website and E-blast Communication	1,220	-	1,220	1,220	1,220
ADA website compliance	210	-	210	210	210
Postage	2,000	131	1,869	2,000	2,000
Legal advertising	1,225	-	1,225	1,225	1,225
Office supplies	300	-	300	300	300
Other current charges	1,500	1,124	376	1,500	1,500
Annual special district fee	200	175	-	175	175
Insurance	8,563	7,671	-	7,671	8,500
Property taxes	178	-	178	178	178
Total professional & administrative	<u>116,743</u>	<u>46,148</u>	<u>50,446</u>	<u>96,594</u>	<u>116,655</u>

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Fiscal Year 2023				Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	Total Actual & Projected	
Field Operations					
Landscape maintenance	109,018	87,191	21,827	109,018	96,313
Landscape replacement	10,000	1,650	8,350	10,000	10,000
Tree Maintenance	10,000	-	10,000	10,000	10,000
Lake plant maintenance	-	-	-	-	27,150
Irrigation Repairs	3,000	-	3,000	3,000	3,000
Playground maintenance	1,500	-	1,500	1,500	1,500
Pump maintenance/repair	4,500	825	3,675	4,500	4,500
Electrical repairs	1,000	-	1,000	1,000	1,000
Lake maintenance	24,255	10,320	13,935	24,255	26,681
Aeration maintenance	9,700	-	4,500	4,500	9,000
Aeration utilities	12,000	-	6,000	6,000	12,000
Lake bank degradation	-	-	-	-	106,657
Contingency	5,000	-	5,000	5,000	5,000
Holiday decorations	14,350	7,175	1,000	8,175	8,175
Animal control	3,000	675	825	1,500	1,500
Operating supplies	2,000	-	2,000	2,000	-
Total field operations	<u>209,323</u>	<u>107,836</u>	<u>82,612</u>	<u>190,448</u>	<u>322,476</u>
Clubhouse					
Telephone	3,480	298	3,182	3,480	3,480
Utilities	63,000	27,887	35,113	63,000	63,000
Insurance property	21,017	19,267	-	19,267	28,901
Flood Insurance	4,037	-	4,037	4,037	4,037
Alarm monitoring	720	348	372	720	720
Fire monitoring	540	270	270	540	540
Pool attendant	-	-	-	-	7,906
Pool maintenance	30,000	13,800	16,200	30,000	15,000
Pool repair	7,500	570	6,930	7,500	-
Pool health inspections	750	-	750	750	750
Air conditioning R&M	5,000	1,400	500	1,900	1,000
Clubhouse operation and management:					
Clubhouse Mgmt	254,034	123,813	124,221	248,034	250,467
Special events	25,000	22,952	2,048	25,000	35,000
Gym maintenance	3,000	-	3,000	3,000	1,500
Gym equipment lease	-	-	-	-	8,400
Office supplies	1,800	1,639	161	1,800	4,000
Repairs and maintenance	15,000	2,773	12,227	15,000	15,000
New access yearly fee	2,000	-	2,000	2,000	2,000
Wall paint and repairs	10,000	3,864	6,136	10,000	10,000
Pool system upgrade	50,000	-	-	-	275,000
Wifi system upgrade & camera	-	1,830	-	1,830	-
Pressure cleaning	1,000	296	704	1,000	1,000
Janitorial supplies	15,700	2,802	12,898	15,700	15,700
Stormdrain cleanout	-	-	-	-	7,000
Contingencies	9,000	-	9,000	9,000	9,000
Total clubhouse	<u>522,578</u>	<u>223,809</u>	<u>239,749</u>	<u>463,558</u>	<u>759,401</u>

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
GENERAL FUND BUDGET
FISCAL YEAR 2024**

	Fiscal Year 2023			Total Actual & Projected	Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023		
Infrastructure Reinvestment					
Capital Outlay					
General	60,000	20,210	39,790	60,000	15,000
Total capital outlay	<u>60,000</u>	<u>20,210</u>	<u>39,790</u>	<u>60,000</u>	<u>15,000</u>
Other fees and charges					
Property appraiser & tax collector	9,458	8,150	1,308	9,458	14,374
Total other fees and charges	<u>9,458</u>	<u>8,150</u>	<u>1,308</u>	<u>9,458</u>	<u>14,374</u>
Total expenditures	<u>918,102</u>	<u>406,153</u>	<u>413,905</u>	<u>820,058</u>	<u>1,227,906</u>
Excess/(deficiency) of revenues over/(under) expenditures	(2,205)	412,291	(316,383)	95,908	160,000
Fund balance - beginning (unaudited)	835,827	876,932	1,289,223	876,932	972,840
Fund balance - ending (projected)					
Committed					
Clubhouse renewal & replacement ¹	155,000	155,000	155,000	155,000	155,000
Assigned					
3 months working capital ²	214,526	214,526	214,526	214,526	303,226
Disaster	225,000	225,000	225,000	225,000	225,000
Lake 4 and 6 degradation	45,000	45,000	45,000	45,000	-
Unassigned	194,096	649,697	333,314	333,314	449,614
Fund balance - ending (projected)	<u>\$ 833,622</u>	<u>\$ 1,289,223</u>	<u>\$ 972,840</u>	<u>\$ 972,840</u>	<u>\$ 1,132,840</u>

¹This item represents fund balance that is being accumulated for replacement of the clubhouse roof

²This item represents fund balance that will be needed to cover expenditures from 10/1 through 12/31 (excluding capital outlay, which is scheduled for the nine months following). Note, fiscal year assessments should be sufficient to replenish this component of fund balance as it will be needed for the same purpose in subsequent fiscal years.

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES

Professional and Administrative Services

Supervisors	\$ 6,000
<p style="padding-left: 20px;">Statutorily set at \$200 for each meeting of the Board of Supervisors not to exceed \$4,800 for each fiscal year. The District anticipates twelve meetings during the fiscal year.</p>	
Payroll Taxes	459
<p style="padding-left: 20px;">FICA payroll taxes.</p>	
Management/recording/accounting	43,655
<p style="padding-left: 20px;">Wrathell, Hunt and Associates, LLC specializes in managing community development districts in the State of Florida by combining the knowledge, skills and experience of a team of professionals to ensure compliance with all governmental requirements of the District, develop financing programs, administer the issuance of tax exempt bonds and, operate and maintain the assets of the community.</p>	
Legal	20,000
<p style="padding-left: 20px;">Billing, Cochran, Lyles, Mauro & Ramsey, P.A. provides on-going general counsel and legal representation. These lawyers are confronted with issues relating to public finance, public bidding, rulemaking, open meetings, public records, real property dedications, conveyances and contracts. In this capacity, this firm provides services as "local government lawyers" realizing that this type of local government is very limited in its scope – providing infrastructure and services to developments.</p>	
Engineering	10,000
<p style="padding-left: 20px;">Alvarez Engineering provides a broad array of engineering, consulting and construction services to the District, which assists in crafting solutions with sustainability for the long-term interests of the community while recognizing the needs of government, the environment and maintenance of the District's facilities.</p>	
Audit	7,100
<p style="padding-left: 20px;">The District is required to undertake an independent examination of its books, records and accounting procedures each year. This audit is conducted pursuant to Florida State Law and the rules of the Auditor General. Grau and Associates conducts the District audit and an annual 3% CPI increase has been included.</p>	
Assessment roll preparation	5,332
<p style="padding-left: 20px;">Wrathell, Hunt and Associates, LLC provides assessment roll services, which include preparing, maintaining and transmitting the annual lien roll with the annual special assessment amounts for the operating, maintenance and capital assessments.</p>	
Arbitrage rebate calculation	1,250
<p style="padding-left: 20px;">To ensure the District's compliance with all tax regulations, annual computations are necessary to calculate the arbitrage rebate liability.</p>	
Dissemination agent	1,051
<p style="padding-left: 20px;">The District must annually disseminate financial information in order to comply with the requirements of Rule 15c2-12 under the Securities & Exchange Act of 1934. Wrathell, Hunt and Associates, LLC serves as the dissemination agent.</p>	
Trustee	6,500
<p style="padding-left: 20px;">Annual fees are paid to Wells Fargo for services provided as trustee, paying agent and registrar.</p>	
Website and E-blast Communication	1,220
<p style="padding-left: 20px;">Constant Contact for Eblast Communication \$60/month and Website enhancement \$500 annually.</p>	
ADA website compliance	210

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Postage	2,000
Mailing of agenda packages, overnight deliveries, correspondence, etc.	
Legal advertising	1,225
The District advertises for monthly meetings, special meetings, public hearings, public bids, etc.	
Office supplies	300
Accounting and administrative supplies.	
Other current charges	1,500
Miscellaneous charges including bank fees and automatic AP routing.	
Annual special district fee	175
Annual fee paid to the Florida Department of Economic Opportunity.	
Insurance	8,500
The District carries public officials and general liability insurance with policies written by Preferred Governmental Insurance Trust. The limit of liability is set at \$1,000,000 for general liability (\$2,000,000 general aggregate) and \$1,000,000 for public officials liability.	
Property taxes	178
Parcel #1079100101460 has an assessed value of \$100, which results in an annual tax bill of \$2.44. This relates to the lift station. This amount also includes a city clubhouse tax that the District disputes.	
Field Operations	
Landscape maintenance	96,313
Armando Garcia Land Service, Inc. 10.1.2023 third amendment to agreement	
Landscape replacement	10,000
Replacement of landscaping around common areas owned by the District.	
Tree Maintenance	10,000
Tree trimming 1/yr	
Trim Palms (Royals, Coco's & Bizmarkias) 2x/yr	
Trim & apply herbicide section 1,2,3 of lake #5 6x/yr	
Trim & apply herbicide lake #3 6x/yr	
Lake plant maintenance	27,150
Planting cuts for Lake 3 (\$14,550 annually) and Lake 5 (\$12,600 annually); as per Armando 2nd Amendment Agreement	
Irrigation Repairs	3,000
Represents the labor to replace defective valves as well as replacement of various sprinklers around the clubhouse area and all common areas. Contractor is to provide receipts for actual costs associated with the replacement parts and to be reimbursed for those costs.	
Playground maintenance	1,500
This amount is for annual mulch and equipment repairs necessary for the clubhouse playground area.	

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Pump maintenance/repair 4,500
 The District uses vendors for irrigation pump preventative maintenance. Additional \$ money has been included in this amount for any repairs needed to the pump.

Electrical repairs 1,000
 Represents electrical repairs on District owned facilities needed from time to time.

Lake maintenance 26,681
 Allstate Resource Management: 24 visits per year for the following: algae and aquatic plant control-\$712.00/month, blue dye application-\$150.00/month, debris removal-\$295.00/month. 12 visits per year for aquatic plantings maintenance-\$195.00/month, quarterly water chemistry testing-\$195.00/quarter per lake= \$14,040/year. Fish stocking as requested, at an additional cost. Additional funds are included for repairs.

Aeration maintenance 9,000
 The aerator units require semiannual maintenance at \$250/unit. There are 16 units in lakes 3-6. An additional \$1,000 included for repairs to aerator units.

Aeration utilities 12,000
 4 compressor systems. Using estimate of 15 cents per kWh at 24/7 operation

Lake bank degradation 106,657

Contingency 5,000
 This category is for unexpected, non-budgeted expenditures that the District may incur during the fiscal year.

Holiday decorations 8,175
 VS, Services-Holiday landscape decorations and lighting for District owned facilities. Oct. 1, 2021 through Sept. 30, 2022 (1 year)

Animal control 1,500
 The District anticipates engaging a vendor to remove ducks and rodents.

Clubhouse

Telephone 3,480
 Telephone, cable and internet is consolidated to this booking.

Utilities 63,000
 The City of Homestead provides electric, water and sewer service to the Clubhouse at 1020 N.E. 34th Ave.,

Insurance property 28,901
 Includes property insurance for the District's clubhouse and physical assets.

Flood Insurance 4,037
 Due to FEMA's high hazard flood rating for the clubhouse location, flood insurance was obtained through the National Flood Insurance Program (NFIP). The policy has a \$20,000 deductible and an annual premium of approximately \$3,737, which includes an assumed 10% CPI adjustment.

Alarm monitoring 720
 ADT Security Services provides quarterly alarm monitoring services for the alarms in the clubhouse at a rate of \$176.14/quarter (\$705 annually). Two additional service calls per year have been budgeted at \$40 per occurrence.

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Fire monitoring	540
Chi Alarms, Inc. provides fire monitoring services at a rate of \$135/quarter (\$540)	
Pool attendant	7,906
67 days of two pool attendant in Summer provided by Unus Property Mgmt.	
Pool maintenance	15,000
Pool Quality Services, Inc. Oct. 1, 2019 - Sept. 30, 2020, option to renew at one additional year increments at same price. \$2,050/month	
Pool Health Inspection	
Semi-annual pool inspections (\$250/inspection of large pool & \$125/inspection of wading pool) conducted by Miami-Dade County Department of Health.	750
Air conditioning inspections	1,000
For regular maintenance and repairs to the Clubhouse A/C units	
Clubhouse Mgmt	250,467
Clubhouse operation and management:	
UNUS Property Management: Pricing from the October 1, 2021 First Amendment is as follows: 10/1/2021 - 9/30/2022 (\$243,171.20), 2/1/2023 - 1/31/2024 (3% increase), 2/1/2024 - 1/31/2025. The agreement can renew at 1 year increments under mutual agreement. Clubhouse and amenity management, which includes, but is not limited to, the complete operations of the clubhouse, staffing, hiring, custodial cleaning (of the facilities), planning activities & special events for the benefit of the residents and their guests in accordance with the adopted clubhouse policies and procedures.	
Special events	35,000
Gym maintenance	1,500
Gym equipment lease	8,400
Lease purchase of new gym equipment 2023. 5.99% interest for 60 months	
Office supplies	4,000
Supplies needed for the operation of the clubhouse. Examples of office supplies include but are not limited to coffee, copy paper, printer ink, pens, pencils, erasers, calendars, clips, tacks, rubber bands, file folders, storage boxes, plastic bins, etc.	
Repairs and maintenance	15,000
Represents repair costs associated with maintaining District owned facilities, infrastructure and improvements.	
New access yearly fee	2,000
Annual maintenance fee	
Wall paint and repairs	10,000
Pool system upgrade	275,000
Pressure cleaning	1,000
Represents the cost to pressure clean the District's clubhouse and surrounding infrastructure.	
Janitorial supplies	15,700
Represents supplies needed for the operation of the clubhouse. Examples of janitorial supplies include but are not limited to paper towels, paper tissue, tissue paper, dispensing devices, cleaning products, antibacterial sprays, mops, brooms, brushes, waste bags, waste receptacles, fitness center/gym wipes, etc.	
Stormdrain cleanout	7,000
25% of stormdrain cleanout annually as per 20 yr stormwater needs analysis so 100% cleaned out every five years. \$35,000 amount as per 2019 Allstate Management contract	
Contingencies	9,000

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
DEFINITIONS OF GENERAL FUND EXPENDITURES**

EXPENDITURES (continued)

Clubhouse renewal & replacement

Capital Outlay

General

15,000

Other fees and charges

Property appraiser & tax collector

The property appraiser and tax collector fees are 0.5% each.

14,374

Total expenditures

\$ 1,227,906

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2013 (REFUNDED SERIES 2004)
FISCAL YEAR 2024**

	Fiscal Year 2023			Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023	
REVENUE				
Assessment levy - gross	\$626,369			\$625,948
Allowable discounts	(25,055)			(25,038)
Assessment levy - net	\$601,314	\$ 540,098	\$61,216	\$ 601,314
Interest	-	5,003	-	5,003
Total revenue	<u>601,314</u>	<u>545,101</u>	<u>61,216</u>	<u>606,317</u>
EXPENDITURES				
Debt service				
Principal 5/1	335,000	-	335,000	335,000
Principal prepayment	-	25,000	15,000	40,000
Interest 11/1	130,025	130,025	-	130,025
Interest 5/1	130,025	-	130,025	130,025
Total debt service	<u>595,050</u>	<u>155,025</u>	<u>480,025</u>	<u>635,050</u>
Other fees & charges				
Property appraiser & tax collector	6,264	5,398	866	6,264
Total other fees & charges	<u>6,264</u>	<u>5,398</u>	<u>866</u>	<u>6,264</u>
Total expenditures	<u>601,314</u>	<u>160,423</u>	<u>480,891</u>	<u>641,314</u>
Net increase/(decrease) in fund balance	-	384,678	(419,675)	(34,997)
Beginning fund balance (unaudited)	176,027	195,426	580,104	195,426
Ending fund balance (projected)	<u>\$ 176,027</u>	<u>\$ 580,104</u>	<u>\$160,429</u>	<u>\$ 160,429</u>
Use of fund balance:				
Debt service reserve account balance (required)				(25,000)
Interest expense - November 1, 2024				(115,325)
Projected fund balance surplus/(deficit) as of September 30, 2024				<u>\$ 20,104</u>

Stonegate
Community Development District
Series 2013, Special Assessment Revenue Bonds

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2023	-	-	122,325.00	122,325.00
05/01/2024	350,000.00	4.000%	122,325.00	472,325.00
11/01/2024	-	-	115,325.00	115,325.00
05/01/2025	360,000.00	4.000%	115,325.00	475,325.00
11/01/2025	-	-	108,125.00	108,125.00
05/01/2026	390,000.00	5.000%	108,125.00	498,125.00
11/01/2026	-	-	98,375.00	98,375.00
05/01/2027	410,000.00	5.000%	98,375.00	508,375.00
11/01/2027	-	-	88,125.00	88,125.00
05/01/2028	430,000.00	5.000%	88,125.00	518,125.00
11/01/2028	-	-	77,375.00	77,375.00
05/01/2029	455,000.00	5.000%	77,375.00	532,375.00
11/01/2029	-	-	66,000.00	66,000.00
05/01/2030	475,000.00	5.000%	66,000.00	541,000.00
11/01/2030	-	-	54,125.00	54,125.00
05/01/2031	500,000.00	5.000%	54,125.00	554,125.00
11/01/2031	-	-	41,625.00	41,625.00
05/01/2032	525,000.00	5.000%	41,625.00	566,625.00
11/01/2032	-	-	28,500.00	28,500.00
05/01/2033	555,000.00	5.000%	28,500.00	583,500.00
11/01/2033	-	-	14,625.00	14,625.00
05/01/2034	585,000.00	5.000%	14,625.00	599,625.00
Total	\$5,035,000.00	-	\$1,629,050.00	\$6,664,050.00

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
DEBT SERVICE FUND BUDGET - SERIES 2020
FISCAL YEAR 2024**

	Fiscal Year 2023			Total Actual & Projected	Proposed Budget FY 2024
	Adopted Budget FY 2023	Actual through 3/31/2023	Projected through 9/30/2023		
REVENUE					
Assessment levy - gross	\$ 335,792				\$ 335,792
Allowable discounts (4%)	(13,432)				(13,432)
Assessment levy - net	322,360	\$ 289,544	\$ 32,816	\$ 322,360	322,360
Interest	-	6,831	-	6,831	-
Total revenue	322,360	296,375	32,816	329,191	322,360
EXPENDITURES					
Debt service					
Principal 5/1	190,000	-	190,000	190,000	195,000
Interest 11/1	63,075	63,075	-	63,075	60,225
Interest 5/1	63,075	-	63,075	63,075	60,225
Total debt service	316,150	63,075	253,075	316,150	315,450
Other fees & charges					
Property appraiser	1,679	-	1,679	1,679	1,679
Tax collector	1,679	2,894	-	2,894	1,679
Total other fees & charges	3,358	2,894	1,679	4,573	3,358
Total expenditures	319,508	65,969	254,754	320,723	318,808
Net increase/(decrease) in fund balance	2,852	230,406	(221,938)	8,468	3,552
Beginning fund balance (unaudited)	356,136	361,572	591,978	361,572	370,040
Ending fund balance (projected)	<u>\$358,988</u>	<u>\$ 591,978</u>	<u>\$ 370,040</u>	<u>\$ 370,040</u>	<u>373,592</u>
Use of fund balance:					
Debt service reserve account balance (required)					(159,500)
Interest expense - November 1, 2024					(57,300)
Projected fund balance surplus/(deficit) as of September 30, 2024					<u>\$ 156,792</u>

Stonegate

Community Development District

Series 2020, Special Assessment Refunding and Improvement Bonds

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I
11/01/2023	-	-	60,225.00	60,225.00
05/01/2024	195,000.00	3.000%	60,225.00	255,225.00
11/01/2024	-	-	57,300.00	57,300.00
05/01/2025	205,000.00	3.000%	57,300.00	262,300.00
11/01/2025	-	-	54,225.00	54,225.00
05/01/2026	210,000.00	3.000%	54,225.00	264,225.00
11/01/2026	-	-	51,075.00	51,075.00
05/01/2027	215,000.00	3.000%	51,075.00	266,075.00
11/01/2027	-	-	47,850.00	47,850.00
05/01/2028	225,000.00	3.000%	47,850.00	272,850.00
11/01/2028	-	-	44,475.00	44,475.00
05/01/2029	230,000.00	3.000%	44,475.00	274,475.00
11/01/2029	-	-	41,025.00	41,025.00
05/01/2030	240,000.00	3.000%	41,025.00	281,025.00
11/01/2030	-	-	37,425.00	37,425.00
05/01/2031	245,000.00	3.000%	37,425.00	282,425.00
11/01/2031	-	-	33,750.00	33,750.00
05/01/2032	255,000.00	3.000%	33,750.00	288,750.00
11/01/2032	-	-	29,925.00	29,925.00
05/01/2033	260,000.00	3.000%	29,925.00	289,925.00
11/01/2033	-	-	26,025.00	26,025.00
05/01/2034	270,000.00	3.000%	26,025.00	296,025.00
11/01/2034	-	-	21,975.00	21,975.00
05/01/2035	275,000.00	3.000%	21,975.00	296,975.00
11/01/2035	-	-	17,850.00	17,850.00
05/01/2036	285,000.00	3.000%	17,850.00	302,850.00
11/01/2036	-	-	13,575.00	13,575.00
05/01/2037	295,000.00	3.000%	13,575.00	308,575.00
11/01/2037	-	-	9,150.00	9,150.00
05/01/2038	300,000.00	3.000%	9,150.00	309,150.00
11/01/2038	-	-	4,650.00	4,650.00
05/01/2039	310,000.00	3.000%	4,650.00	314,650.00
Total	\$4,015,000.00	-	\$1,101,000.00	\$5,116,000.00

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
ASSESSMENT COMPARISON
PROJECTED FISCAL YEAR 2024 ASSESSMENTS**

Product	Total Projected Units	Proposed FY 2024				% Change FY 23' to FY 24'
		Series 2013 Debt Service Assessment	Series 2020 Debt Service Assessment	O & M Assessment	Total Assessment	
Monterey at Malibu Bay	240	\$ 550.59	\$ 318.55	\$ 1,362.47	\$ 2,231.61	26.37%
Ventura at Malibu Bay	179	590.78	318.55	1,362.47	2,271.80	25.78%
Ventura at Malibu Bay-PrePay	1	-	40.16	1,362.47	1,402.63	49.76%
Villas at Carmel Condos	384	550.59	318.55	1,362.47	2,231.61	26.37%
Sonara at Malibu Bay	108	692.09	318.55	1,362.47	2,373.11	24.41%
Estates at Mendocino	143	712.47	318.55	1,362.47	2,393.48	24.15%
	<u>1,055</u>					

Product	Total Projected Units	Adopted FY 2023 - Detail			
		Series 2013 Debt Service Assessment	Series 2020 Debt Service Assessment	O & M Assessment	Total Assessment
Monterey at Malibu Bay	240	\$ 550.96	\$ 318.55	\$ 896.42	\$ 1,765.93
Ventura at Malibu Bay	179	591.18	318.55	896.42	1,806.15
Ventura at Malibu Bay-PrePay	1	-	40.16	896.42	936.58
Villas at Carmel Condos	384	550.96	318.55	896.42	1,765.93
Sonara at Malibu Bay	108	692.56	318.55	896.42	1,907.53
Estates at Mendocino	143	712.94	318.55	896.42	1,927.92
	<u>1,055</u>				

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

6A

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

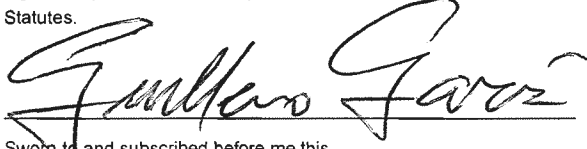
STONEGATE COMMUNITY DEVELOPMENT DISTRICT - PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2023/2024 BUDGET; - SEPT. 13, 2023

in the XXXX Court,
was published in a newspaper by print in the issues of Miami Daily Business Review f/k/a Miami Review on

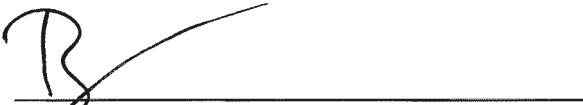
08/17/2023 08/24/2023

SEE ATTACHED

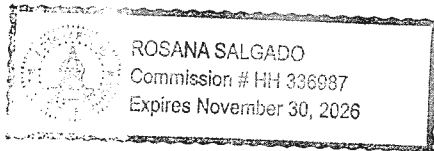
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this
24 day of AUGUST, A.D. 2023



(SEAL)
GUILLERMO GARCIA personally known to me



**STONEGATE COMMUNITY DEVELOPMENT DISTRICT
 NOTICE OF PUBLIC HEARING TO CONSIDER THE
 ADOPTION OF THE FISCAL YEAR 2023/2024 BUDGET;
 NOTICE OF PUBLIC HEARING TO CONSIDER THE
 IMPOSITION OF OPERATIONS AND MAINTENANCE
 SPECIAL ASSESSMENTS, ADOPTION OF AN
 ASSESSMENT ROLL, AND THE LEVY, COLLECTION, AND
 ENFORCEMENT OF THE SAME; AND NOTICE OF
 REGULAR BOARD OF SUPERVISORS' MEETING**

The Board of Supervisors of the Stonegate Community Development District will hold the following two (2) public hearings and regular meeting:

DATE: September 13, 2023
 TIME: 11:00 AM
 LOCATION: Malibu Bay Clubhouse
 1020 NE 34th Avenue
 Homestead, Florida 33033

The first public hearing is being held pursuant to Chapter 190, *Florida Statutes*, to receive public comment and objections on the District's proposed budget ("**Proposed Budget**") for the fiscal year beginning October 1, 2023 and ending September 30, 2024 ("**Fiscal Year 2023/2024**"). The second public hearing is being held pursuant to Chapters 190 and 197, *Florida Statutes*, to consider and receive public comments on the imposition of operations and maintenance special assessments ("**O&M Assessments**") upon the lands located within the District, to fund the Proposed Budget for Fiscal Year 2023/2024; to consider the adoption of an assessment roll; and, to provide for the levy, collection, and enforcement of assessments. At the conclusion of the hearings, the Board will, by resolution, adopt a final budget and levy O&M Assessments as finally approved by the Board. A Board meeting of the District will also be held where the Board may consider any other District business.

The District imposes O&M Assessments on benefitted property within the District for the purpose of funding the District's general administrative, operations, and maintenance budget. Pursuant to Section 170.07, *Florida Statutes*, a description of the services to be funded by the O&M Assessments, and the properties to be improved and benefitted from the O&M Assessments, are all set forth in the Proposed Budget. A geographic depiction of the property potentially subject to the proposed O&M Assessments is identified in the map attached hereto. The table below shows the schedule of the proposed O&M Assessments, which are subject to change at the hearing:

Land Use	Total # of Units	ERD Factor	Proposed Annual O&M Assessment (including collection costs / early payment discounts)
Residential Unit	1,055	1	\$1,410.16

The proposed O&M Assessments as stated include collection costs and/or early payment discounts, which Miami-Dade County ("**County**") may impose on assessments that are collected on the County tax bill. Moreover, pursuant to Section 197.3632(4), *Florida Statutes*, the lien amount shall serve as the "maximum rate" authorized by law for O&M Assessments, such that no assessment hearing shall be held or notice provided in future years unless the assessments are proposed to be increased or another criterion within Section 197.3632(4), *Florida Statutes*, is met. Note that the O&M Assessments do not include any debt service assessments previously levied by the District and due to be collected for Fiscal Year 2023/2024.

For Fiscal Year 2023/2024, the District intends to have the County tax collector collect the assessments imposed on certain developed property, and will directly collect the assessments imposed on the remaining benefitted property by sending out a bill prior to, or during, November 2023. It is important to pay your assessment because failure to pay will cause a tax certificate to be issued against the property which may result in loss of title, or for direct billed assessments, may result in a foreclosure action, which also may result in a loss of title. The District's decision to collect assessments on the tax roll or by direct billing does not preclude the District from later electing to collect those or other assessments in a different manner at a future time.

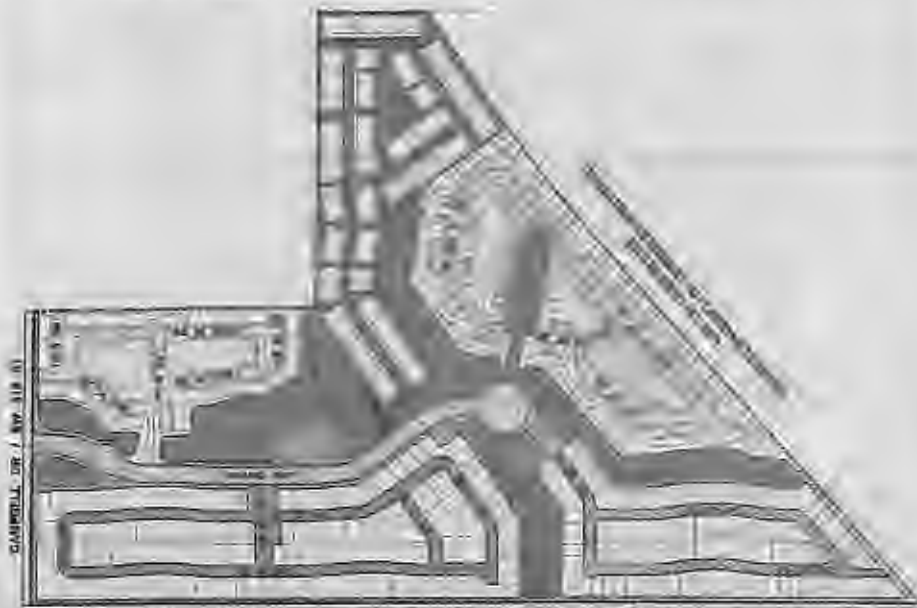
Stonegate Community Development District

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the Proposed Budget, proposed assessment roll, and the agenda for the hearings and meeting may be obtained at the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, Ph: (561) 571-0010 ("District Manager's Office"), during normal business hours or on the District's website at <https://stonegateodd.net/>. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the hearings or meeting. There may be occasions when staff or board members may participate by speaker telephone.

The public hearings and meeting are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the proposed budget, proposed assessment roll, and the agenda for the hearings and meeting may be obtained at the offices of the District Manager, located at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, (561) 571-0010, during normal business hours. The public hearings and meeting may be continued to a date, time, and place to be specified on the record at the hearings and meeting. There may be occasions when staff or board members may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (877) 276-0889 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

Please note that all affected property owners have the right to appear at the public hearings and meeting, and may also file written objections with the District Manager within twenty (20) days of publication of this notice. Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearings or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.



District Manager
3/17-24

23-48/0006578678M

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

6B

RESOLUTION 2023-08

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE STONEGATE COMMUNITY DEVELOPMENT DISTRICT MAKING A DETERMINATION OF BENEFIT AND IMPOSING SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023/2024; PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF SPECIAL ASSESSMENTS; CERTIFYING AN ASSESSMENT ROLL; PROVIDING FOR AMENDMENTS TO THE ASSESSMENT ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Stonegate Community Development District (“**District**”) is a local unit of special-purpose government established pursuant to Chapter 190, *Florida Statutes*, for the purpose of providing, operating and maintaining infrastructure improvements, facilities and services to the lands within the District; and

WHEREAS, the District is located in Miami-Dade County, Florida (“**County**”); and

WHEREAS, the District has constructed or acquired various infrastructure improvements and provides certain services in accordance with the District’s adopted capital improvement plan and Chapter 190, *Florida Statutes*; and

WHEREAS, the Board of Supervisors (“**Board**”) of the District hereby determines to undertake various operations and maintenance and other activities described in the District’s budget (“**Adopted Budget**”) for the fiscal year beginning October 1, 2023 and ending September 30, 2024 (“**Fiscal Year 2023/2024**”), attached hereto as **Exhibit “A”** and incorporated by reference herein; and

WHEREAS, the District must obtain sufficient funds to provide for the operation and maintenance of the services and facilities provided by the District as described in the Adopted Budget; and

WHEREAS, the provision of such services, facilities, and operations is a benefit to lands within the District; and

WHEREAS, Chapter 190, *Florida Statutes*, provides that the District may impose special assessments on benefitted lands within the District; and

WHEREAS, it is in the best interests of the District to proceed with the imposition of the special assessments for operations and maintenance in the amount set forth in the Adopted Budget; and

WHEREAS, the District has previously levied an assessment for debt service, which the District desires to collect for Fiscal Year 2023/2024; and

WHEREAS, Chapter 197, *Florida Statutes*, provides a mechanism pursuant to which such

special assessments may be placed on the tax roll and collected by the local tax collector (“**Uniform Method**”), and the District has previously authorized the use of the Uniform Method by, among other things, entering into agreements with the Property Appraiser and Tax Collector of the County for that purpose; and

WHEREAS, it is in the best interests of the District to adopt the Assessment Roll of the Stonegate Community Development District (“**Assessment Roll**”) attached to this Resolution as **Exhibit “B”** and incorporated as a material part of this Resolution by this reference, and to certify the Assessment Roll to the County Tax Collector pursuant to the Uniform Method; and

WHEREAS, it is in the best interests of the District to permit the District Manager to amend the Assessment Roll, certified to the County Tax Collector by this Resolution, as the Property Appraiser updates the property roll for the County, for such time as authorized by Florida law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE STONEGATE COMMUNITY DEVELOPMENT DISTRICT:

SECTION 1. BENEFIT & ALLOCATION FINDINGS. The Board hereby finds and determines that the provision of the services, facilities, and operations as described in **Exhibit “A”** confers a special and peculiar benefit to the lands within the District, which benefit exceeds or equals the cost of the assessments. The allocation of the assessments to the specially benefitted lands, as shown in **Exhibits “A” and “B,”** is hereby found to be fair and reasonable.

SECTION 2. ASSESSMENT IMPOSITION. Pursuant to Chapters 190 and 197, *Florida Statutes*, and using the procedures authorized by Florida law for the levy and collection of special assessments, a special assessment for operation and maintenance is hereby imposed and levied on benefitted lands within the District, and in accordance with **Exhibits “A” and “B.”** The lien of the special assessments for operations and maintenance imposed and levied by this Resolution shall be effective upon passage of this Resolution.

SECTION 3. COLLECTION. The collection of the operation and maintenance special assessments and previously levied debt service assessments shall be at the same time and in the same manner as County taxes in accordance with the Uniform Method, as indicated on **Exhibits “A” and “B.”** The decision to collect special assessments by any particular method – e.g., on the tax roll or by direct bill – does not mean that such method will be used to collect special assessments in future years, and the District reserves the right in its sole discretion to select collection methods in any given year, regardless of past practices.

SECTION 4. ASSESSMENT ROLL. The Assessment Roll, attached to this Resolution as **Exhibit “B,”** is hereby certified to the County Tax Collector and shall be collected by the County Tax Collector in the same manner and time as County taxes. The proceeds therefrom shall be paid to the District.

SECTION 5. ASSESSMENT ROLL AMENDMENT. The District Manager shall keep apprised of all updates made to the County property roll by the Property Appraiser after the date of this Resolution, and shall amend the Assessment Roll in accordance with any such updates, for such time as authorized by Florida law, to the County property roll. After any amendment of the Assessment Roll, the District Manager shall file the updates in the District records.

SECTION 6. SEVERABILITY. The invalidity or unenforceability of any one or more provisions of this Resolution shall not affect the validity or enforceability of the remaining portions of this Resolution, or any part thereof.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect upon the passage and adoption of this Resolution by the Board.

PASSED AND ADOPTED this 13th day of September, 2023.

ATTEST:

**STONEGATE COMMUNITY
DEVELOPMENT DISTRICT**

Secretary/Assistant Secretary

Chair/Vice Chair, Board of Supervisors

Exhibit A: Budget
Exhibit B: Assessment Roll

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

CONSENT
AGENDA

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

UNAUDITED
FINANCIAL
STATEMENTS

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
FINANCIAL STATEMENTS
UNAUDITED
JULY 31, 2023**

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
JULY 31, 2023**

	General Fund	Debt Service Fund 2013	Debt Service Fund 2020	Capital Projects Fund 2020	Total Governmental Funds
ASSETS					
Bank of America	\$ 877,116	\$ -	\$ -	\$ -	\$ 877,116
FineMark Bank - money mkt*	258,994	-	-	-	258,994
Investments					
State Board of Administration	12	-	-	-	12
Revenue 2013	-	145,544	-	-	145,544
Reserve 2013	-	25,000	-	-	25,000
Interest 2013	-	67	-	-	67
Sinking fund 2013	-	172	-	-	172
Prepayment 2013	-	1,525	-	-	1,525
Revenue 2020	-	-	221,840	-	221,840
Reserve 2020	-	-	159,500	-	159,500
Construction 2020	-	-	-	354,481	354,481
Undeposited funds	670	-	-	-	670
Due from other	141	-	-	-	141
Total assets	<u>\$ 1,136,933</u>	<u>\$ 172,308</u>	<u>\$381,340</u>	<u>\$ 354,481</u>	<u>\$ 2,045,062</u>
LIABILITIES AND FUND BALANCES					
Liabilities:					
Accounts payable - clubhouse	\$ 2,766	\$ -	\$ -	\$ -	\$ 2,766
Deposits - rental facility	1,000	-	-	-	1,000
Total liabilities	<u>3,766</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>3,766</u>
Fund Balance					
Restricted					
Debt service	-	172,308	381,340	-	553,648
Construction	-	-	-	354,481	354,481
Committed					
Clubhouse renewal & replacement	155,000	-	-	-	155,000
Assigned					
3 months working capital	214,526	-	-	-	214,526
Disaster	225,000	-	-	-	225,000
Unassigned	538,641	-	-	-	538,641
Total fund balance	<u>1,133,167</u>	<u>172,308</u>	<u>381,340</u>	<u>354,481</u>	<u>2,041,296</u>
Total liabilities & fund balances	<u>\$ 1,136,933</u>	<u>\$ 172,308</u>	<u>\$381,340</u>	<u>\$ 354,481</u>	<u>\$ 2,045,062</u>

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
REVENUES				
Assessments	\$ 1,824	\$ 916,041	\$ 907,897	101%
Interest	170	1,782	1,000	178%
Clubhouse rental fees	-	-	2,000	0%
Miscellaneous	-	22,965	5,000	459%
Total revenues	<u>1,994</u>	<u>940,788</u>	<u>915,897</u>	103%
EXPENDITURES				
Administrative				
Supervisors	-	2,000	6,000	33%
Payroll taxes	-	153	459	33%
Management/recording/accounting	3,638	36,379	43,655	83%
Legal	4,555	13,071	20,000	65%
Engineering	1,663	4,592	10,000	46%
Audit	-	7,100	7,100	100%
Assessment roll preparation	444	4,443	5,332	83%
Arbitrage rebate calculation	-	1,000	1,250	80%
Dissemination agent	88	876	1,051	83%
Trustee	-	7,531	6,500	116%
ADA website compliance	-	-	210	0%
Website and E-blast communications	-	705	1,220	58%
Postage	43	253	2,000	13%
Legal advertising	-	-	1,225	0%
Office supplies	-	-	300	0%
Other current charges	218	1,944	1,500	130%
Annual special district fee	-	175	200	88%
Insurance	-	7,671	8,563	90%
Property taxes	-	-	178	0%
Total administrative expenses	<u>10,649</u>	<u>87,893</u>	<u>116,743</u>	75%
Field Operations				
Landscape maintenance	3,243	81,688	109,018	75%
Landscape replacement	-	11,026	10,000	110%
Tree maintenance	-	2,915	10,000	29%
Playground maintenance	-	-	1,500	0%
Clubhouse irrigation	-	-	3,000	0%
Pump maintenance/repair	-	825	4,500	18%
Electrical repairs	-	-	1,000	0%
Lake maintenance	1,519	61,956	24,255	255%
Aeration maintenance	-	-	9,700	0%
Aeration utilities	-	-	12,000	0%
Contingency	-	-	5,000	0%
Holiday decorations	-	14,350	14,350	100%
Animal control	270	1,350	3,000	45%
Operating supplies	-	1,000	2,000	50%
Total field operations	<u>5,032</u>	<u>175,110</u>	<u>209,323</u>	84%

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
GENERAL FUND
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year to Date	Budget	% of Budget
Clubhouse				
Telephone	-	352	3,480	10%
Utilities	5,900	50,594	63,000	80%
Insurance	-	19,267	21,017	92%
Flood insurance	-	-	4,037	0%
Alarm monitoring	64	597	720	83%
Fire monitoring	135	979	540	181%
Pool maintenance	2,300	23,000	30,000	77%
Pool repair	-	866	7,500	12%
Pool health inspections	-	375	750	50%
Air conditioning R&M	-	1,400	5,000	28%
Clubhouse operation and management				
Clubhouse management	20,872	206,290	254,034	81%
Special events	-	25,836	25,000	103%
Gym maintenance	-	-	3,000	0%
Office supplies	122	2,182	1,800	121%
Repairs and maintenance	-	3,170	15,000	21%
New access yearly fee	-	-	2,000	0%
Wall paint and repairs	-	4,327	10,000	43%
Pool system upgrade	-	23,450	50,000	47%
Wifi system upgrade & camera	-	1,830	-	N/A
Pressure cleaning	-	360	1,000	36%
Janitorial supplies	-	6,089	15,700	39%
Contingencies	-	1,013	9,000	11%
Total clubhouse	<u>29,393</u>	<u>371,977</u>	<u>522,578</u>	71%
Infrastructure reinvestment				
Capital outlay				
General	-	40,420	60,000	67%
Total clubhouse reserves	<u>-</u>	<u>40,420</u>	<u>60,000</u>	67%
Other fees and charges				
Property appraiser & tax collector	18	9,153	9,458	97%
Total other fees and charges	<u>18</u>	<u>9,153</u>	<u>9,458</u>	97%
Total expenditures	<u>45,092</u>	<u>684,553</u>	<u>918,102</u>	75%
Net increase/(decrease) of fund balance	(43,098)	256,235	(2,205)	
Fund balances - beginning	1,176,265	876,932	835,827	
Fund balances - ending				
Committed				
Clubhouse renewal & replacement	155,000	155,000	155,000	
Assigned				
3 months working capital	214,526	214,526	214,526	
Disaster	225,000	225,000	225,000	
Lake 4 and 6 degradation	-	-	45,000	
Unassigned	538,641	538,641	194,096	
Fund balance - ending	<u>\$ 1,133,167</u>	<u>\$ 1,133,167</u>	<u>\$ 833,622</u>	

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND: SERIES 2013 (REFUNDED SERIES 2004)
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessments	\$ 1,208	\$ 606,708	\$ 601,314	101%
Interest	615	10,661	-	N/A
Total revenues	<u>1,823</u>	<u>617,369</u>	<u>601,314</u>	103%
EXPENDITURES				
Debt service				
Principal	-	335,000	335,000	100%
Principal prepayment	-	40,000	-	N/A
Interest 11/1	-	130,025	130,025	100%
Interest 5/1	-	129,400	130,025	100%
Property appraiser & tax collector	12	6,062	6,264	97%
Total expenditures	<u>12</u>	<u>640,487</u>	<u>601,314</u>	107%
Net increase/(decrease) of fund balance	1,811	(23,118)	-	
Fund balances - beginning	170,497	195,426	176,057	
Fund balances - ending	<u>\$ 172,308</u>	<u>\$ 172,308</u>	<u>\$ 176,057</u>	

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
DEBT SERVICE FUND: SERIES 2020
FOR THE PERIOD ENDED JULY 31, 2023**

	Current Month	Year To Date	Budget	% of Budget
REVENUES				
Assessments	\$ 648	\$ 325,253	\$ 322,360	101%
Interest	1,418	13,915	-	N/A
Total revenues	<u>2,066</u>	<u>339,168</u>	<u>322,360</u>	105%
EXPENDITURES				
Debt service				
Principal	-	190,000	190,000	100%
Interest 11/1	-	63,075	63,075	100%
Interest 5/1	-	63,075	63,075	100%
Property appraiser & tax collector	7	3,250	3,358	97%
Total debt service	<u>7</u>	<u>319,400</u>	<u>319,508</u>	100%
Net increase/(decrease) of fund balance	2,059	19,768	2,852	
Fund balances - beginning	379,281	361,572	356,136	
Fund balances - ending	<u>\$ 381,340</u>	<u>\$ 381,340</u>	<u>\$ 358,988</u>	

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES
CAPITAL PROJECTS FUND: SERIES 2020
FOR THE PERIOD ENDED JULY 31, 2023**

	<u>Current Month</u>	<u>Year To Date</u>
REVENUES		
Interest	\$ 1,358	\$ 10,842
Total revenues	<u>1,358</u>	<u>10,842</u>
EXPENDITURES		
Capital outlay	-	15,870
Total expenditures	<u>-</u>	<u>15,870</u>
 Excess/(deficiency) of revenues over/(under) expenditures	 1,358	 (5,028)
 Fund balances - beginning	 353,123	 359,509
Fund balances - ending	<u>\$ 354,481</u>	<u>\$ 354,481</u>

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
CHECK REGISTER
JULY 31, 2023**

Stonegate CDD Check Detail July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Bill Pmt -Check		07/31/2023	BILLING, COCHRA...	101.000 · Bank of ...		-4,555.00
Bill	182011	07/26/2023		514.310 · Legal Fees	-4,555.00	4,555.00
TOTAL					-4,555.00	4,555.00
Check		07/31/2023	STONEGATE CDD	101.000 · Bank of ...		-1,195.84
				207.203 · Due to D...	-1,195.84	1,195.84
TOTAL					-1,195.84	1,195.84
Check		07/31/2023	STONEGATE CDD	101.000 · Bank of ...		-641.08
				207.204 · Due to D...	-641.08	641.08
TOTAL					-641.08	641.08
Bill Pmt -Check	CBI	07/06/2023	FEDEX	101.000 · Bank of ...		-42.67
Bill	8-181-63218	07/05/2023		519.410 · Postage	-42.67	42.67
TOTAL					-42.67	42.67
Bill Pmt -Check	CBI	07/13/2023	IMAGENET CONS...	101.000 · Bank of ...		-122.38
Bill	80324306	07/12/2023		536.007 · Office Su...	-122.38	122.38
TOTAL					-122.38	122.38
Bill Pmt -Check	CBI	07/21/2023	ADT SECURITY SE...	101.000 · Bank of ...		-63.79
Bill	14954058 071323	07/19/2023		536.001 · Alarm Mo...	-63.79	63.79
TOTAL					-63.79	63.79
Bill Pmt -Check	CBP	07/06/2023	COMCAST CORPO...	101.000 · Bank of ...		-551.33
Bill	0760104 062223	07/05/2023		536.010 · Utilities	-551.33	551.33
TOTAL					-551.33	551.33

Stonegate CDD Check Detail July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Bill Pmt -Check	14367	07/06/2023	WRATHELL, HUNT...	101.000 · Bank of ...		-4,169.83
Bill	2021-4068	07/05/2023		512.311 · Managem...	-3,637.92	3,637.92
				513.310 · Assessm...	-444.33	444.33
				513.315 · Dissemin...	-87.58	87.58
TOTAL					-4,169.83	4,169.83
Bill Pmt -Check	14368	07/06/2023	AL-FLEX EXTERMI...	101.000 · Bank of ...		-135.00
Bill	2212	07/05/2023		537.500 · Animal C...	-135.00	135.00
TOTAL					-135.00	135.00
Bill Pmt -Check	14369	07/06/2023	ALLSTATE RESOU...	101.000 · Bank of ...		-1,519.00
Bill	22681	07/05/2023		537.003 · Lake Mai...	-1,519.00	1,519.00
TOTAL					-1,519.00	1,519.00
Bill Pmt -Check	14370	07/06/2023	CITY OF HOMEST...	101.000 · Bank of ...		-5,348.64
Bill	000351215 062323	07/05/2023		536.010 · Utilities	-3,953.80	3,953.80
Bill	000363973 062323	07/05/2023		536.010 · Utilities	-1,394.84	1,394.84
TOTAL					-5,348.64	5,348.64
Bill Pmt -Check	14371	07/13/2023	ALVAREZ ENGINE...	101.000 · Bank of ...		-876.25
Bill	7274	07/12/2023		519.320 · Engineeri...	-876.25	876.25
TOTAL					-876.25	876.25
Bill Pmt -Check	14372	07/13/2023	AL-FLEX EXTERMI...	101.000 · Bank of ...		-135.00
Bill	278815	07/12/2023		537.500 · Animal C...	-135.00	135.00
TOTAL					-135.00	135.00

Stonegate CDD Check Detail July 2023

Type	Num	Date	Name	Account	Paid Amount	Original Amount
Bill Pmt -Check	14373	07/13/2023	ARMANDO GARCI...	101.000 · Bank of ...		-3,243.00
Bill	763154	07/12/2023		537.470 · Tract C	-3,243.00	3,243.00
TOTAL					-3,243.00	3,243.00
Bill Pmt -Check	14374	07/13/2023	CHI ALARMS, INC.	101.000 · Bank of ...		-135.00
Bill	275436	07/12/2023		536.009 · Fire Monit...	-135.00	135.00
TOTAL					-135.00	135.00
Bill Pmt -Check	14375	07/13/2023	M&M POOL & SPA...	101.000 · Bank of ...		-2,300.00
Bill	3958	07/12/2023		536.004 · Pool Main...	-2,300.00	2,300.00
TOTAL					-2,300.00	2,300.00
Bill Pmt -Check	14376	07/21/2023	ALVAREZ ENGINE...	101.000 · Bank of ...		-786.25
Bill	7295	07/19/2023		519.320 · Engineeri...	-786.25	786.25
TOTAL					-786.25	786.25
Check	14377	07/21/2023	STONEGATE CDD	101.000 · Bank of ...		-805.41
				207.203 · Due to D...	-805.41	805.41
TOTAL					-805.41	805.41
Check	14378	07/21/2023	STONEGATE CDD	101.000 · Bank of ...		-431.78
				207.204 · Due to D...	-431.78	431.78
TOTAL					-431.78	431.78

8:55 AM

08/07/23

Stonegate CDD
Check Detail
July 2023

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
Liability Check	14379	07/26/2023	UNITED STATES T...	101.000 · Bank of ...		-153.00
				216.001 · FICA Pay...	-14.50	14.50
				216.001 · FICA Pay...	-14.50	14.50
				216.001 · FICA Pay...	-62.00	62.00
				216.001 · FICA Pay...	-62.00	62.00
TOTAL					-153.00	153.00

**STONEGATE
COMMUNITY DEVELOPMENT DISTRICT
INVOICES
JULY 31, 2023**

AL-FLEX EXTERMINATORS, INC.

4035 SW 98th Ave
Miami, FL 33165 US
+1 3055520141
pc@al-flex.com
<https://www.alflexexterminators.com/>



INVOICE

537.500

BILL TO

MALIBU BAY CLUBHOUSE
C/O STONEGATE CDD
1020 MALIBU WAY
HOMESTEAD, FL 33033 US

INVOICE # 2212
DATE 07/01/2023
DUE DATE 07/31/2023
TERMS Net 30

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	PEST CONTROL	MONTHLY PEST CONTROL SERVICES @ 1020 MALIBU WAY	1	135.00	135.00

		SUBTOTAL			135.00
		TAX			0.00
		TOTAL			135.00
		BALANCE DUE			\$135.00



Invoice

22681

Bill To

Stonegate CDD
 c/o Wrathell Hunt and Associates, LLC
 2300 Glades Road Suite 410W
 Boca Raton, FL 33431

Contact Us

info@allstatemanagement.com
Phone: (954) 382-9766
Fax: (954) 382-9770

Please retain this portion for your records

Due Date 7/31/2023
Terms Net 30
Account # 3782
PO #

FOR MONTH OF:
7/1/2023

Description	Amount Due
Lake and Canal Management Services Recurring	1,300.00
Aquascaping Maintenance Services Recurring	219.00
537.003	
001	

There will be a \$25 charge for all returned checks.

Total \$1,519.00

Stonegate CDD
 c/o Wrathell Hunt and Associates, LLC
 2300 Glades Road Suite 410W
 Boca Raton, FL 33431

Invoice # 22681
Account # 3782

ALLSTATE RESOURCE MANAGEMENT, INC.
 6900 SW 21st Court, Unit #9
 Davie, Florida 33317

Amount Enclosed: \$ _____

Please return this portion with your payment

Your HPS Utilities Statement

STONEGATE CDD
Service Address:
 1020 NE 34 AVE CLBHS
Account #:
 001046837-000351215

Rate Class: INDUSTRIAL
Service Period:
 05/18/2023-06/20/2023
Bill Date: 06/23/2023

Due Date: 07/18/2023

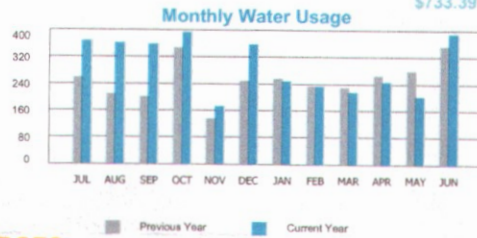


Community-Owned Services Since 1916

WATER SERVICE CHARGES

SERVICE	CONSUMPTION	CHARGE
Water Service Charge		\$23.49
Water Gallons Consumed (1,000s)	4.67	\$7.80
Water Service Charge		\$31.88
Water Gallons Consumed (1,000s)	6.33	\$10.76
Irrigation Service Charge		\$53.06
Irrigation Gallons Consumed (1,000s)	379.00	\$606.40
Water Total		\$733.39

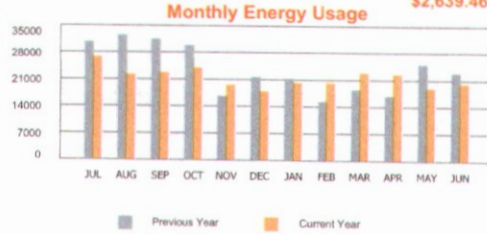
CURRENT USAGE	
Meter 18533391	
Days	33
Reading	803.00
Multiplier	1
Consumption	390.00
Avg / Day	11.82



ENERGY SERVICE CHARGES

SERVICE	CONSUMPTION	CHARGE
Electric Base Charge		\$35.67
Electric Consumption @ .0571	20,040.00	\$1,144.28
Demand Consumption @ 6.37	49.80	\$317.23
Electric Fuel Cost Adj. @ .05700	20,040.00	\$1,142.28
Electric Total		\$2,639.46

CURRENT USAGE	
Meter 64310165	
Days	33
Reading	27,365.00
Multiplier	60
Consumption	20,040.00
Avg / Day	607.27



SANITATION SERVICE CHARGES

SERVICE	CONSUMPTION	CHARGE
Sewer Service Charge		\$46.80
Gallons Consumed (1,000s)	6.33	\$29.24
Sewer Service Charge		\$34.48
Gallons Consumed (1,000s)	4.67	\$21.20
Sewer Total		\$131.72

Continued on next page

OTHER CHARGES

Hurricane Fee	\$1.02
Other Total	\$1.02
TAXES	
Dade Co Util Tx Elec	\$149.72
Fl Gross Receipts Tx	\$65.99
Dade Co Util Tx Watr	\$73.34
Dade Co Derm (Water & Sewer)	\$51.90
Taxes Total	\$340.95
Previous Bill Amount	\$3,415.29
Payments	-\$3,415.29
Adjustments	\$0.00

536.010
001

SUMMARY OF CHARGES

Water Total	\$733.39
Energy Total	\$2,639.46
Sanitation Total	\$238.98
Other Total	\$1.02
Taxes Total	\$340.95
Current Charges	\$3,953.80
Balance Forward	\$0.00
Total Amount Due	\$3,953.80

Comments:

June 1, 2023, the City of Homestead's annual drinking Water Quality Report will be available to view online at <https://www.cityofhomestead.com/DocumentCenter/View/4429/2022-Water-Quality-Report>. Disponible en Espanol.

PLEASE FOLD ON PERFORATION BEFORE TEARING - RETURN BOTTOM PORTION WITH YOUR PAYMENT

NAME: STONEGATE CDD
SERVICE ADDRESS: 1020 NE 34 AVE CLBHS
CYCLE/ROUTE: 07-06



HOMESTEAD PUBLIC SERVICES
 100 Civic Court
 Homestead, FL 33030

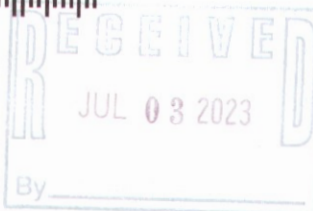


Account Number	Service Billing Period	Current Charges Past Due After	Amount Enclosed
001046837-000351215	05/18/2023-06/20/2023	07/18/2023	
HELP contribution (Optional)	Past Due Amount	Current Charges	Total Amount Due
	\$0.00	\$3,953.80	\$3,953.80

AMOUNT NOT PAID BY DUE DATE IS SUBJECT TO 1.5% LATE FEE.

MAKE CHECKS PAYABLE TO: CITY OF HOMESTEAD
 PLEASE PLACE ACCOUNT NUMBER ON CHECK TO ENSURE PROPER CREDIT.

STONEGATE CDD
 2300 GLADES ROAD # 410W
 BOCA RATON FL 33431-8556



CITY OF HOMESTEAD
 PO BOX 900430
 HOMESTEAD, FL 33090-0430

0010468370003512150395380

Your HPS Utilities Statement

STONEGATE CDD

Service Address:
1020 NE 34 AVE CLBHS

Account #:
001046837-000351215

Rate Class: INDUSTRIAL

Service Period:
05/18/2023-06/21/2023

Bill Date: 06/23/2023

Due Date: 07/18/2023



HPS

HOMESTEAD PUBLIC SERVICES



Community-Owned Services Since 1916

SANITATION SERVICE CHARGES

SERVICE

Garbage Solid Waste

Recycling Fee (Cans)

Solid Waste Total

Sanitation Total

CONSUMPTION

CHARGE

\$101.70

\$5.56

\$107.26

\$238.98



Your HPS Utilities Statement

STONEGATE CDD
 Service Address:
 1020 NE 34 AVE FOUNT
 Account #:
 001046837-000363973

Rate Class: COMMERCIAL
 Service Period:
 05/17/2023-06/19/2023
 Bill Date: 06/23/2023
 Due Date: 07/18/2023

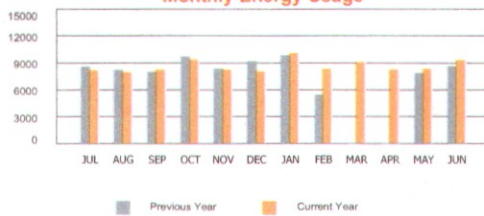


Community-Owned Services Since 1916

ENERGY SERVICE CHARGES

SERVICE	CONSUMPTION	CHARGE
Electric Base Charge		\$7.64
Electric Consumption @ .0797	9,361.00	\$746.07
Electric Fuel Cost Adj. @ .05700	9,361.00	\$533.58
Electric Total		\$1,287.29

CURRENT USAGE	
Meter 60997545	
Days	33
Reading	23,861.00
Multiplier	1
Consumption	9,361.00
Avg / Day	283.67



OTHER CHARGES

Other Total	\$0.00
TAXES	
Dade Co Util Tx Elec	\$75.37
FI Gross Receipts Tx	\$32.18
Taxes Total	\$107.55
Previous Bill Amount	\$1,238.46
Payments	-\$1,238.46
Adjustments	\$0.00

536.010
001

SUMMARY OF CHARGES

Water Total	\$0.00
Energy Total	\$1,287.29
Sanitation Total	\$0.00
Other Total	\$0.00
Taxes Total	\$107.55
Current Charges	\$1,394.84
Balance Forward	\$0.00
Total Amount Due	\$1,394.84

Comments:

June 1, 2023, the City of Homestead's annual drinking Water Quality Report will be available to view online at <https://www.cityofhomestead.com/DocumentCenter/View/4429/2022-Water-Quality-Report>. Disponible en Espanol.

PLEASE FOLD ON PERFORATION BEFORE TEARING - RETURN BOTTOM PORTION WITH YOUR PAYMENT

NAME: STONEGATE CDD
 SERVICE ADDRESS: 1020 NE 34 AVE FOUNT
 CYCLE/ROUTE: 07-06



HOMESTEAD PUBLIC SERVICES
 100 Civic Court
 Homestead, FL 33030

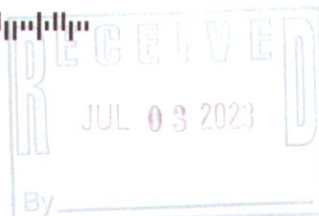


Account Number	Service Billing Period	Current Charges Past Due After	Amount Enclosed
001046837-000363973	05/17/2023-06/19/2023	07/18/2023	
HELP contribution (Optional)	Past Due Amount	Current Charges	Total Amount Due
	\$0.00	\$1,394.84	\$1,394.84

AMOUNT NOT PAID BY DUE DATE IS SUBJECT TO 1.5% LATE FEE.

MAKE CHECKS PAYABLE TO: CITY OF HOMESTEAD
 PLEASE PLACE ACCOUNT NUMBER ON CHECK TO ENSURE PROPER CREDIT.

STONEGATE CDD
 2300 GLADES ROAD # 410W
 BOCA RATON FL 33431-8556



CITY OF HOMESTEAD
 PO BOX 900430
 HOMESTEAD, FL 33090-0430

0010468370003639730139484

Hello Stonegate Comm Dev Dist,

Thanks for choosing Comcast Business.

Your bill at a glance

For 1020 MALIBU WAY, HOMESTEAD, FL, 33033-5350

Previous balance		\$550.33
One-time EFT Payment - thank you Jun 08		-\$550.33
Balance forward		\$0.00
Regular monthly charges	Page 3	\$547.65
Taxes, fees and other charges	Page 3	\$3.68
New charges		\$551.33

Amount due Jul 13, 2023 \$551.33

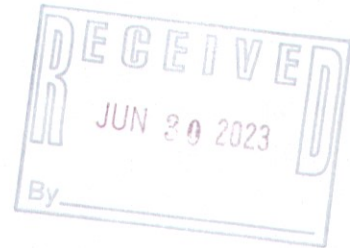
Need help?

Visit business.comcast.com/help or see page 2 for other ways to contact us.

536.010
001

Your bill explained

- This page gives you a quick summary of your monthly bill. A detailed breakdown of your charges begins on page 3.
- Any payments received or account activity after Jun 22, 2023 will show up on your next bill. View your most up-to-date account balance at business.comcast.com/myaccount.



Detach the bottom portion of this bill and enclose with your payment

Please write your account number on your check or money order

Do not include correspondence with payment

COMCAST BUSINESS

1100 NORTHPOINT PKWY W PALM
BCH FL 33407-1937
96330350 NO RP 22 20230622 NNNNNNNY 0001567 0005

STONEGATE COMM DEV DIST
ATTN ACCOUNTS PAYABLE
2300 GLADES RD STE 410W
BOCA RATON, FL 33431-8556



Account number

8495 60 060 0760104

Payment due

Jul 13, 2023

Please pay

\$551.33

Amount enclosed

\$

Make checks payable to Comcast
Do not send cash

Send payment to

COMCAST
PO BOX 71211
CHARLOTTE NC 28272-1211



849560060076010400551333

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Manage your account anytime, anywhere with the Comcast Business App – an innovative all-in-one tool designed with your business in mind.

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- Pay your bill and customize billing options
- View upcoming appointments



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Get help and support at business.comcast.com/help



Call us anytime

800-391-3000
Open 24 hours, 7 days a week for billing and technical support

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If you are hearing impaired, call 711. For issues affecting customers with disabilities, call **1-855-270-0379**, chat live at support.xfinity.com/accessibility, email accessibility@comcast.com, fax **1-866-599-4268** or write to Comcast at 1701 JFK Blvd., Philadelphia, PA 19103-2838
Attn: M. Gifford.



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Additional billing information

More ways to pay:



Online

Visit My Account at business.comcast.com/myaccount



By App


Download the Comcast Business App



In-Store

Visit business.comcast.com/servicecenter to find a store near you



Regular monthly charges		\$547.65
Comcast Business		\$439.85
Packaged services		\$493.95
Connection Pro	\$39.95	
Mobility Voice Line Business Voice.	\$44.95	
 Data, Voice, Access Package, Includes: Business Internet Gigabit Extra, 1 Mobility Voice Line, SecurityEdge, and WiFi Pro Expanded Coverage.	\$429.00	
Voice Credit	-\$19.95	
Discounts		-\$189.00
Bundle Discount	-\$189.00	
Comcast Business services		\$134.90
TV Preferred Business Video.	\$99.95	
Sports and Entertainment Package.	\$34.95	

Equipment & services		\$59.80
TV Box + Remote	\$9.95	
Service To Additional TV With TV Box and Remote. Qty 2 @ \$9.95 each	\$19.90	
Equipment Fee Voice and WiFi Pro Expanded Coverage.	\$29.95	

Service fees		\$48.00
Directory Listing Management Fee	\$5.00	
Voice Network Investment	\$5.00	
Broadcast TV Fee	\$21.55	
Regional Sports Fee	\$16.45	

Taxes, fees and other charges		\$3.68
Other charges		\$3.68
Regulatory Cost Recovery	\$1.38	
Federal Universal Service Fund	\$2.30	

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TV: Keep your employees informed and customers entertained



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Additional information

The Regulatory Cost Recovery fee is neither government mandated nor a tax, but is assessed by Comcast to recover certain federal, state, and local regulatory costs.

Recent and Upcoming Programming Changes: Information on recent and upcoming programming changes can be found at xfinity.com/programmingchanges/ or by calling 866-216-8634.

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- From the company powered by the **next generation 10G network**.

Please give us a call at 855-862-4451 to schedule a chat. We'll give you the tools to help you clear today's hurdles and be ready for whatever's next.



Call 855-862-4451 or
visit ComcastBusiness.com/AccountReview

COMCAST
BUSINESS



Payment Confirmation

[Help](#)

Your payment has been processed.

Primary Account Number	5297-2710-0
Payment amount	\$42.67
Payment method	Electronic Funds Transfer
Payment date	07/06/2023
Payment reference no.	91918671



Invoice Number	Invoice Date	Account Number
8-181-63218	Jul 04, 2023	5297-2710-0

FedEx Tax ID: 71-0427007

Billing Address:

STONE GATE CDD
2300 GLADES RD STE 410W
BOCA RATON FL 33431-8556

Shipping Address:

STONE GATE CDD
2300 GLADES RD STE 410W
BOCA RATON FL 33431-8556

**Invoice Questions?
Contact FedEx Revenue Services**

Phone: 800.645.9424
M-F 7-5 (CST)
Internet: fedex.com/usgovt

Invoice Summary

FedEx Express Services

Total Charges	USD	\$42.67	519.410
TOTAL THIS INVOICE	USD	\$42.67	001

Other discounts may apply.

To pay your FedEx invoice, please go to www.fedex.com/payment. Thank you for using FedEx.



Detailed descriptions of surcharges can be located at fedex.com

To ensure proper credit, please return this portion with your payment to FedEx. Please do not staple or fold. Please make check payable to FedEx.

Invoice Number	Invoice Amount	Account Number
8-181-63218	USD \$42.67	5297-2710-0

Remittance Advice

Your payment is due by Aug 18, 2023

818163218600000426715297271008000000000000000000000426710



STONE GATE CDD
2300 GLADES RD STE 410W
BOCA RATON FL 33431-8556

FedEx
P.O. Box 371461
Pittsburgh PA 15250-7461



Invoice Number 8-181-63218	Invoice Date Jul 04, 2023	Account Number 5297-2710-0	Page 2 of 3
--------------------------------------	-------------------------------------	--------------------------------------	----------------

FedEx Express Shipment Detail By Payor Type (Original)

Ship Date: Jun 28, 2023	Cust. Ref.: NO REFERENCE INFORMATION	Ref.#2:
Payor: Shipper	Ref.#3:	

Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
 Distance Based Pricing, Zone 2
 Package sent from: 33186 zip code
 Package Delivered to Recipient Address - Release Authorized

	Automation	AWB	Sender	Recipient	
Tracking ID	805357071758		PATRICIA CASTRO	ARCHANA GUJJA	
Service Type	FedEx Priority Overnight		STONE GATE CDD	WIATHELL HUNTA ASSOCIATES	
Package Type	FedEx Envelope		2300 GLADES RD STE 410W	2300 GIADES RD 4100W	
Zone	02		BOCA RATON FL 33431-8556 US	BOCA RATON FL 33431 US	
Packages	1				
Rated Weight	N/A				
Delivered	Jun 30, 2023 10:18		Transportation Charge		7.76
Svc Area	A1		Fuel Surcharge		0.54
Signed by	see above		Courier Pickup Charge		0.00
FedEx Use	017942651/83874/02		Total Charge	USD	\$8.30

Shipper Subtotal USD \$8.30

Ship Date: Jun 29, 2023	Cust. Ref.: STONEGATE DSF	Ref.#2:
Payor: Third Party	Ref.#3:	

Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
 Distance Based Pricing, Zone 7

	Automation	INET	Sender	Recipient	
Tracking ID	772600060710		Archana Gujja	Lockbox Services-12-2657	
Service Type	FedEx Standard Overnight		Wrathell, Hunt & Associates, L	US Bank, NA CDD	
Package Type	FedEx Envelope		2300 Glades Road	EP-MN-01LB	
Zone	07		BOCA RATON FL 33431 US	SAINT PAUL MN 55108 US	
Packages	1				
Rated Weight	N/A				
Delivered	Jun 30, 2023 10:09		Transportation Charge		9.77
Svc Area	A1		Fuel Surcharge		0.68
Signed by	S.CWHIYE		Total Charge	USD	\$10.45
FedEx Use	000000000/61306/_				

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Invoice Number	Invoice Date	Account Number	Page
8-181-63218	Jul 04, 2023	5297-2710-0	3 of 3

Ship Date: Jun 29, 2023 **Cust. Ref.:** STONEGATE DSF **Ref.#2:**
Payor: Third Party **Ref.#3:**

Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
Distance Based Pricing, Zone 7

Automation	INET	Sender	Recipient	
Tracking ID	772600197949	Archana Gujja	Mary Dallatore	
Service Type	FedEx Standard Overnight	Wrathell, Hunt & Associates, L	Wells Fargo Bank-CTS payment p	
Package Type	FedEx Envelope	2300 Glades Road	1801 Parkview Drive, 1st Floor	
Zone	07	BOCA RATON FL 33431 US	SAINT PAUL MN 55126 US	
Packages	1			
Rated Weight	N/A			
Delivered	Jun 30, 2023 08:57			
Svc Area	A1	Transportation Charge		9.77
Signed by	O.HENRY	Fuel Surcharge		0.68
FedEx Use	000000000/61306/_	Total Charge	USD	\$10.45

Ship Date: Jun 29, 2023 **Cust. Ref.:** STONEGATE WIBY CORP **Ref.#2:**
Payor: Third Party **Ref.#3:**

Fuel Surcharge - FedEx has applied a fuel surcharge of 14.00% to this shipment.
Distance Based Pricing, Zone 2
Package Delivered to Recipient Address - Release Authorized

Automation	INET	Sender	Recipient	
Tracking ID	772600705430	Archana Gujja	WIBY CORP	
Service Type	FedEx Standard Overnight	Wrathell, Hunt & Associates, L	WIBY CORP	
Package Type	FedEx Envelope	2300 Glades Road	4318 SW 96TH AVENUE	
Zone	02	BOCA RATON FL 33431 US	MIAMI FL 33165 US	
Packages	1			
Rated Weight	N/A			
Delivered	Jun 30, 2023 13:16	Transportation Charge		7.29
Svc Area	A1	Fuel Surcharge		0.88
Signed by	see above	Residential Delivery		5.30
FedEx Use	000000000/61301/02	Total Charge	USD	\$13.47

Third Party Subtotal	USD	\$34.37
Total FedEx Express	USD	\$42.67

Wrathell, Hunt & Associates, LLC

2300 Glades Rd.
Suite 410W
Boca Raton, FL 33431

Invoice

Date	Invoice #
7/1/2023	2021-4068

Bill To:
Stonegate CDD 2300 Glades Rd. Suite 410W Boca Raton, FL 33431

Description	Amount
Management 512.311	3,637.92
Assessment Services 513.310	444.33
Dissemination Agent 513.315 001	87.58
<i>Building client relationships one step at a time ...</i>	Total \$4,169.83

AL-FLEX, EXTERMINATORS, INC. (R)

4035 SW 98 AVE
 MIAMI, FL 33165
 U.S.A.

INVOICE

Invoice Number: 278815
 Invoice Date: Apr 1, 2023
 Page: 1

Voice: 305-552-0141
 Fax: 305-227-1797

537.500*Duplicate*

Bill To:
STONEGATE CDD C/O MALIBU BAY CLUBHOUSE 1020 MALIBU WAY HOMESTEAD, FL 33033

Ship to:

Customer ID	Customer PO	Payment Terms	
13-305-C12		Due at end of Month	
Sales Rep ID	Shipping Method	Ship Date	Due Date
52	Courier		4/30/23

Quantity	Item	Description	Unit Price	Amount
		MONTHLY PEST CONTROL SERVICES FOR PROPERTY LOCATED @ 1020 MALIBU BAY		135.00

Subtotal	135.00
Sales Tax	
Total Invoice Amount	135.00
Payment/Credit Applied	
TOTAL	135.00

Check/Credit Memo No:

8935 NW 35 Lane, Suite 101
 Doral, FL 33172
 Phone (305) 640-1345
 E-mail silvia.alvarez@alvarezeng.com




Invoice

Date	Invoice No.
7/6/2023	7274

Bill To
Stonegate CDD Wrathell, Hunt & Associates, LLC 2300 Glades Road Suite 410W Boca Raton, FL 33431

Project Number / Name: 080903-2 Stonegate YER23

DocuSigned by:

 91E21FBBCEDD4E0...
 Juan R. Alvarez, P.E.

Invoice Period: 2023

Description	Qty (hrs)	Rate (\$ / hr)	Amount (\$)
1/16/2023 CADD CDD Yearly report 2023 create folder and copied to yearly report 2023	0.15	80.00	12.00
1/30/2023 Administrative Request, review and file Insurance Policy.	0.25	44.00	11.00
2/1/2023 CADD Revising and updating exhibits	0.75	80.00	60.00
4/12/2023 Senior Admin Asst Review and file Allstate reports.	0.25	95.00	23.75
4/18/2023 Senior Engineer 2023 Yearly Report. Field Visit.	3.00	185.00	555.00
5/22/2023 Senior Admin Asst	0.25	95.00	23.75
5/23/2023 Senior Admin Asst	0.25	95.00	23.75
5/25/2023 Senior Admin Asst	0.25	95.00	23.75
6/7/2023 Senior Admin Asst	0.10	95.00	9.50
6/9/2023 Principal Reviewing, signing and sealing report.	0.50	220.00	110.00
6/14/2023 Senior Admin Asst	0.25	95.00	23.75
Amount due this Invoice			\$876.25

Wiring Instructions:

Name: Alvarez Engineers, Inc.
 Bank: Bank of America
 Account No. 1596250258
 ABA No. 0260-0959-3

INVOICE

**Armando Garcia Land Service
INC**
16650 SW 203 AVE
Miami, FL 33187

armando-garcia-
landservice@hotmail.com
(786) 298-7104

Stonegate CDD

Bill to

Stonegate CDD
2300 Glades Rd. Ste. 410 W
Boca Raton, FL 33431

Invoice details

Invoice no.: 763154
Invoice date: 07/05/2023
Due date: 08/04/2023

Product or service	Amount
1. Cut the Grass Service date: 07/03/2023 Cut the Grass 07/03, 07/11, 07/18, #537.400	3 units × \$800.00 \$2,400.00
2. Cut the Grass Service date: 07/01/2023 Tract C. Maintenance #537.470	3 units × \$170.00 \$510.00
3. Irrigation System Service date: 07/01/2023 Ninth payment of Maintenance of the Irrigation System/ Fiscal Year 2023 #537.450	\$333.00
Total	\$3,243.00

Note to customer

#537.400
#537.470
#537.450

CHI ALARMS, INC.
 14070 NW 82 AVE.
 MIAMI LAKES, FL 33016
 TEL. 305-827-2856
 FAX.305-825-2144

536.009

Invoice

Date	Invoice #
7/1/2023	275436

Bill To
Stonegate CDD Malibu Club House 1020 NE 34th Ave Homestead, FL 33033

Ship To
CLUB MALIBU BAY 1020 MALIBU BAY Homestead, FL 33033 UL

W.O. No.	FSR No.	P.O. No.	Terms	Due Date	Rep
			Due upon receipt	7/1/2023	ILB

Item	Description	Qty	Rate	Serviced	Amount
UL Service ...	Quarterly UL Central Station Services and response. Paid 30 days in advance. AUGUST - OCTOBER 2023	1	135.00		135.00

For Visa, MasterCard or American Express payments contact our office. Please note that a 4.0% convenience fee will be applied to all credit card transactions.

Sales Tax (7.0%)	\$0.00
Balance Due	\$135.00

Please note that our new emergency on-call telephone number has changed. If you require emergency after hours service, please call 1-800-413-5244

Confirmation

Thank You! Your payment has been made.

STONEGATE CDD

2300 GLADES RD STE 410W
2300 GLADES RD STE 410W
BOCA RATON, FL 33431

Payment Date	7/13/2023
Payment Method	SG Checking BANK OF AMERICA, N.A. *****3774
Total Payment	\$122.38

You have been provided a confirmation number. Please save this page for your records.

Payments confirmed before Thursday, July 13, 2023 12:00 PM EST will be posted on Thursday, July 13, 2023. Payments confirmed after Thursday, July 13, 2023 12:00 PM EST will be posted on Friday, July 14, 2023.

If you have any further questions about payments to Lease Direct, please contact our office at 800-736-0220 .

Account Nbr - Site ID	Confirmation #	Invoice Date	Invoice Number	Due Date	Amount Due	Payment Amount
1626036- 5608077	3133186968	7/8/2023	80324306	8/1/2023	\$122.38	\$122.38

IMAGENET CONSULTING, LLC
 PO BOX 41602
 PHILADELPHIA, PA 19101-1602

REMITTANCE SECTION

Invoice Number: 80324306
 Due Date: 08/01/2023
 Due This Period: \$122.38

Amount Enclosed: \$ _____

Please make check payable to:

IMAGENET CONSULTING, LLC
 PO BOX 41602
 PHILADELPHIA, PA 19101-1602



STONEGATE CDD
 ATTN: AP
 2300 GLADES RD STE 410W
 BOCA RATON FL 33431-8556

21000000803243060000137796

Detach here. Please include the top payment coupon with your payment. Please allow 5-7 days for U.S. Postal Service delivery.

IMAGENET CONSULTING, LLC
 PO BOX 41602
 PHILADELPHIA, PA 19101-1602

Contract Number: 500-50396510
 Invoice Number: 80324306
 Account Number: 1626036
 Site Number: 5608077
 Invoice Date: 07/08/2023

WWW.LEASEDIRECT.COM

Period of Performance: 07/01/2023-07/31/2023
Due This Period: \$122.38

IMPORTANT MESSAGES

MAKING ELECTRONIC PAYMENTS?

*Please review your equipment location(s) for tax purposes.

- ✓ If paying by ACH or Wire, please forward detailed remittance advice to EFT@LEASEDIRECT.COM to ensure timely application of payment.
- ✓ Enroll in direct debit by visiting WWW.LEASEDIRECT.COM and clicking on manage payments

See Reverse For Important Information

INVOICE DETAILS

Description	Payment Amount	Tax	Total Amount	Applied Amount	Remaining Amount Due
PAYMENT	\$110.00	\$7.70	\$117.70	\$15.41	\$102.29
INSURANCE	\$18.77	\$1.32	\$20.09	\$0.00	\$20.09
Billed this Invoice	\$128.77	\$9.02	\$137.79	\$15.41	\$122.38

(Please see the following pages for details.)

ASSET DETAILS

Contract Number	Serial Number	Purchase Order	Make / Model	Asset Number	Install Date	Cost Center	Department	Payment Amount	Tax	Total Amount
500-50396510	MXBCQ3H00R		HP / PageWide Man Color P77650dns	50396510_1				\$110.00	\$7.70	\$117.70

Asset Location: 1020 NE 34TH AVE HOMESTEAD MIAMI-DADE FL 33033 United States

Asset Amount Total: \$117.70

Contact Us

Privacy Notice: We're updating our Privacy Statement to reflect our privacy practices and to comply with new laws and regulations which take effect in 2023. Those changes include updates to your privacy rights and options. This is part of our ongoing commitment to be transparent about the types of personal information we collect, where that information comes from, how we use it, and with whom we disclose it. The new updates will take effect on December 31, 2022, and no further action is required by you. You can learn more about our privacy practices at our website (<https://www.leasedirect.com/usprivacy>).

WWW.LEASEDIRECT.COM

- ✓ View contract and invoice copies
- ✓ View open balances and a Pay History of your contract
- ✓ Update your insurance
- ✓ Update your Billing or Asset Address
- ✓ Enroll in Paperless
- ✓ Enroll in Direct Debit

Correspondence Address

IMAGENET CONSULTING, LLC
1111 OLD EAGLE SCHOOL RD
WAYNE, PA 19087-1453
*Please provide your contract number

Customer Service

800-736-0220

Important Reminder

Enclose remittance slip with your check and send it to the address on the reverse side to ensure accurate and timely processing of your payment. **Please remit payments at least 5 days prior to due date. Please record your Invoice number on the check.**

Explanation of Charges

It is important to us that you understand the charges on your invoice. Please refer to this guide for assistance.

1. **DOCUMENTATION/ORIGINATION FEE** – A one-time fee assessed on new transactions to cover our expenses for preparing financing statements and other documentation costs.
2. **INTERIM PAYMENT** – A charge to account for the partial month, prior to the first full billing cycle, calculated per the terms and conditions in the contract.
3. **INSURANCE CHARGE** – A charge due each billing period as the result of the equipment being insured by the lessor against theft or damage.
4. **PAYMENT** – Amount due each billing period in accordance with the terms of the contract.
5. **LATE FEE** – Assessed when a payment is not received by its due date, as provided by the contract.
6. **FINANCE CHARGE** – Assessed when a payment is not received and is over thirty (30) days past its due date.
7. **PROPERTY TAX** – The lessor, as the owner of the equipment, is assessed and pays property tax to the appropriate taxing authority on an annual basis. Per the contract, the Lessee has agreed to reimburse the Lessor for all property taxes paid on their behalf plus reasonable administrative costs. For questions about taxes, call the Customer Service number above.
8. **RETURNED CHECK FEE** – Assessed each time a check is returned for any reason.
9. **CUSTOMER SERVICE FEE** – Assessed when a request for an amortization schedule, an invoice copy, a pay history or additional contract copy is requested.
10. **ACCOUNT SUMMARY** – Overview of prior billed invoices for which a partial or no payment was received at the time the current invoice was printed.
11. **TAX OR LESSOR SURCHARGE** – Taxes due in accordance with the tax laws of the state(s) where the equipment is located. For tax related questions, call the Customer Service number above.
12. **PURCHASE ORDER** – Reference to purchase order number is for equipment identification purposes only.

M&M POOL & SPA SERVICES, CORP.

14304 145th Pl
Miami, FL 33186 US
+1 7869728875
mmpoolspaservicescorp@gmail.com
www.mmpoolspaservicescorp.com



M&M POOL & SPA SERVICES
Cleaning & Maintenance

536.004

INVOICE

BILL TO
STONEGATE CDD / MALIBU BAY CLUB HOUSE
1020 MALIBU WAY
HOMESTAD, FL 33033 US

SHIP TO
STONEGATE CDD / MALIBU BAY CLUB HOUSE
1020 MALIBU WAY
HOMESTAD, FL 33033 US

INVOICE 3958
DATE 07/02/2023
TERMS NET 5
DUE DATE 07/07/2023

DATE	DESCRIPTION	QTY	RATE	AMOUNT
07/02/2023	July Pool services	1	2,300.00	2,300.00

Thank you for your business! I take credit cards, ACH payments, Zelle can be sent to 7869728875, Venmo can be sent to @Marcelo-Valdes, and check can be sent to 14304 SW 145 PL, Miami, FL 33186.

SUBTOTAL	2,300.00
TAX	0.00
TOTAL	2,300.00
BALANCE DUE	\$2,300.00

Your account number: **14954058** Security provided for: **Stone Gate Cdd** Your ADT system is located at: **1020 Malibu Way
Homestead FL 33033**



Invoice date: **Jul 13, 2023** Service period: **Aug 1 - Aug 31, 2023**

Your total due is: **\$63.79** Due by: **Aug 2, 2023**

Your Bill at-a-glance

Previous Balance	\$63.79
Payments and Adjustments	-\$63.79
Current Charges	\$63.79
Taxes and Fees	\$0.00

Total Due **\$63.79**

Would you like more detail? See the back of the bill for your account activity and charges.

Message from ADT

Stay safe from a common scam – remember to Identify, Verify and Notify.

Watch out for unexpected telephone calls, text messages, or door-to-door agents offering to "check" or "upgrade" your security system. They could be competitors misleading you into believing they are performing a service for ADT rather than a sale by another company. Identify who is contacting you and verify who they work for. A false sense of urgency is often employed with deceptive sales to confuse or distract you. If you think you may be a victim of this scam and your ADT system has been replaced, conduct a test at the keypad to confirm it is connected to our monitoring center.

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ADT
452 Sable Blvd Unit G
Aurora, CO 80011

6230 0020 NO RP 13 07132023 NNNNNNNY 01 007455 0022

STONE GATE CDD
2300 GLADES RD STE 410
BOCA RATON FL 33431-7386



Account Number	14954058
Due Date	Aug 2, 2023
Amount Due	\$63.79

Amount Enclosed \$ _____

Please send payment to:

ADT SECURITY SERVICES
PO BOX 371878
PITTSBURGH, PA 15250-7878

Please detach and submit this slip with your payment. Do not send cash. Please write your customer Account Number on your check or money order and make payable to: ADT.



000149540580000000000000071223000000000000063799

Your account number: **14954058** Security provided for: **Stone Gate Cdd** Your ADT system is located at: **1020 Malibu Way
Homestead FL 33033**

Is your billing information incorrect? You can change it on [MyADT.com](https://myadtl.com).

Your Account Activity

Previous Balance		\$63.79
Payments and Adjustments		
Payment Received - Thank You!	Jun 23, 2023	-\$63.79
Current Charges		
RECURRING CHARGES		
Services		
Invoice Number 1003969177	Aug 1 - Aug 31, 2023	\$63.79
Total Non-taxable Charges		\$63.79
Total Due to be paid by Aug 2, 2023		\$63.79

* Taxable charges

- Any balance left from previous billing periods
- All payments and adjustments received from you during billing period

About your Services: Cellguard Monitoring, Burglar Alarm Monitoring, Pulse Remote Internet Access, Quality Service Plan

Have questions? Chat with us at [MyADT.com](https://myadtl.com).

Pay your bill online at [MyADT.com](https://myadtl.com).

5 3 6 . 0 0 1

2 0 2 . 0 0 5



Thinking about moving?

We want you to stay protected with your ADT service at your new home. To get set up quickly, give us a call at least 30 days in advance so we can pack up your options and help you stay protected.

Learn more at www.adt.com/safe-move

1 Protect yourself against FRAUD

- ADT representatives and ADT Authorized Dealers will always carry proper, company-issued identification.
- If their ID is not visible, be cautious and ask to see it. If they're with us, they'll gladly show you.
- When in doubt, verify their credentials. Visit ADT.com/verify for ADT representatives, or ADT.com/dealer for ADT Authorized Dealers.
- If they refuse to give you their ID, or you are still unsure, call ADT at 800.ADT.ASAP (800.238.2727).

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

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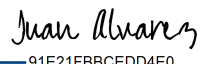
8935 NW 35 Lane, Suite 101
 Doral, FL 33172
 Phone (305) 640-1345
 E-mail silvia.alvarez@alvarezeng.com



Invoice

Date	Invoice No.
7/7/2023	7295

Bill To
Stonegate CDD Wrathell, Hunt & Associates, LLC 2300 Glades Road Suite 410W Boca Raton, FL 33431

DocuSigned by:

 91E21FBBCEDD4E0...

Project Number / Name: 080903-3 Stonegate Operations

Juan R. Alvarez, P.E.

Invoice Period: 5/30/23-6/30/23

Description	Qty (hrs)	Rate (\$ / hr)	Amount (\$)
6/2/2023 Senior Admin Asst Review and file Allstate report	0.25	95.00	23.75
6/6/2023 Principal Preparation for and attendance to the CDD Board of Supervisors meeting of 06-06-2023.	3.25	220.00	715.00
6/29/2023 Senior Admin Asst Review and file Allstate reports	0.50	95.00	47.50
Amount due this Invoice			\$786.25

Wiring Instructions:

Name: Alvarez Engineers, Inc.
 Bank: Bank of America
 Account No. 1596250258
 ABA No. 0260-0959-3

STONEGATE COMMUNITY DEVELOPMENT DISTRICT
 2300 GLADES ROAD, SUITE 410W
 BOCA RATON FL 33431

Page: 1
 06/30/2023
 Account No: 526-030290
 Statement No: 182011

Attn: CRAIG WRATHELL

STONEGATE CDD

Fees

		Hours
06/01/2023		
MJP	REVIEW OPERATIONS AGREEMENT AND LANDSCAPE MAINTENANCE SERVICES AGREEMENT	0.30
06/06/2023		
MJP	RECEIPT AND REVIEW OF FINAL AGENDA PACKAGE FOR 6/6/23 MEETING OF BOARD OF SUPERVISORS	0.30
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM DISTRICT MANAGER WITH ATTACHMENT	0.30
MJP	PREPARE FOR, TRAVEL AND ATTEND BOARD OF SUPERVISORS MEETING	5.50
06/07/2023		
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM DAPHNE GILLYARD WITH ATTACHMENT	0.30
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM DANIEL ROM	0.20
MJP	CORRESPONDENCE TO DANIEL ROM	0.20
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM VICTOR CASTRO; RECEIPT AND REVIEW OF FURTHER CORRESPONDENCE FROM DANIEL ROM AND REPLY THERETO; RECEIPT AND REVIEW ADDITIIONAL CORRESPONDENCE FROM DANIEL ROM; RECEIPT AND REVIEW FURTHER CORRESPONDENCE FROM VICTOR CASTRO	0.30
06/08/2023		
MJP	PREPARE INITIAL DRAFT OF SMALL PROJECT AGREEMENT FOR IRRIGATION PUMP	0.60
MJP	REVISIONS TO BUDGET PUBLIC HEARING NOTICE	0.40
06/09/2023		
MJP	FURTHER REVISIONS TO BUDGET PUBLIC HEARING NOTICE	0.20
GFG	RESEARCH HB 199 (ETHICS TRAINING), REGULARLY CHECK ON STATUS OF LEGISLATION; REVIEW	

STONEGATE CDD

		Hours
	CHAPTER 2023-121, LAWS OF FLORIDA; PREPARE MEMORANDUM TO DISTRICT MANAGER RE: ETHICS TRAINING LEGISLATION	0.20
MJP	CORRESPONDENCE TO DISTRICT MANAGER WITH ATTACHMENT RE: ETHICS TRAINING	0.10
MJP	REVISIONS TO SMALL PROJECT AGREEMENT FOR IRRIGATION PUMP STATION	0.40
MJP	CORRESPONDENCE TO DANIEL ROM AND VICTOR CASTRO WITH ATTACHMENT	0.30
MJP	CORRESPONDENCE TO DANIEL ROM AND DAPHNE GILLYARD WITH ATTACHMENT	0.30
06/10/2023		
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM VICTOR CASTRO	0.20
06/12/2023		
DEL	RECEIPT AND REVIEW OF CORRESPONDENCE FROM DEPARTMENT OF COMMERCE	0.20
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM DANIEL ROM AND REPLY THERETO	0.30
MJP	RECEIPT AND REVIEW FURTHER CORRESPONDENCE FROM DANIEL ROM WITH ATTACHMENT	0.20
MJP	RESEARCH MAINTENANCE AND BENEFIT NON-AD VALOREM ASSESSMENTS	0.30
06/13/2023		
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM VICTOR CASTRO AND REPLY THERETO	0.20
06/14/2023		
MJP	CORRESPONDENCE TO DANIEL ROM	0.20
DEL	RECEIPT AND REVIEW CORRESPONDENCE FROM DISTRICT AUDITOR WITH ATTACHMENT	0.30
06/15/2023		
DEL	REVIEW OF FILE, CONFERENCE WITH STAFF AND PREPARATION OF UPDATED AUDIT RESPONSE TO GRAU & ASSOCIATES	0.40
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM DANIEL ROM; TELEPHONE CONFERENCE TO DANIEL ROM; CORRESPONDENCE TO DANIEL ROM	0.40
06/16/2023		
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM VICTOR CASTRO	0.20
06/19/2023		
MJP	RECEIPT AND REVIEW OF CORRESPONDENCE FROM VICTOR CASTRO	0.20
MJP	RECEIPT AND REVIEW MULTIPLE (X3) FURTHER CORRESPONDENCE FROM VICTOR CASTRO	0.30

STONEGATE CDD

		Hours	
06/20/2023			
	MJP CORRESPONDENCE TO VICTOR CASTRO; REVIEW SECTION 255.05, FLORIDA STATUTES	0.40	
	MJP RECEIPT AND REVIEW OF CORRESPONDENCE FROM DANIEL ROM	0.10	
06/22/2023			
	MJP RECEIPT AND REVIEW OF CORRESPONDENCE FROM VICTOR CASTRO AND REPLY THERETO	0.20	
	MJP RECEIPT AND REVIEW FURTHER CORRESPONDENCE FROM VICTOR CASTRO	0.10	
	MJP RECEIPT AND REVIEW OF CORRESPONDENCE FROM DANIEL ROM	0.20	
	MJP RECEIPT, REVIEW AND REPLY TO FURTHER CORRESPONDENCE FROM DANIEL ROM	0.20	
	MJP RECEIPT AND REVIEW ADDITIONAL CORRESPONDENCE FROM DANIEL ROM	0.10	
	MJP RECEIPT AND REVIEW OF ADDITIONAL CORRESPONDENCE FROM VICTOR CASTRO WITH ATTACHMENT	0.20	
06/25/2023			
	MJP REVIEW AND RESEARCH ADA WEBSITE ACCESSIBILITY MATERIALS; CORRESPONDENCE TO DISTRICT MANAGER WITH ATTACHMENTS	0.10	
	MJP RESEARCH RE: VENUE AND CHOICE OF LAW RE: FITNESS EQUIPMENT LEASE	0.30	
06/26/2023			
	MJP TELEPHONE CONFERENCE WITH DANIEL ROM	0.20	
	MJP RECEIPT AND REVIEW OF CORRESPONDENCE FROM DANIEL ROM	0.20	
06/27/2023			
	MJP RECEIPT AND REVIEW OF CORRESPONDENCE FROM VICTOR CASTRO WITH MULTIPLE (X2) ATTACHMENTS	0.30	
	MJP RECEIPT AND REVIEW OF CORRESPONDENCE FROM SUPERVISOR MCGUINNESS	0.20	
	MJP RECEIPT AND REVIEW FURTHER CORRESPONDENCE FROM SUPERVISOR MCGUINNESS	0.10	
	MJP RECEIPT AND REVIEW OF CORRESPONDENCE FROM DANIEL ROM	0.10	
	MJP RECEIPT AND REVIEW OF FURTHER CORRESPONDENCE FROM VICTOR CASTRO	0.10	
06/28/2023			
	MJP RECEIPT AND REVIEW OF CORRESPONDENCE FROM DANIEL ROM AND REPLY THERETO	0.20	
	For Current Services Rendered	16.60	4,555.00

STONEGATE CDD

		<u>Recapitulation</u>			
<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>	
DENNIS E. LYLES	PARTNERS	0.90	\$275.00	\$247.50	
MICHAEL J. PAWELCZYK	PARTNERS	15.50	275.00	4,262.50	
GREGORY F. GEORGE	ASSOCIATES	0.20	225.00	45.00	
Previous Balance					\$797.50
Total Current Work					4,555.00
		<u>Payments</u>			
07/05/2023	PAYMENT RECEIVED - THANK YOU				-797.50
Balance Due					<u>\$4,555.00</u>

514.310

001

PLEASE MAKE CHECKS PAYABLE TO
 BILLING, COCHRAN, LYLES, MAURO & RAMSEY, P.A.
 PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT
 IRS NO. 59-1756046

LAW OFFICES

BILLING, COCHRAN, LYLES, MAURO & RAMSEY, P.A.

ESTABLISHED 1977

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KENNETH W. MORGAN, JR.
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MANUEL R. COMRAS
ANDREW A. RIEF
GINGER E. WALD
JEFFERY R. LAWLEY
SCOTT C. COCHRAN
SHAWN B. MCKAMEY
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JOHN C. WEBBER

LAS OLAS SQUARE, SUITE 600
515 EAST LAS OLAS BOULEVARD
FORT LAUDERDALE, FLORIDA 33301
(954) 764-7150
(954) 764-7279 FAX

PGA NATIONAL OFFICE CENTER
300 AVENUE OF THE CHAMPIONS, SUITE 270
PALM BEACH GARDENS, FLORIDA 33418
(561) 659-5970
(561) 659-6173 FAX

CHRISTINE A. BROWN
GREGORY F. GEORGE
LORI B. LEWELLEN
JOANNA R. LLERA

OF COUNSEL

CLARK J. COCHRAN, JR.
SUSAN F. DELEGAL
SHIRLEY A. DELUNA
GERALD L. KNIGHT
BRUCE M. RAMSEY
RICHARD T. WOULFE

STEVEN F. BILLING (1947-1998)
HAYWARD D. GAY (1943-2007)

WWW.BILLINGCOCHRAN.COM

PLEASE REPLY TO: FORT LAUDERDALE

June 30, 2023

Mr. Craig Wrathell
Stonegate Community Development District
2300 Glades Road, Suite 410W
Boca Raton, FL 33431

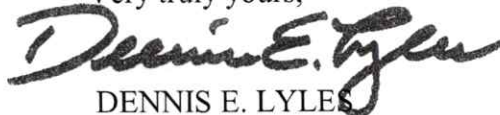
**RE: Stonegate Community Development District
Our File No.: 526.03029**

Dear Craig:

We enclose our Interim Statement for legal services rendered in the above-referenced matter.

Thank you for letting us be of service to you in this matter.

Very truly yours,



DENNIS E. LYLES
For the Firm

DEL/sp
Enclosure

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

MINUTES

DRAFT
MINUTES OF MEETING
STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

The Board of Supervisors of the Stonegate Community Development District held a Regular Meeting on August 1, 2023 at 6:30 p.m., at the Malibu Bay Clubhouse, 1020 NE 34th Avenue, Homestead, Florida 33033.

Present at the meeting were:

Joe McGuinness	Chair
Alberto Eiras	Vice Chair
Mariela Figueroa	Assistant Secretary
Arthur Goessel	Assistant Secretary
Yoniel Boza	Assistant Secretary

Also present were:

Daniel Rom	District Manager
Michael Pawelczyk	District Counsel
Juan Alvarez (via telephone)	District Engineer
Erica Avila	City of Homestead Councilwoman/Resident
Julio Guzman	City of Homestead Vice Mayor
Arnaldo Sosa	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Rom called the meeting to order at 6:36 p.m. All Supervisors were present.

▪ **Presentation of District Engineer’s Report for Fiscal Year 2022/2023**

This item, previously the Fourth Order of Business, was presented out of order.

Mr. Alvarez presented the District Engineer’s Statement letter relating to the Series 2020 Special Assessment Refunding and Improvement Bonds and pursuant to the Trust Indenture. The Report includes an updated map of CDD property and recommendations to initiate a cyclical five-year maintenance program to clean the drainage infrastructure, commencing October 2024. Mr. Rom included the program costs into the Fiscal Year 2024 budget.

On MOTION by Mr. McGuinness and seconded by Mr. Eiras, with all in favor, the District Engineer’s Report for Fiscal Year 2022/2023, was accepted.

Mr. Alvarez left the meeting.

42

43 **SECOND ORDER OF BUSINESS****Public Comments: non-agenda items**

44

45 City of Homestead Councilwoman and resident Erica Avila invited residents to attend
46 upcoming Sunshine Workshops in Waterstone and Malibu Bay regarding a proposed zoning
47 category for the area across from Homestead Hospital. It involves bringing a mixed-use
48 development to the area. She will advise Staff when the Workshop dates are finalized.

49 **Councilwoman Avila left the meeting to avoid a potential Sunshine law violation.**

50 City of Homestead Vice Mayor Julio Guzman asked neighboring residents to help support
51 the "Hospital Corridor" Developer work with the neighboring parcel, the Oasis Publix, to plan a
52 walkway/bike path in the area.

53 It was noted that school supply giveaway events in Oasis, Waterstone and Malibu Bay are
54 being planned.

55

56 **THIRD ORDER OF BUSINESS****Discussion: Approved Fiscal Year 2024
Proposed Budget**

57

58
59 Mr. Rom stated the proposed Fiscal Year 2024 budget includes revisions discussed at the
60 last meeting, which are the key items causing assessments to increase approximately \$466 per
61 unit. The intent is for residents to comment today, before the budget is adopted at the next
62 meeting. Realizing the assessment increase is substantial, residents unable to attend CDD
63 meetings were advised to submit their comments or concerns to Mr. Rom, Mr. Pawelczyk or the
64 Board Members, and the comments will be conveyed at the next meeting.

65 Discussion ensued regarding playground and pool budget line items, capital project funds,
66 special events, plant maintenance and lake bank degradation.

67 Mr. McGuinness recalled discussions about the change in plant materials around Lakes 3
68 and 5 and maintaining plants on an as needed basis. He thinks the proposed amount should be
69 decreased by half or deleted, as, in his opinion, it might fall under the "Landscape
70 replacement/maintenance" budget line items. Mr. Rom will check with Mr. Castro and Armando
71 Garcia Landcare about the cost for one-off cuts, as needed, after the new plants are installed.

72 Regarding the last assessment increase, Mr. Rom will email the information to the Board.

73 Mr. McGuinness and the other Board Members discussed increasing assessments 3%
74 year-over-year to keep assessment increases minimal while maintaining the CDD, the HOA,

75 deferring the playground project to next Fiscal Year 2025, strengthening the unassigned fund
76 balance and planning for upcoming projects.

77 Mr. Pawelczyk discussed approval of the proposed budget for publishing purposes.

78 Regarding the suggestion to reallocate funds to build unassigned fund balance, Ms.
79 Figueroa suggested reducing the assessment increase in half, instead, since homeowners are
80 trying to recover financially from the COVID-19 pandemic.

81 A Board Member suggested keeping the proposed budget as is while Staff works with Mr.
82 Sosa and the HOA and so residents can review the proposed budget on the CDD website and
83 submit their comments in advance of the next meeting.

84 Regarding reassigning the playground funds to unassigned, Mr. Pawelczyk suggested
85 presenting the Board’s strategy that, once the major projects are completed and the first bond
86 is paid off in ten years, homeowners might not see any assessment increase and might possibly
87 see a decrease in assessments.

88 It was noted that the statement in the Fiscal Year 2022 Audit about Florida Statute
89 218,503(1) is favorable to the CDD.

90 Discussion ensued regarding rent increases in Malibu Bay and the opinion that the CDD
91 Clubhouse is falling behind the Oasis community.

92 The following revisions were made to the proposed Fiscal Year 2024 budget:

93 Page 2, “Playground” line item: Delete and reallocate \$160,000 to “Unassigned”
94

95 **On MOTION by Mr. Eiras and seconded by Mr. McGuinness, with all in favor,**
96 **amending the proposed Fiscal Year 2024 Budget to remove the “Playground”**
97 **budget line item and reallocate the \$160,000 to the “unassigned fund balance”**
98 **budget line item, was approved.**

100
101 **FOURTH ORDER OF BUSINESS** **Presentation of District Engineer’s Report**
102 **for Fiscal Year 2022/2023**

103
104 This item was presented following the First Order of Business.

105
106 **FIFTH ORDER OF BUSINESS** **Presentation of Audited Financial Report**
107 **for Fiscal Year Ended September 30, 2022,**
108 **Prepared by Grau & Associates**

109

110 Mr. Rom presented the Audited Financial Report for the Fiscal Year Ended September 30,
 111 2022 and noted the pertinent information. There were no findings, recommendations,
 112 deficiencies on internal control or instances of non-compliance; it was a clean audit, which is the
 113 best type a CDD can receive. The Audit was submitted to the State, timely.

114

115 **SIXTH ORDER OF BUSINESS**

**Consideration of Resolution 2023-06,
 Accepting the Audited Financial Report for
 the Fiscal Year Ended September 30, 2022**

116
 117
 118
 119

**On MOTION by Mr. Goessel and seconded by Mr. McGuinness, with all in favor,
 Resolution 2023-06, Accepting the Audited Financial Report for the Fiscal Year
 Ended September 30, 2022, was adopted.**

123
 124

125 **SEVENTH ORDER OF BUSINESS**

Consent Agenda Items

126
 127

A. Acceptance of Unaudited Financial Statements

128
 129

- as of April 30, 2023
- as of June 30, 2023

130
 131

B. Approval of June 6, 2023 Regular Meeting Minutes

132
 133

**On MOTION by Mr. McGuinness and seconded by Ms. Figueroa, with all in favor,
 the Consent Agenda Items, as presented, were accepted and approved.**

134
 135

136 **EIGHTH ORDER OF BUSINESS**

Staff Reports

137
 138

A. Operations Manager: UNUS Property Management

139

Mr. Rom reported the following, on behalf of Mr. Castro:

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 141
 142
 143
 144

- TrueBlue Pools sent the performance bond information with the City to the Underwriter today, which the Underwriter should expect soon; it is needed to execute the contract.
- The new pool pump is expected to be installed and operable by the end of the week.
- Lake Maintenance: The Allstate technician tested the algae. It required specific treatment, which indicates the lakes are improving.

145
 146

Regarding reports that the treatment was not successful, Mr. Rom suggested waiting awhile to determine if the treatment will result in further improvement.

- 147 ➤ The artificial turf at the playground was installed and looks amazing.
- 148 ➤ Regarding the Board’s question at the last meeting about other options if the fertilizing
- 149 treatment is paused, Mr. Garcia advised him that fertilizing is vital to keeping vegetation healthy.
- 150 The major cost is when plants need to be replaced because they were not properly maintained.

151 A Board Member noted that, if the Board ever decides to change vendors to increase the

152 quality of service, the CDD’s budget could not afford it.

153 **B. District Counsel: Billing, Cochran, Lyles, Mauro & Ramsey, P.A.**

154 Mr. Pawelczyk presented the following:

- 155 • **Memorandum Regarding Required Ethics Training**

156 Effective January 1, 2024, Board Members are required to attend four-hours of ethics

157 training annually and self-report on Form 1, due annually in July. He will provide links to training

158 programs to Mr. Rom in January to distribute to the Board.

- 159 • **Memorandum Regarding 2023 Legislative Update**

160 The items applicable to the CDD will be incorporated into the CDD contracts.

161 Mr. Rom was asked to remind Mr. Granobles to file his Form 1F with the Supervisors of

162 Elections office.

163 **C. District Engineer: Alvarez Engineers, Inc.**

164 There was no report.

165 **D. District Manager: Wrathell, Hunt and Associates, LLC**

- 166 • **NEXT MEETING DATE: September 13, 2023 at 11:00 A.M. [Fiscal Year 2024**
- 167 **Budget Adoption Hearing]**

- 168 ○ **QUORUM CHECK**

169 All Supervisors confirmed their attendance at the September 13, 2023 meeting.

170

171 **NINTH ORDER OF BUSINESS**

Supervisors’ Requests

172

173 There were no Supervisors’ requests.

174

175 **TENTH ORDER OF BUSINESS**

Adjournment

176

177

178 **On MOTION by Ms. Figueroa and seconded by Mr. McGuinness, with all in favor,**

179 **the meeting adjourned at 8:09 p.m.**

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181
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183
184
185

Secretary/Assistant Secretary

Chair/Vice Chair

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS B

MEMORANDUM

TO: District Manager

FROM: Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
District Counsel

DATE: July 20, 2023

RE: 2023 Legislative Update

As District Counsel, throughout the year we continuously monitor pending legislation that may be applicable to the governance and operation of our Community Development District and other Special District clients. It is at this time of year that we summarize those legislative acts that have become law during the most recent legislative session, as follows:

1. Chapter 2023 – 134, Laws of Florida (SB 346). The legislation requires contracts for construction services between a local government entity and a contractor to include a “punch list”¹ of items required to render complete, satisfactory, and acceptable the construction services contracted for, which punch list outlines the estimated cost of each item necessary to complete the work. The law requires local governments to pay all portions of the contract balance, except for 150 percent of the portion of the contract balance attributed to those projects on the punch list, within 20 days after the punch list is created, subject to certain exceptions. The legislation limits a local government’s ability to withhold payment of certain amounts under the contract to only those subject to a written good faith dispute or claims against public surety bonds. The law clarifies that a local government must pay the undisputed portions of a contract within 20 days of the request for payment. Lastly, the legislation amends the definition of “public works project” in section 255.0992, F.S., to include any construction, maintenance, repair, renovation, remodeling, or improvement activity that is paid for with state-appropriated funds. The effective date of this act is July 1, 2023.

2. Chapter 2023 – 17, Laws of Florida (SB 102). The legislation makes various changes and additions to affordable housing related programs and policies at both the state and local level. With regard to local governments, the law:

- Preempts local government requirements regarding zoning, density, and height to allow for streamlined development of affordable housing in commercial and mixed-use zoned areas under certain circumstances. Developments that meet the requirements may not require a zoning change or comprehensive plan amendment.

¹ The punch list is created within a contractually-specified timeframe after the contractor reaches substantial completion of the construction services as defined in the contract, or if that is not defined, then after the project reaches beneficial occupancy or use. If the contract is valued at less than \$10 million, then the punch list must be developed within 30 calendar days; if the contract is valued at \$10 million or more, then the punch list must be developed within 45 calendar days.

- Removes a local government’s ability to approve affordable housing on residential parcels by bypassing state and local laws that may otherwise preclude such development, while retaining such right for commercial and industrial parcels.
- Removes a provision that allows local governments to impose rent control under certain circumstances, preempting rent control ordinances entirely.
- Requires counties and cities to update and electronically publish the inventory of publicly owned properties, for counties including property owned by a dependent special district, which may be appropriate for affordable housing development.
- Authorizes the Florida Housing Finance Corporation, through contract with the Florida Housing Coalition, to provide technical assistance to local governments to facilitate the use or lease of county or municipal property for affordable housing purposes.
- Requires local governments to maintain a public written policy outlining procedures for expediting building permits and development orders for affordable housing projects.
- Provides that the Keys Workforce Housing Initiative is an exception to evacuation time requirements and that comprehensive plan and land use amendments approved under that initiative are valid.

The effective date of this act is July 1, 2023.

3. Chapter 2023 – 31, Laws of Florida (SB 1604). The law makes a number of changes relating to comprehensive plans and land development regulations. Of interest to special districts, section 4 of the legislation amends section 189.031, F.S., to preclude independent special districts from complying with the terms of any development agreement, which is executed within three months preceding the effective date of a law, which modifies the manner of selecting members of the governing body of the special district from election to appointment or appointment to election. The newly elected or appointed governing body of the special district must review within four months of taking office any such development agreement and vote on whether to seek readoption of the agreement. The law applies to any development agreement that is in effect on, or is executed after July 1, 2023, which is the effective date of this law. Section 4 of the Act expires July 1, 2028, unless reviewed and reenacted by the Legislature.

4. Chapter 2023 – 28, Laws of Florida (HB 3). This legislation codifies and extends the policy adopted by the Trustees² requiring all investment decisions relating to the state retirement system be based solely on pecuniary factors³. The law extended that policy to all funds managed by the State Board of Administration (SBA), all funds of the state Treasury, all local government retirement plans, investments of local government surplus funds, and investments of funds raised by citizen support and direct-support organizations. Investment managers who invest public funds on behalf of any of these entities may not sacrifice investment return or take additional investment risk to promote any non-pecuniary factor. The law requires any contract between a governmental

² The Governor, Chief Financial Officer, and Attorney General serve as the SBA’s Board of Trustees.

³ The term “pecuniary factor” is defined as a factor that is expected “to have a material effect on the risk or return of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.”

entity⁴ and an investment manager executed, amended, or renewed on or after July 1, 2023, to contain a provision requiring the investment manager to include a disclaimer in an external communication, if the communication is to a company in which the investment manager has invested public funds and discusses social, political, or ideological interests. The required disclaimer must state: “The views and opinions expressed in this communication are those of the sender and do not reflect the views and opinions of the people of the state of Florida.” All contracts with investment managers executed, amended, or renewed on or after July 1, 2023, may be unilaterally terminated if certain communications of an investment manager include discussion of social, political, or ideological interests and omit the required disclaimer.

In addition, the legislation prohibits bond issuers⁵ from issuing an environmental, social, and corporate governance (ESG) bond or paying for a third-party verifier that certifies or verifies that a bond may be designated or labeled as an ESG bond⁶, renders opinions or produces a report on ESG compliance, among other ESG-related services. Issuers are also prohibited from contracting with a rating agency whose ESG scores for the issuer will have a direct, negative impact on the issuer’s bond ratings.

The act further prohibits consideration of social, political, or ideological beliefs in state and local government contracting, and explicitly notes that this includes all political subdivisions of the state. Specifically, the law prohibits an awarding body from (1) requesting documentation or considering a vendor’s social, political, or ideological beliefs when determining if the vendor is a responsible vendor; or (2) giving a preference to a vendor based on the vendor’s social, political, or ideological beliefs.

Lastly, the legislation amends the definition of a “qualified public depository” to prohibit government entities from depositing funds in banks that make it a practice to deny or cancel services of their customers based on a person’s political opinions, speech, affiliations, lawful ownership or sales of firearms, production of fossil fuels or other factors related to ESG. Pursuant to current law, all public deposits may only be deposited in a qualified public depository. The effective date of this legislation is July 1, 2023.

5. Chapter 2023 – 32, Laws of Florida (SB 258). The legislation bans the use of prohibited applications⁷ on devices issued to an employee or officer by a public employer, or otherwise used on a network that is owned, operated, or maintained by a public employer. This law requires the Department of Management Services (DMS) to create and maintain a list of prohibited applications of any Internet application that it deems to present a security risk in the form of

⁴ The law defines “governmental entity” to mean a state, regional, county, municipal, special district, or other political subdivision whether executive, judicial, or legislative, including, but not limited to, a department, division, board, bureau, commission, authority, district, or agency thereof, or a public school, Florida College System institution, state university, or associated board.

⁵ Any public body corporate and politic authorized or created by general or special law and granted the power to issue bonds.

⁶ An ESG bond is any bond that has been designated or labeled as a bond that will be used to finance a project with an ESG purpose, including, but not limited to, green bonds, Certified Climate Bonds, GreenStar designated bonds, and other environmental bonds marketed as promoting a generalized or global environmental objective; social bonds marketed as promoting a social objective; and sustainability bonds and sustainable development goal bonds marketed as promoting both environmental and social objectives. It includes bonds self-designated by the issuer as ESG-labeled bonds and those designated as ESG-labeled bonds by a third-party verifier.

⁷ A “prohibited application” is defined as any application that participates in certain activities, such as conducting cyber-espionage against a public employer, and that is created, maintained, or owned by a foreign principal.

unauthorized access to, or temporary unavailability of the public employer’s records, digital assets, systems, networks, servers, or information. Public employers must block access to any prohibited application via their wireless networks and virtual private networks; restrict access to any prohibited application on any government cell phone, laptop, desktop computer, tablet computer, or other electronic device that can connect to the Internet that has been issued to an employee or officer for a work-related purpose; and retain the ability to remotely wipe and uninstall any prohibited application from any such device that is believed to have been adversely impacted by a prohibited application. The legislation requires an employee or officer of a CDD to remove any prohibited application from his or her government-issued device within 15 days of the DMS’ publication of its list of prohibited applications, and within 15 days of any subsequent update to the list of prohibited applications. The effective date of this legislation is July 1, 2023.

6. Chapter 2023 – 33, Laws of Florida (SB 264). The legislation restricts the issuance of government contracts or economic development incentives to foreign entities that are owned by, controlled by or organized under the laws of a foreign country of concern⁸. The law further prohibits a foreign principal⁹ from owning or acquiring agricultural land or other interests in real property on or within 10 miles of a military installation or critical infrastructure facility. A foreign principal that owns agricultural land acquired before July 1, 2023, may continue to hold such land and must register with the Florida Department of Agriculture and Consumer Services (DACS) by January 1, 2024. If the property owned or acquired before July 1, 2023, is on or within 10 miles of a military installation or critical infrastructure facility, the foreign principal must similarly register with the Department of Economic Opportunity by December 31, 2023. The law prohibits the People’s Republic of China, the Chinese Communist Party, its officials and members, other political party official or members, other legal entities or subsidiaries organized under the laws of, or having a principal place of business in, China or its political subdivisions, or other persons domiciled in China, who are not U.S. citizens or lawful permanent residents of the United States, from purchasing or acquiring an interest in, real property in Florida. Finally, the act amends s. 836.05, F.S., relating to criminal threats and extortion, to provide that a person who violates the statute while acting as a foreign agent for the purpose of benefitting a foreign country of concern, commits a first degree felony. The effective date of this legislation is July 1, 2023.

7. Chapter 2023 – 264, Laws of Florida (SB 7008). The legislation amends Section 119.071(3)(c)1., F.S., to save from repeal, the public records exemption for information relating to the following information held by an agency:

- Building plans;
- Blueprints;
- Schematic drawings; and

⁸ The People’s Republic of China, The Russian Federation, The Islamic Republic of Iran, The Democratic People’s Republic of Korea, The Republic of Cuba, The Venezuelan Regime of Nicolas Maduro, or The Syrian Arab Republic, including any agency of or other entity within significant control of such foreign country of concern.

⁹ “Foreign principal” means: The government or any official of the government of a foreign country of concern; A political party or member of a political party or any subdivision of a political party in a foreign country of concern; A partnership, association, corporation, organization, or other combination of persons organized under the laws of, or having its principal place of business in, a foreign country of concern, or a subsidiary of such entity; or o Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent resident of the United States.

- Diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development.

The effective date of this act is October 1, 2023.

8. Chapter 2023 – 75, Laws of Florida (HB 7007). The legislation removes the scheduled repeal date of the public record and public meeting exemptions for security or fire safety system plans under Sections 119.071(3)(a) and 286.0113(1), F.S., thereby maintaining the public record and public meeting exemptions for such plans. The effective date of this act is October 1, 2023.

For convenience, we have included copies of the legislation referenced in this memorandum. We request that you include this memorandum as part of the agenda packages for upcoming meetings of the governing boards of those special districts in which you serve as the District Manager and this firm serves as District Counsel. For purposes of the agenda package, it is not necessary to include the attached legislation, as we can provide copies to anyone requesting the same. Copies of the referenced legislation are also accessible by visiting this link: <http://laws.flrules.org/>.

CHAPTER 2023-134

Committee Substitute for Committee Substitute for Senate Bill No. 346

An act relating to public construction; amending s. 218.735, F.S.; requiring that certain contracts provide the estimated cost to complete each item on a specified list; requiring that such contracts specify the process for determining the cost to complete each item on the list; revising the extension by contract of a specified timeframe to develop and review a specified list; requiring a local governmental entity to pay a contractor the remaining contract balance within a specified timeframe; authorizing the contractor to submit a payment request for the amount withheld by the local governmental entity under specified conditions; authorizing a contractor to submit a payment request to the local governmental entity for the remaining balance of the contract, under specified conditions; requiring a local governmental entity to pay the contractor within a specified timeframe; requiring the local governmental entity to pay the remaining balance of the contract under specified conditions; revising the conditions that require a local governmental entity to pay or release amounts subject to certain disputes or claims; amending s. 218.76, F.S.; revising the timeframe within which proceedings must commence to resolve disputes between vendors and local governmental entities; revising the timeframe for such proceedings to conclude; amending s. 255.073, F.S.; requiring that undisputed portions of payment requests be paid within a specified timeframe; amending s. 255.074, F.S.; revising the timeframe for a public entity to submit a payment request to the Chief Financial Officer; amending s. 255.077, F.S.; requiring that certain contracts provide the estimated cost to complete each item on a specified list; requiring that such contracts specify the process for determining the cost to complete the items on the list; revising the extension authorized by contract to develop the specified list; requiring the public entity to pay the contractor the remaining balance of the contract within a specified timeframe; requiring a public entity to pay all remaining retainage if the public entity has not developed a specified list; amending s. 255.078, F.S.; revising the conditions that require a public entity to pay or release amounts subject to certain disputes or claims; amending s. 255.0992, F.S.; revising the definition of the term “public works project”; providing an effective date.

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

Section 1. Subsection (7) and paragraph (c) of subsection (8) of section 218.735, Florida Statutes, are amended to read:

218.735 Timely payment for purchases of construction services.—

(7) Each contract for construction services between a local governmental entity and a contractor must provide for the development of a single list of

items and the estimated cost to complete each item on the list required to render complete, satisfactory, and acceptable the construction services purchased by the local governmental entity.

(a) The contract must specify the process for developing the list and for determining the cost to complete each item on the list, and should include, ~~including~~ the responsibilities of the local governmental entity and the contractor in developing and reviewing the list and a reasonable time for developing the list:

1. For construction projects having an estimated cost of less than \$10 million, within 30 calendar days after reaching substantial completion of the construction services purchased as defined in the contract, or, if not defined in the contract, upon reaching beneficial occupancy or use; or

2. For construction projects having an estimated cost of \$10 million or more, within 30 calendar days, or, if extended by contract, up to 45 ~~60~~ calendar days after reaching substantial completion of the construction services purchased as defined in the contract, or, if not defined in the contract, upon reaching beneficial occupancy or use.

The contract must also specify a date for the delivery of the list of items, not to exceed 5 days after the list of items has been developed and reviewed in accordance with the time periods set forth in subparagraphs 1. and 2.

(b) If the contract between the local governmental entity and the contractor relates to the purchase of construction services on more than one building or structure, or involves a multiphased project, the contract must provide for the development of a list of items required to render complete, satisfactory, and acceptable all the construction services purchased pursuant to the contract for each building, structure, or phase of the project within the time limitations provided in paragraph (a).

(c) The final contract completion date must be at least 30 days after the delivery of the list of items. If the list is not provided to the contractor by the agreed upon date for delivery of the list, the contract time for completion must be extended by the number of days the local governmental entity exceeded the delivery date. Damages may not be assessed against a contractor for failing to complete a project within the time required by the contract, unless the contractor failed to complete the project within the contract period as extended under this paragraph.

(d) The failure to include any corrective work or pending items not yet completed on the list does not alter the responsibility of the contractor to complete all the construction services purchased pursuant to the contract.

(e) Within 20 business days after the list is created, the local governmental entity must pay the contractor the remaining contract balance that includes all retainage previously withheld by the local governmental entity

less an amount equal to 150 percent of the estimated cost to complete the items on the list.

(f) Upon completion of all items on the list, the contractor may submit a payment request for the amount ~~all remaining retainage~~ withheld by the local governmental entity pursuant to paragraph (e) this section. If a good faith dispute exists as to whether one or more items identified on the list have been completed pursuant to the contract, the local governmental entity may continue to withhold up to 150 percent of the total costs to complete such items.

(g)(f) All items that require correction under the contract which ~~and that~~ are identified after the preparation and delivery of the list remain the obligation of the contractor as defined by the contract.

(h)(g) Warranty items or items not included in the list of items required under paragraph (a) may not affect the final payment of retainage as provided in paragraph (e) this section or as provided in the contract between the contractor and its subcontractors and suppliers.

(i)(h) Retainage may not be held by a local governmental entity or a contractor to secure payment of insurance premiums under a consolidated insurance program or series of insurance policies issued to a local governmental entity or a contractor for a project or group of projects, and the final payment of retainage as provided in this section may not be delayed pending a final audit by the local governmental entity's or contractor's insurance provider.

(j)(i) If a local governmental entity fails to comply with its responsibilities to develop the list required under paragraph (a) or paragraph (b) within the time limitations provided in paragraph (a), the contractor may submit a payment request to the local governmental entity for the all remaining balance of the contract, including all remaining retainage withheld by the local governmental entity. The local governmental entity must pay the contractor pursuant to this section; and payment of any remaining undisputed contract amount, less any amount withheld pursuant to the contract for incomplete or uncorrected work, must be paid within 20 business days after receipt of a proper invoice or payment request. If the local governmental entity has provided written notice to the contractor specifying the failure of the contractor to meet contract requirements in the development of the list of items to be completed, the local governmental entity must pay the contractor the remaining balance of the contract, less an amount equal to 150 percent of the estimated cost to complete the items that the local governmental entity intended to include on the list need not pay or process any payment request for retainage if the contractor has, in whole or in part, failed to cooperate with the local governmental entity in the development of the list or to perform its contractual responsibilities, if any, with regard to the development of the list or if paragraph (8)(e) applies.

(8)

(c) This section does not require the local governmental entity to pay or release any amounts that are the subject of a good faith dispute made in writing pursuant to the contract or, the subject of a claim brought pursuant to s. 255.05, ~~or otherwise the subject of a claim or demand by the local governmental entity or contractor.~~

Section 2. Paragraph (a) of subsection (2) of section 218.76, Florida Statutes, is amended to read:

218.76 Improper payment request or invoice; resolution of disputes.—

(2)(a) If a dispute arises between a vendor and a local governmental entity concerning payment of a payment request or an invoice, the dispute must shall be finally determined by the local governmental entity pursuant to a dispute resolution procedure established by the local governmental entity. Such procedure must provide that proceedings to resolve the dispute commence ~~are commenced~~ within 30 ~~45~~ days after the date the payment request or proper invoice was received by the local governmental entity and conclude ~~concluded~~ by final decision of the local governmental entity within 45 ~~60~~ days after the date the payment request or proper invoice was received by the local governmental entity. Such procedures are not subject to chapter 120 and do not constitute an administrative proceeding that prohibits a court from deciding de novo any action arising out of the dispute. If the dispute is resolved in favor of the local governmental entity, interest charges begin to accrue 15 days after the local governmental entity's final decision. If the dispute is resolved in favor of the vendor, interest begins to accrue as of the original date the payment became due.

Section 3. Subsection (2) of section 255.073, Florida Statutes, is amended to read:

255.073 Timely payment for purchases of construction services.—

(2) If a public entity disputes a portion of a payment request, the undisputed portion must be timely paid by the date required under the contract or by 20 business days after receipt of the request, whichever is earlier.

Section 4. Subsection (3) of section 255.074, Florida Statutes, is amended to read:

255.074 Procedures for calculation of payment due dates.—

(3) A public entity must submit a payment request to the Chief Financial Officer for payment no later ~~more~~ than 14 ~~20~~ days after receipt of the payment request.

Section 5. Present subsections (4) through (8) of section 255.077, Florida Statutes, are redesignated as subsections (5) through (9), respectively, a new subsection (4) is added to that section, and subsection (1) and present subsection (8) of that section are amended, to read:

255.077 Project closeout and payment of retainage.—

(1) Each contract for construction services between a public entity and a contractor must provide for the development of a list of items and the estimated cost to complete each item on the list required to render complete, satisfactory, and acceptable the construction services purchased by the public entity. The contract must specify the process for the development of the list and for determining the cost to complete each item on the list, and should include the, including responsibilities of the public entity and the contractor in developing and reviewing the list and a reasonable time for developing the list, as follows:

(a) For construction projects having an estimated cost of less than \$10 million, within 30 calendar days after reaching substantial completion of the construction services purchased as defined in the contract, or, if not defined in the contract, upon reaching beneficial occupancy or use; or

(b) For construction projects having an estimated cost of \$10 million or more, within 30 calendar days, unless otherwise extended by contract not to exceed 45 60 calendar days, after reaching substantial completion of the construction services purchased as defined in the contract, or, if not defined in the contract, upon reaching beneficial occupancy or use.

(4) Within 20 business days after developing the list, and after receipt of a proper invoice or payment request, the public entity must pay the contractor the remaining balance of the contract, including any remaining retainage withheld by the public entity pursuant to s. 255.078, less an amount equal to 150 percent of the estimated cost to complete the items on the list.

(9)(8) If a public entity fails to comply with its responsibilities to develop the list required under subsection (1) or subsection (2), as defined in the contract, within the time limitations provided in subsection (1), the contractor may submit a payment request for all remaining retainage withheld by the public entity pursuant to s. 255.078 and the public entity must pay the contractor all remaining retainage previously withheld within 20 days after receipt of the payment request. The public entity is not required to need not pay or process any payment request for retainage if the contractor has, in whole or in part, failed to cooperate with the public entity in the development of the list or failed to perform its contractual responsibilities, if any, with regard to the development of the list or if s. 255.078(3) applies.

Section 6. Subsection (3) of section 255.078, Florida Statutes, is amended to read:

255.078 Public construction retainage.—

(3) This section and s. 255.077 do not require the public entity to pay or release any amounts that are the subject of a good faith dispute made in

~~writing pursuant to the contract or, the subject of a claim brought pursuant to s. 255.05, or otherwise the subject of a claim or demand by the public entity or contractor.~~

Section 7. Paragraph (b) of subsection (1) of section 255.0992, Florida Statutes, is amended to read:

255.0992 Public works projects; prohibited governmental actions.—

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

(b) “Public works project” means an activity ~~exceeding \$1 million in value~~ that is paid for with any state-appropriated funds and that ~~which~~ consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof ~~that is owned in whole or in part by any political subdivision.~~

Section 8. This act shall take effect July 1, 2023.

Approved by the Governor May 25, 2023.

Filed in Office Secretary of State May 25, 2023.

CHAPTER 2023-17

Committee Substitute for Senate Bill No. 102

An act relating to housing; providing a short title; amending s. 125.0103, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 125.01055, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, counties in approving certain housing developments; providing for future expiration; amending s. 125.379, F.S.; revising the date by which counties must prepare inventory lists of real property; requiring counties to make the inventory lists publicly available on their websites; authorizing counties to use certain properties for affordable housing through a long-term land lease; revising requirements for counties relating to inventory lists of certain property for affordable housing; providing that counties are encouraged to adopt best practices for surplus land programs; amending s. 166.04151, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, municipalities in approving applications for certain housing developments; providing for future expiration; amending s. 166.043, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 166.0451, F.S.; revising the date by which municipalities must prepare inventory lists of real property; requiring municipalities to make the inventory lists publicly available on their websites; authorizing municipalities to use certain properties for affordable housing through a long-term land lease; revising requirements for municipalities relating to inventory lists of certain property for affordable housing; providing that municipalities are encouraged to adopt best practices for surplus land programs; amending s. 196.1978, F.S.; providing an exemption from ad valorem taxation for land that meets certain criteria; providing applicability; providing for future repeal; defining terms; providing an ad valorem tax exemption for portions of property in a multifamily project if certain conditions are met; providing that vacant units may be eligible for the exemption under certain circumstances; specifying percentages of the exemption for qualified properties; specifying requirements for applying for the exemption with the property appraiser; specifying requirements for requesting certification from the Florida Housing Finance Corporation; specifying requirements for the corporation in reviewing requests, certifying property, and posting deadlines for applications; specifying requirements for property appraisers in reviewing and granting exemptions and for improperly granted exemptions; providing a penalty; providing limitations on eligibility; specifying requirements for a rental market study; authorizing the corporation to adopt rules; providing applicability; providing for future repeal; creating s. 196.1979, F.S.; authorizing local governments to adopt ordinances to provide an ad valorem tax exemption for portions of property

used to provide affordable housing meeting certain requirements; specifying requirements and limitations for the exemption; providing that vacant units may be eligible for the exemption under certain circumstances; specifying requirements for ordinances granting an exemption; specifying requirements for a rental market study; providing that ordinances must expire within a certain timeframe; requiring the property appraiser to take certain action in response to an improperly granted exemption; providing a penalty; providing applicability; amending s. 201.15, F.S.; suspending, for a specified period, the General Revenue Fund service charge on documentary stamp tax collections; providing for specified amounts of such collections to be credited to the State Housing Trust Fund for certain purposes; providing for certain amounts to be credited to the General Revenue Fund under certain circumstances; prohibiting the transfer of such funds to the General Revenue Fund in the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 212.08, F.S.; revising the total amount of community contribution tax credits which may be granted for certain projects; defining terms; providing a sales tax exemption for building materials used in the construction of affordable housing units; defining terms; specifying eligibility requirements; specifying requirements for applying for a sales tax refund with the Department of Revenue; specifying requirements for and limitations on refunds; providing requirements for the department in issuing refunds; authorizing the department to adopt rules; providing applicability; amending s. 213.053, F.S.; authorizing the department to make certain information available to the corporation to administer the Live Local Program; creating s. 215.212, F.S.; prohibiting the deduction of the General Revenue Fund service charge on documentary stamp tax proceeds; providing for future repeal; amending s. 215.22, F.S.; conforming a provision to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 220.02, F.S.; specifying the order of application of Live Local Program tax credits against the state corporate income tax; amending s. 220.13, F.S.; specifying requirements for the addition to adjusted federal income of amounts taken as a credit under the Live Local Program; amending s. 220.183, F.S.; conforming a provision to changes made by the act; amending s. 220.186, F.S.; providing applicability of Live Local Program tax credits to the Florida alternative minimum tax credit; creating s. 220.1878, F.S.; providing a credit against the state corporate income tax under the Live Local Program; specifying requirements and procedures for making eligible contributions and claiming the credit; amending s. 220.222, F.S.; requiring returns filed in connection with the Live Local Program tax credits to include the amount of certain credits; amending s. 253.034, F.S.; modifying requirements for the analysis included in land use plans; making technical changes; amending s. 253.0341, F.S.; requiring that local government requests for the state to surplus conservation or nonconservation lands for any means of transfer be expedited throughout the surplus process; amending s. 288.101, F.S.; authorizing the Governor, under the Florida Job Growth Grant Fund, to approve state or local public infrastructure projects to facilitate

the development or construction of affordable housing; providing for future repeal; amending s. 420.0003, F.S.; revising legislative intent for, and policies of, the state housing strategy; revising requirements for the implementation of the strategy; revising duties of the Shimberg Center for Housing Studies at the University of Florida; requiring the Office of Program Policy Analysis and Government Accountability to evaluate specified strategies, policies, and programs at specified intervals; specifying requirements for the office's analyses; authorizing rule amendments; amending s. 420.503, F.S.; revising the definition of the term "qualified contract" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.504, F.S.; revising the composition of the corporation's board of directors; providing specifications for filling vacancies on the board of directors; amending s. 420.507, F.S.; specifying a requirement for the corporation's annual budget request to the Secretary of Economic Opportunity; providing for the future expiration and reversion of specified statutory text; amending s. 420.5087, F.S.; revising prioritization of funds for the State Apartment Incentive Loan Program; creating s. 420.50871, F.S.; specifying requirements for, and authorized actions by, the corporation in allocating certain increased revenues during specified fiscal years to finance certain housing projects; providing construction; providing for future repeal; providing a directive to the Division of Law Revision; creating s. 420.50872, F.S.; defining terms; creating the Live Local Program; specifying responsibilities of the corporation; specifying the annual tax credit cap; specifying requirements for applying for tax credits with the department; providing requirements for the carryforward of credits; specifying restrictions on, and requirements for, the conveyance, transfer, or assignment of credits; providing requirements and procedures for the rescindment of credits; specifying procedures for calculating underpayments and penalties; providing construction; authorizing the department and the corporation to develop a cooperative agreement; authorizing the department to adopt rules; requiring the department to annually notify certain taxpayers of certain information; creating s. 420.5096, F.S.; providing legislative findings; creating the Florida Hometown Hero Program for a specified purpose; authorizing the corporation to underwrite and make certain mortgage loans; specifying terms for such loans and requirements for borrowers; authorizing loans made under the program to be used for the purchase of certain manufactured homes; providing construction; amending s. 420.531, F.S.; authorizing the Florida Housing Corporation to contract with certain entities to provide technical assistance to local governments in establishing selection criteria for proposals to use certain property for affordable housing purposes; amending s. 420.6075, F.S.; making technical changes; amending s. 553.792, F.S.; requiring local governments to maintain on their websites a policy relating to the expedited processing of certain building permits and development orders; amending s. 624.509, F.S.; specifying the order of application of Live Local Program tax credits against the insurance premium tax; amending s. 624.5105, F.S.; conforming a provision to changes made by the act; creating s. 624.51058, F.S.; providing a credit against the insurance premium tax under the Live Local

Program; providing a requirement for making eligible contributions; providing construction; providing applicability; exempting a certain initiative from certain evacuation time constraints; specifying that certain comprehensive plan amendments are valid; authorizing certain local governments to adopt local ordinances or regulations for certain purposes; authorizing the department to adopt emergency rules; providing for future expiration of such rulemaking authority; providing appropriations; providing a declaration of important state interest; providing effective dates.

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

Section 1. This act may be cited as the “Live Local Act.”

Section 2. Section 125.0103, Florida Statutes, is amended to read:

125.0103 Ordinances and rules imposing price controls; ~~findings required; procedures.~~—

(1)(a) Except as hereinafter provided, ~~a~~ no county, municipality, or other entity of local government may not ~~shall~~ adopt or maintain in effect an ordinance or a rule ~~that which~~ has the effect of imposing price controls upon a lawful business activity ~~that which~~ is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law.

(b) This section does not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, or rates for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or the removal and storage of vehicles or vessels in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county’s ordinance does ~~shall~~ not apply within such municipality.

~~(2) No law, ordinance, rule, or other measure which would have the effect of imposing controls on rents shall be adopted or maintained in effect except as provided herein and unless it is found and determined, as hereinafter provided, that such controls are necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the general public.~~

~~(3) Any law, ordinance, rule, or other measure which has the effect of imposing controls on rents shall terminate and expire within 1 year and shall not be extended or renewed except by the adoption of a new measure meeting all the requirements of this section.~~

~~(4) Notwithstanding any other provisions of this section, no controls shall be imposed on rents for any accommodation used or offered for residential purposes as a seasonal or tourist unit, as a second housing unit, or on rents for dwelling units located in luxury apartment buildings. For the purposes of this section, a luxury apartment building is one wherein on January 1, 1977, the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds \$250.~~

~~(5) A~~ No municipality, county, or other entity of local government may not ~~shall~~ adopt or maintain in effect any law, ordinance, rule, or other measure that ~~which~~ would have the effect of imposing controls on rents unless:

~~(a) Such measure is duly adopted by the governing body of such entity of local government, after notice and public hearing, in accordance with all applicable provisions of the Florida and United States Constitutions, the charter or charters governing such entity of local government, this section, and any other applicable laws.~~

~~(b) Such governing body makes and recites in such measure its findings establishing the existence in fact of a housing emergency so grave as to constitute a serious menace to the general public and that such controls are necessary and proper to eliminate such grave housing emergency.~~

~~(c) Such measure is approved by the voters in such municipality, county, or other entity of local government.~~

~~(6) In any court action brought to challenge the validity of rent control imposed pursuant to the provisions of this section, the evidentiary effect of any findings or recitations required by subsection (5) shall be limited to imposing upon any party challenging the validity of such measure the burden of going forward with the evidence, and the burden of proof (that is, the risk of nonpersuasion) shall rest upon any party seeking to have the measure upheld.~~

~~(3)~~⁽⁷⁾ Notwithstanding any other provisions of this section, municipalities, counties, or other entities of local government may adopt and maintain

in effect any law, ordinance, rule, or other measure which is adopted for the purposes of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Section 3. Subsections (5) and (6) of section 125.01055, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

125.01055 Affordable housing.—

(5) Subsection ~~(4)~~ (2) does not apply in an area of critical state concern, as designated in s. 380.0552.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for residential, commercial, or industrial use. ~~If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project, so long as at least 10 percent of the units included in the project are for housing that is affordable and the developer of the project agrees not to apply for or receive funding under s. 420.5087. The provisions of this subsection are self-executing and do not require the board of county commissioners to adopt an ordinance or a regulation before using the approval process in this subsection.~~

(7)(a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A county may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any unincorporated land in the county where residential development is allowed.

(c) A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the board of county commissioners is required if the development satisfies the county's land

development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A county must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the county's land development code, and the major transit stop is accessible from the development.

(f) For proposed multifamily developments in an unincorporated area zoned for commercial or industrial use which is within the boundaries of a multicounty independent special district that was created to provide municipal services and is not authorized to levy ad valorem taxes, and less than 20 percent of the land area within such district is designated for commercial or industrial use, a county must authorize, as provided in this subsection, such development only if the development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

Section 4. Section 125.379, Florida Statutes, is amended to read:

125.379 Disposition of county property for affordable housing.—

(1) By October 1, 2023 ~~July 1, 2007~~, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county or any dependent special district within its boundaries holds fee simple title which ~~that~~ is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of such property following the public hearing. Each county shall make the inventory list publicly available on its website to encourage potential development.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be used for affordable housing through a long-term land lease requiring the development and

maintenance of affordable housing, offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, ~~or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing.~~ Alternatively, the county or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term “affordable” has the same meaning as in s. 420.0004(3).

(3) Counties are encouraged to adopt best practices for surplus land programs, including, but not limited to:

(a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers;

(b) Making the process for requesting surplus lands publicly available; and

(c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.

Section 5. Subsections (5) and (6) of section 166.04151, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

166.04151 Affordable housing.—

(5) Subsection (4) (2) does not apply in an area of critical state concern, as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for residential, commercial, or industrial use. If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project, so long as at least 10 percent of the units included in the project are for housing that is affordable and the developer of the project agrees not to apply for or receive funding under s. 420.5087. The provisions of this subsection are self-executing and do not require the governing body to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years,

affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any land in the municipality where residential development is allowed.

(c) A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the governing body of the municipality is required if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A municipality must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the municipality's land development code, and the major transit stop is accessible from the development.

(f) A municipality that designates less than 20 percent of the land area within its jurisdiction for commercial or industrial use must authorize a proposed multifamily development as provided in this subsection in areas zoned for commercial or industrial use only if the proposed multifamily development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

Section 6. Section 166.043, Florida Statutes, is amended to read:

166.043 Ordinances and rules imposing price controls; ~~findings required;~~
~~procedures.~~—

(1)(a) Except as hereinafter provided, ~~a~~ ~~no~~ county, municipality, or other entity of local government may not ~~shall~~ adopt or maintain in effect an ordinance or a rule that ~~which~~ has the effect of imposing price controls upon a lawful business activity that ~~which~~ is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law.

(b) This section does not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, or rates for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or the removal and storage of vehicles or vessels in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county's ordinance established under s. 125.0103 does ~~shall~~ not apply within such municipality.

~~(2) No law, ordinance, rule, or other measure which would have the effect of imposing controls on rents shall be adopted or maintained in effect except as provided herein and unless it is found and determined, as hereinafter provided, that such controls are necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the general public.~~

~~(3) Any law, ordinance, rule, or other measure which has the effect of imposing controls on rents shall terminate and expire within 1 year and shall not be extended or renewed except by the adoption of a new measure meeting all the requirements of this section.~~

~~(4) Notwithstanding any other provisions of this section, no controls shall be imposed on rents for any accommodation used or offered for residential purposes as a seasonal or tourist unit, as a second housing unit, or on rents for dwelling units located in luxury apartment buildings. For the purposes of this section, a luxury apartment building is one wherein on~~

January 1, 1977, the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds \$250.

(5) ~~A~~ No municipality, county, or other entity of local government may not shall adopt or maintain in effect any law, ordinance, rule, or other measure that which would have the effect of imposing controls on rents unless:

(a) ~~Such measure is duly adopted by the governing body of such entity of local government, after notice and public hearing, in accordance with all applicable provisions of the Florida and United States Constitutions, the charter or charters governing such entity of local government, this section, and any other applicable laws.~~

(b) ~~Such governing body makes and recites in such measure its findings establishing the existence in fact of a housing emergency so grave as to constitute a serious menace to the general public and that such controls are necessary and proper to eliminate such grave housing emergency.~~

(c) ~~Such measure is approved by the voters in such municipality, county, or other entity of local government.~~

(6) ~~In any court action brought to challenge the validity of rent control imposed pursuant to the provisions of this section, the evidentiary effect of any findings or recitations required by subsection (5) shall be limited to imposing upon any party challenging the validity of such measure the burden of going forward with the evidence, and the burden of proof (that is, the risk of nonpersuasion) shall rest upon any party seeking to have the measure upheld.~~

~~(3)~~(7) Notwithstanding any other provisions of this section, municipalities, counties, or other entity of local government may adopt and maintain in effect any law, ordinance, rule, or other measure which is adopted for the purposes of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Section 7. Section 166.0451, Florida Statutes, is amended to read:

166.0451 Disposition of municipal property for affordable housing.—

(1) ~~By October 1, 2023~~ July 1, 2007, and every 3 years thereafter, each municipality shall prepare an inventory list of all real property within its jurisdiction to which the municipality or any dependent special district within its boundaries holds fee simple title which that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such property and specify whether the property is vacant or improved. The governing body of the municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such

property. Each municipality shall make the inventory list publicly available on its website to encourage potential development.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the municipality may be used for affordable housing through a long-term land lease requiring the development and maintenance of affordable housing, offered for sale and the proceeds ~~may be~~ used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, ~~or may be~~ sold with a restriction that requires the development of the property as permanent affordable housing, ~~or may be~~ donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the municipality or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term “affordable” has the same meaning as in s. 420.0004(3).

(3) Municipalities are encouraged to adopt best practices for surplus land programs, including, but not limited to:

(a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers;

(b) Making the process for requesting surplus lands publicly available; and

(c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.

Section 8. Effective January 1, 2024, subsection (1) of section 196.1978, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

196.1978 Affordable housing property exemption.—

(1)(a) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this subsection must comply with the criteria provided under s. 196.195 for determining exempt status and

applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. If the sole member of the limited liability company that owns the property is also a limited liability company that is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii), the Legislature intends that the property be treated as owned by the sole member of the limited liability company that owns the limited liability company that owns the property. Units that are vacant and units that are occupied by natural persons or families whose income no longer meets the income limits of this subsection, but whose income met those income limits at the time they became tenants, shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.

(b) Land that is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, and is leased for a minimum of 99 years for the purpose of, and is predominantly used for, providing housing to natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004 is exempt from ad valorem taxation. For purposes of this paragraph, land is predominantly used for qualifying purposes if the square footage of the improvements on the land used to provide qualifying housing is greater than 50 percent of the square footage of all improvements on the land. This paragraph first applies to the 2024 tax roll and is repealed December 31, 2059.

(3)(a) As used in this subsection, the term:

1. "Corporation" means the Florida Housing Finance Corporation.
2. "Newly constructed" means an improvement to real property which was substantially completed within 5 years before the date of an applicant's first submission of a request for certification or an application for an exemption pursuant to this section, whichever is earlier.
3. "Substantially completed" has the same meaning as in s. 192.042(1).

(b) Notwithstanding ss. 196.195 and 196.196, portions of property in a multifamily project are considered property used for a charitable purpose and are eligible to receive an ad valorem property tax exemption if such portions:

1. Provide affordable housing to natural persons or families meeting the income limitations provided in paragraph (d);

2. Are within a newly constructed multifamily project that contains more than 70 units dedicated to housing natural persons or families meeting the income limitations provided in paragraph (d); and

3. Are rented for an amount that does not exceed the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of paragraph (m), whichever is less.

(c) If a unit that in the previous year qualified for the exemption under this subsection and was occupied by a tenant is vacant on January 1, the vacant unit is eligible for the exemption if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this subsection and a reasonable effort is made to lease the unit to eligible persons or families.

(d)1. Qualified property used to house natural persons or families whose annual household income is greater than 80 percent but not more than 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, must receive an ad valorem property tax exemption of 75 percent of the assessed value.

2. Qualified property used to house natural persons or families whose annual household income does not exceed 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, is exempt from ad valorem property taxes.

(e) To receive an exemption under this subsection, a property owner must submit an application on a form prescribed by the department by March 1 for the exemption, accompanied by a certification notice from the corporation to the property appraiser.

(f) To receive a certification notice, a property owner must submit a request to the corporation for certification on a form provided by the corporation which includes all of the following:

1. The most recently completed rental market study meeting the requirements of paragraph (m).

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under paragraph (c), the property owner must provide evidence of the published rent amount for each vacant unit.

4. A sworn statement, under penalty of perjury, from the applicant restricting the property for a period of not less than 3 years to housing persons or families who meet the income limitations under this subsection.

(g) The corporation shall review the request for certification and certify property that meets the eligibility criteria of this subsection. A determination by the corporation regarding a request for certification does not constitute final agency action pursuant to chapter 120.

1. If the corporation determines that the property meets the eligibility criteria for an exemption under this subsection, the corporation must send a certification notice to the property owner and the property appraiser.

2. If the corporation determines that the property does not meet the eligibility criteria, the corporation must notify the property owner and include the reasons for such determination.

(h) The corporation shall post on its website the deadline to submit a request for certification. The deadline must allow adequate time for a property owner to submit a timely application for exemption to the property appraiser.

(i) The property appraiser shall review the application and determine if the applicant is entitled to an exemption. A property appraiser may grant an exemption only for a property for which the corporation has issued a certification notice.

(j) If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this subsection was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(k) Units subject to an agreement with the corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide housing to natural persons or families meeting

the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004 are not eligible for this exemption.

(l) Property receiving an exemption pursuant to s. 196.1979 is not eligible for this exemption.

(m) A rental market study submitted as required by paragraph (f) must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser as defined in s. 475.611 may issue a rental market study. The certified general appraiser must be independent of the property owner who requests the rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(n) The corporation may adopt rules to implement this section.

(o) This subsection first applies to the 2024 tax roll and is repealed December 31, 2059.

Section 9. Section 196.1979, Florida Statutes, is created to read:

196.1979 County and municipal affordable housing property exemption.

(1)(a) Notwithstanding ss. 196.195 and 196.196, the board of county commissioners of a county or the governing body of a municipality may adopt an ordinance to exempt those portions of property used to provide affordable housing meeting the requirements of this section. Such property is considered property used for a charitable purpose. To be eligible for the exemption, the portions of property:

1. Must be used to house natural persons or families whose annual household income:

a. Is greater than 30 percent but not more than 60 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides; or

b. Does not exceed 30 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides;

2. Must be within a multifamily project containing 50 or more residential units, at least 20 percent of which are used to provide affordable housing that meets the requirements of this section;

3. Must be rented for an amount no greater than the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of subsection (4), whichever is less;

4. May not have been cited for code violations on three or more occasions in the 24 months before the submission of a tax exemption application;

5. May not have any cited code violations that have not been properly remedied by the property owner before the submission of a tax exemption application; and

6. May not have any unpaid fines or charges relating to the cited code violations. Payment of unpaid fines or charges before a final determination on a property's qualification for an exemption under this section will not exclude such property from eligibility if the property otherwise complies with all other requirements for the exemption.

(b) Qualified property may receive an ad valorem property tax exemption of:

1. Up to 75 percent of the assessed value of each residential unit used to provide affordable housing if fewer than 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

2. Up to 100 percent of the assessed value if 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

(c) The board of county commissioners of the county or the governing body of the municipality, as applicable, may choose to adopt an ordinance that exempts property used to provide affordable housing for natural persons or families meeting the income limits of sub-subparagraph (a)1.a., natural persons or families meeting the income limits of sub-subparagraph (a)1.b., or both.

(2) If a residential unit that in the previous year qualified for the exemption under this section and was occupied by a tenant is vacant on January 1, the vacant unit may qualify for the exemption under this section if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this section and a reasonable effort is made to lease the unit to eligible persons or families.

(3) An ordinance granting the exemption authorized by this section must:

(a) Be adopted under the procedures for adoption of a nonemergency ordinance by a board of county commissioners specified in chapter 125 or by a municipal governing body specified in chapter 166.

(b) Designate the local entity under the supervision of the board of county commissioners or governing body of a municipality which must develop, receive, and review applications for certification and develop notices of determination of eligibility.

(c) Require the property owner to apply for certification by the local entity in order to receive the exemption. The application for certification must be on a form provided by the local entity designated pursuant to paragraph (b) and include all of the following:

1. The most recently completed rental market study meeting the requirements of subsection (4).

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under subsection (2), the property owner must provide evidence of the published rent amount for the vacant unit.

(d) Require the local entity to verify and certify property that meets the requirements of the ordinance as qualified property and forward the certification to the property owner and the property appraiser. If the local entity denies the exemption, it must notify the applicant and include reasons for the denial.

(e) Require the eligible unit to meet the eligibility criteria of paragraph (1)(a).

(f) Require the property owner to submit an application for exemption, on a form prescribed by the department, accompanied by the certification of qualified property, to the property appraiser no later than March 1.

(g) Specify that the exemption applies only to the taxes levied by the unit of government granting the exemption.

(h) Specify that the property may not receive an exemption authorized by this section after expiration or repeal of the ordinance.

(i) Identify the percentage of the assessed value which is exempted, subject to the percentage limitations in paragraph (1)(b).

(j) Identify whether the exemption applies to natural persons or families meeting the income limits of sub-subparagraph (1)(a)1.a., natural persons or families meeting the income limits of sub-subparagraph (1)(a)1.b., or both.

(k) Require that the deadline to submit an application for certification be published on the county's or municipality's website. The deadline must allow adequate time for a property owner to make a timely application for exemption to the property appraiser.

(l) Require the county or municipality to post on its website a list of certified properties for the purpose of facilitating access to affordable housing.

(4) A rental market study submitted as required by paragraph (3)(c) must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser, as defined in s. 475.611, may issue a rental market study. The certified general appraiser must be independent of the property owner who requests a rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(5) An ordinance adopted under this section must expire before the fourth January 1 after adoption; however, the board of county commissioners or the governing body of the municipality may adopt a new ordinance to renew the exemption. The board of county commissioners or the governing body of the municipality shall deliver a copy of an ordinance adopted under this section to the department and the property appraiser within 10 days after its adoption. If the ordinance expires or is repealed, the board of county commissioners or the governing body of the municipality must notify the department and the property appraiser within 10 days after its expiration or repeal.

(6) If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this section was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(7) This section first applies to the 2024 tax roll.

Section 10. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are hereby pledged and shall be first made available to make payments when due on bonds issued pursuant to s. 215.618 or s. 215.619, or any other bonds authorized to be issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the ~~payment of service charges or costs of collection and enforcement under this section. All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1).~~ Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs ~~and service charge~~ may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs ~~and service charge~~ are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter ~~and the service charge~~ shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as follows:

(1) Amounts necessary to make payments on bonds issued pursuant to s. 215.618 or s. 215.619, as provided under paragraphs (3)(a) and (b), or on any other bonds authorized to be issued on a parity basis with such bonds shall be deposited into the Land Acquisition Trust Fund.

(2) If the amounts deposited pursuant to subsection (1) are less than 33 percent of all taxes collected after first deducting the costs of collection, an amount equal to 33 percent of all taxes collected after first deducting the costs of collection, minus the amounts deposited pursuant to subsection (1), shall be deposited into the Land Acquisition Trust Fund.

(3) Amounts on deposit in the Land Acquisition Trust Fund shall be used in the following order:

(a) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued pursuant to s. 215.618. The amount used for such purposes may not exceed \$300 million in each fiscal year. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act or other law with respect to bonds issued for the purposes of s. 373.4598.

(b) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts due with respect to Everglades

restoration bonds issued pursuant to s. 215.619. Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.

Bonds issued pursuant to s. 215.618 or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

(4) After the required distributions to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), the lesser of 8 percent of the remainder or \$150 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be expended pursuant to s. 420.50871. If 8 percent of the remainder is greater than \$150 million in any fiscal year, the difference between 8 percent of the remainder and \$150 million shall be paid into the State Treasury to the credit of the General Revenue Fund. ~~and deduction of the service charge imposed pursuant to s. 215.20(1),~~ The remainder shall be distributed as follows:

(a) The lesser of 20.5453 percent of the remainder or \$466.75 million in each fiscal year shall be paid into the State Treasury to the credit of the State Transportation Trust Fund. Notwithstanding any other law, the amount credited to the State Transportation Trust Fund shall be used for:

1. Capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, in the amount of 10 percent of the funds;

2. The Small County Outreach Program specified in s. 339.2818, in the amount of 10 percent of the funds;

3. The Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2.; and

4. The Transportation Regional Incentive Program specified in s. 339.2819, in the amount of 25 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2. The first \$60 million of the funds allocated pursuant to this subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

(b) The lesser of 0.1456 percent of the remainder or \$3.25 million in each fiscal year shall be paid into the State Treasury to the credit of the Grants and Donations Trust Fund in the Department of Economic Opportunity to fund technical assistance to local governments.

Moneys distributed pursuant to paragraphs (a) and (b) may not be pledged for debt service unless such pledge is approved by referendum of the voters.

(c) An amount equaling 4.5 percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. The funds shall be used as follows:

1. Half of that amount shall be used for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Half of that amount shall be paid into the State Treasury to the credit of the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law.

(d) An amount equaling 5.20254 percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Of such funds:

1. Twelve and one-half percent of that amount shall be deposited into the State Housing Trust Fund and expended by the Department of Economic Opportunity and the Florida Housing Finance Corporation for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Eighty-seven and one-half percent of that amount shall be distributed to the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law. Funds from this category may also be used to provide for state and local services to assist the homeless.

(e) The lesser of 0.017 percent of the remainder or \$300,000 in each fiscal year shall be paid into the State Treasury to the credit of the General Inspection Trust Fund to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

(f) A total of \$75 million shall be paid into the State Treasury to the credit of the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity.

(g) An amount equaling 5.4175 percent of the remainder shall be paid into the Resilient Florida Trust Fund to be used for the purposes for which the Resilient Florida Trust Fund was created and exists by law. Funds may be used for planning and project grants.

(h) An amount equaling 5.4175 percent of the remainder shall be paid into the Water Protection and Sustainability Program Trust Fund to be used to fund wastewater grants as specified in s. 403.0673.

(5) Notwithstanding s. 215.32(2)(b)4.a., funds distributed to the State Housing Trust Fund and expended pursuant to s. 420.50871 and funds distributed to the State Housing Trust Fund and the Local Government Housing Trust Fund pursuant to ~~paragraphs (4)(c) and (d)~~ paragraph (4)(e) may not be transferred to the General Revenue Fund in the General Appropriations Act.

(6) After the distributions provided in the preceding subsections, any remaining taxes shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 11. The amendments made by this act to s. 201.15, Florida Statutes, expire on July 1, 2033, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 12. Paragraph (p) of subsection (5) of section 212.08, Florida Statutes, is amended, and paragraph (v) is added to that subsection, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(p) *Community contribution tax credit for donations.*—

1. Authorization.—Persons who are registered with the department under s. 212.18 to collect or remit sales or use tax and who make donations to eligible sponsors are eligible for tax credits against their state sales and use tax liabilities as provided in this paragraph:

a. The credit shall be computed as 50 percent of the person's approved annual community contribution.

b. The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the department for the credit as required in sub-subparagraph 3.c. If the annual credit is not fully used through such refund because of insufficient tax payments during the applicable 12-month period, the unused amount may be included in an application for a refund made pursuant to sub-subparagraph 3.c. in subsequent years against the total tax payments made for such year. Carryover credits may be applied for a 3-year period without regard to any time limitation that would otherwise apply under s. 215.26.

c. A person may not receive more than \$200,000 in annual tax credits for all approved community contributions made in any one year.

d. All proposals for the granting of the tax credit require the prior approval of the Department of Economic Opportunity.

e. The total amount of tax credits which may be granted for all programs approved under this paragraph and ss. 220.183 and 624.5105 is ~~\$25~~ \$14.5

million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households and \$4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects. As used in this paragraph, the term “person with special needs” has the same meaning as in s. 420.0004 and the terms “low-income person,” “low-income household,” “very-low-income person,” and “very-low-income household” have the same meanings as in s. 420.9071.

f. A person who is eligible to receive the credit provided in this paragraph, s. 220.183, or s. 624.5105 may receive the credit only under one section of the person’s choice.

2. Eligibility requirements.—

a. A community contribution by a person must be in the following form:

(I) Cash or other liquid assets;

(II) Real property, including 100 percent ownership of a real property holding company;

(III) Goods or inventory; or

(IV) Other physical resources identified by the Department of Economic Opportunity.

For purposes of this sub-subparagraph, the term “real property holding company” means a Florida entity, such as a Florida limited liability company, that is wholly owned by the person; is the sole owner of real property, as defined in s. 192.001(12), located in this ~~the~~ state; is disregarded as an entity for federal income tax purposes pursuant to 26 C.F.R. s. 301.7701-3(b)(1)(ii); and at the time of contribution to an eligible sponsor, has no material assets other than the real property and any other property that qualifies as a community contribution.

b. All community contributions must be reserved exclusively for use in a project. As used in this sub-subparagraph, the term “project” means activity undertaken by an eligible sponsor which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income households or very-low-income households; designed to provide housing opportunities for persons with special needs; designed to provide commercial, industrial, or public resources and facilities; or designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to a project approved

between January 1, 1996, and December 31, 1999, and located in an area which was in an enterprise zone designated pursuant to s. 290.0065 as of May 1, 2015. This paragraph does not preclude projects that propose to construct or rehabilitate housing for low-income households or very-low-income households on scattered sites or housing opportunities for persons with special needs. With respect to housing, contributions may be used to pay the following eligible special needs, low-income, and very-low-income housing-related activities:

(I) Project development impact and management fees for special needs, low-income, or very-low-income housing projects;

(II) Down payment and closing costs for persons with special needs, low-income persons, and very-low-income persons;

(III) Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to special needs, low-income, or very-low-income projects; and

(IV) Removal of liens recorded against residential property by municipal, county, or special district local governments if satisfaction of the lien is a necessary precedent to the transfer of the property to a low-income person or very-low-income person for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.

c. The project must be undertaken by an “eligible sponsor,” which includes:

(I) A community action program;

(II) A nonprofit community-based development organization whose mission is the provision of housing for persons with special needs, low-income households, or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;

(III) A neighborhood housing services corporation;

(IV) A local housing authority created under chapter 421;

(V) A community redevelopment agency created under s. 163.356;

(VI) A historic preservation district agency or organization;

(VII) A local workforce development board;

(VIII) A direct-support organization as provided in s. 1009.983;

(IX) An enterprise zone development agency created under s. 290.0056;

(X) A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s.

501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;

(XI) Units of local government;

(XII) Units of state government; or

(XIII) Any other agency that the Department of Economic Opportunity designates by rule.

A contributing person may not have a financial interest in the eligible sponsor.

d. The project must be located in an area which was in an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, or a Front Porch Florida Community, unless the project increases access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income households or very-low-income households or housing opportunities for persons with special needs is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications as follows:

(A) If tax credit applications submitted for approved projects of an eligible sponsor do not exceed \$200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

(B) If tax credit applications submitted for approved projects of an eligible sponsor exceed \$200,000 in total, the amount of tax credits granted pursuant to sub-sub-sub-subparagraph (A) shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

(II) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing

opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications on a pro rata basis.

3. Application requirements.—

a. An eligible sponsor seeking to participate in this program must submit a proposal to the Department of Economic Opportunity which sets forth the name of the sponsor, a description of the project, and the area in which the project is located, together with such supporting information as is prescribed by rule. The proposal must also contain a resolution from the local governmental unit in which the project is located certifying that the project is consistent with local plans and regulations.

b. A person seeking to participate in this program must submit an application for tax credit to the Department of Economic Opportunity which sets forth the name of the sponsor; a description of the project; and the type, value, and purpose of the contribution. The sponsor shall verify, in writing, the terms of the application and indicate its receipt of the contribution, and such verification must accompany the application for tax credit. The person must submit a separate tax credit application to the Department of Economic Opportunity for each individual contribution that it makes to each individual project.

c. A person who has received notification from the Department of Economic Opportunity that a tax credit has been approved must apply to the department to receive the refund. Application must be made on the form prescribed for claiming refunds of sales and use taxes and be accompanied by a copy of the notification. A person may submit only one application for refund to the department within a 12-month period.

4. Administration.—

a. The Department of Economic Opportunity may adopt rules necessary to administer this paragraph, including rules for the approval or disapproval of proposals by a person.

b. The decision of the Department of Economic Opportunity must be in writing, and, if approved, the notification shall state the maximum credit

allowable to the person. Upon approval, the Department of Economic Opportunity shall transmit a copy of the decision to the department.

c. The Department of Economic Opportunity shall periodically monitor all projects in a manner consistent with available resources to ensure that resources are used in accordance with this paragraph; however, each project must be reviewed at least once every 2 years.

d. The Department of Economic Opportunity shall, in consultation with the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

(v) *Building materials used in construction of affordable housing units.*

1. As used in this paragraph, the term:

a. “Affordable housing development” means property that has units subject to an agreement with the Florida Housing Finance Corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004.

b. “Building materials” means tangible personal property that becomes a component part of eligible residential units in an affordable housing development. The term includes appliances and does not include plants, landscaping, fencing, and hardscaping.

c. “Eligible residential units” means newly constructed units within an affordable housing development which are restricted under the land use restriction agreement.

d. “Newly constructed” means improvements to real property which did not previously exist or the construction of a new improvement where an old improvement was removed. The term does not include the renovation, restoration, rehabilitation, modification, alteration, or expansion of buildings already located on the parcel on which the eligible residential unit is built.

e. “Real property” has the same meaning as provided in s. 192.001(12).

f. “Substantially completed” has the same meaning as in s. 192.042(1).

2. Building materials used in eligible residential units are exempt from the tax imposed by this chapter if an owner demonstrates to the satisfaction of the department that the requirements of this paragraph have been met. Except as provided in subparagraph 3., this exemption inures to the owner at the time an eligible residential unit is substantially completed, but only through a refund of previously paid taxes. To receive a refund pursuant to this paragraph, the owner of the eligible residential units must file an

application with the department. The application must include all of the following:

- a. The name and address of the person claiming the refund.
- b. An address and assessment roll parcel number of the real property that was improved for which a refund of previously paid taxes is being sought.
- c. A description of the eligible residential units for which a refund of previously paid taxes is being sought, including the number of such units.
- d. A copy of a valid building permit issued by the county or municipal building department for the eligible residential units.
- e. A sworn statement, under penalty of perjury, from the general contractor licensed in this state with whom the owner contracted to build the eligible residential units which specifies the building materials, the actual cost of the building materials, and the amount of sales tax paid in this state on the building materials, and which states that the improvement to the real property was newly constructed. If a general contractor was not used, the owner must make the sworn statement required by this sub-subparagraph. Copies of the invoices evidencing the actual cost of the building materials and the amount of sales tax paid on such building materials must be attached to the sworn statement provided by the general contractor or by the owner. If copies of such invoices are not attached, the cost of the building materials is deemed to be an amount equal to 40 percent of the increase in the final assessed value of the eligible residential units for ad valorem tax purposes less the most recent assessed value of land for the units.
- f. A certification by the local building code inspector that the eligible residential unit is substantially completed.
- g. A copy of the land use restriction agreement with the Florida Housing Finance Corporation for the eligible residential units.

3. The exemption under this paragraph inures to a municipality, county, other governmental unit or agency, or nonprofit community-based organization through a refund of previously paid taxes if the building materials are paid for from the funds of a community development block grant, the State Housing Initiatives Partnership Program, or a similar grant or loan program. To receive a refund, a municipality, county, other governmental unit or agency, or nonprofit community-based organization must submit an application that includes the same information required under subparagraph 2. In addition, the applicant must include a sworn statement signed by the chief executive officer of the municipality, county, other governmental unit or agency, or nonprofit community-based organization seeking a refund which states that the building materials for which a refund is sought were

funded by a community development block grant, the State Housing Initiatives Partnership Program, or a similar grant or loan program.

4. The person seeking a refund must submit an application for refund to the department within 6 months after the eligible residential unit is deemed to be substantially completed by the local building code inspector or by November 1 after the improved property is first subject to assessment.

5. Only one exemption through a refund of previously paid taxes may be claimed for any eligible residential unit. A refund may not be granted unless the amount to be refunded exceeds \$500. A refund may not exceed the lesser of \$5,000 or 97.5 percent of the Florida sales or use tax paid on the cost of building materials as determined pursuant to sub-subparagraph 2.e. The department shall issue a refund within 30 days after it formally approves a refund application.

6. The department may adopt rules governing the manner and format of refund applications and may establish guidelines as to the requisites for an affirmative showing of qualification for exemption under this paragraph.

7. This exemption under this paragraph applies to sales of building materials that occur on or after July 1, 2023.

Section 13. Subsection (24) is added to section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(24) The department may make available to the Florida Housing Finance Corporation, exclusively for official purposes, information for the purpose of administering the Live Local Program pursuant to s. 420.50872.

Section 14. Section 215.212, Florida Statutes, is created to read:

215.212 Service charge elimination.—

(1) Notwithstanding s. 215.20(1), the service charge provided in s. 215.20(1) may not be deducted from the proceeds of the taxes distributed under s. 201.15.

(2) This section is repealed July 1, 2033.

Section 15. Paragraph (i) of subsection (1) of section 215.22, Florida Statutes, is amended to read:

215.22 Certain income and certain trust funds exempt.—

(1) The following income of a revenue nature or the following trust funds shall be exempt from the appropriation required by s. 215.20(1):

(i) Bond proceeds or revenues dedicated for bond repayment, ~~except for the Documentary Stamp Clearing Trust Fund administered by the Department of Revenue.~~

Section 16. The amendment made by this act to s. 215.22, Florida Statutes, expires on July 1, 2033, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 17. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 220.195, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, those enumerated in s. 220.1875, those enumerated in s. 220.1876, those enumerated in s. 220.1877, those enumerated in s. 220.1878, those enumerated in s. 220.193, those enumerated in s. 288.9916, those enumerated in s. 220.1899, those enumerated in s. 220.194, those enumerated in s. 220.196, those enumerated in s. 220.198, and those enumerated in s. 220.1915.

Section 18. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) *Additions.*—There shall be added to such taxable income:

1.a. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

b. Notwithstanding sub-subparagraph a., if a credit taken under s. 220.1875, s. 220.1876, ~~or s. 220.1877~~, or s. 220.1878 is added to taxable income in a previous taxable year under subparagraph 11. and is taken as a deduction for federal tax purposes in the current taxable year, the amount of

the deduction allowed shall not be added to taxable income in the current year. The exception in this sub-subparagraph is intended to ensure that the credit under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878 is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

6. The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. Any amount taken as a credit for the taxable year under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against

the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.193.

13. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

14. The costs to acquire a tax credit pursuant to s. 288.1254(5) that are deducted from or otherwise reduce federal taxable income for the taxable year.

15. The amount taken as a credit for the taxable year pursuant to s. 220.194.

16. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is not intended to result in adding the same expense back to income more than once.

17. The amount taken as a credit for the taxable year pursuant to s. 220.198.

18. The amount taken as a credit for the taxable year pursuant to s. 220.1915.

Section 19. Paragraph (c) of subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 624.5105 is ~~\$25~~ \$14.5 million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 and homeownership opportunities for low-income households or very-low-income households as defined in s. 420.9071 and \$4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects.

Section 20. Subsection (2) of section 220.186, Florida Statutes, is amended to read:

220.186 Credit for Florida alternative minimum tax.—

(2) The credit pursuant to this section shall be the amount of the excess, if any, of the tax paid based upon taxable income determined pursuant to s. 220.13(2)(k) over the amount of tax which would have been due based upon taxable income without application of s. 220.13(2)(k), before application of this credit without application of any credit under s. 220.1875, s. 220.1876, ~~or s. 220.1877, or s. 220.1878.~~

Section 21. Section 220.1878, Florida Statutes, is created to read:

220.1878 Credit for contributions to the Live Local Program.—

(1) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 100 percent of an eligible contribution made to the Live Local Program under s. 420.50872 against any tax due for a taxable year under this chapter after the application of any other allowable credits by the taxpayer. An eligible contribution must be made to the Live Local Program on or before the date the taxpayer is required to file a return pursuant to s. 220.222. The credit granted by this section must be reduced by the difference between the amount of federal corporate income tax, taking into account the credit granted by this section, and the amount of federal corporate income tax without application of the credit granted by this section.

(2) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under subsection (1).

(3) Section 420.50872 applies to the credit authorized by this section.

(4) If a taxpayer applies and is approved for a credit under s. 420.50872 after timely requesting an extension to file under s. 220.222(2):

(a) The credit does not reduce the amount of tax due for purposes of the department's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32.

(b) The taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit.

(c) The taxpayer shall be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance with the requirement to pay tentative taxes.

Section 22. Paragraph (c) of subsection (2) of section 220.222, Florida Statutes, is amended to read:

220.222 Returns; time and place for filing.—

(2)

(c)1. For purposes of this subsection, a taxpayer is not in compliance with s. 220.32 if the taxpayer underpays the required payment by more than the greater of \$2,000 or 30 percent of the tax shown on the return when filed.

2. For the purpose of determining compliance with s. 220.32 as referenced in subparagraph 1., the tax shown on the return when filed must include the amount of the allowable credits taken on the return pursuant to s. 220.1878.

Section 23. Subsection (5) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(5) Each manager of conservation lands shall submit to the Division of State Lands a land management plan at least every 10 years in a form and manner adopted by rule of the board of trustees and in accordance with s. 259.032. Each manager of conservation lands shall also update a land management plan whenever the manager proposes to add new facilities or make substantive land use or management changes that were not addressed in the approved plan, or within 1 year after the addition of significant new lands. Each manager of nonconservation lands shall submit to the Division of State Lands a land use plan at least every 10 years in a form and manner adopted by rule of the board of trustees. The division shall review each plan for compliance with the requirements of this subsection and the requirements of the rules adopted by the board of trustees pursuant to this section. All nonconservation land use plans, whether for single-use or multiple-use properties, shall be managed to provide the greatest benefit to the state. Plans for managed areas larger than 1,000 acres shall contain an analysis of the multiple-use potential of the property which includes the potential of the property to generate revenues to enhance the management of the property. In addition, the plan shall contain an analysis of the potential use of private land managers to facilitate the restoration or management of these lands and whether nonconservation lands would be more appropriately transferred to the county or municipality in which the land is located for the purpose of providing affordable multifamily rental housing that meets the criteria of s. 420.0004(3). If a newly acquired property has a valid conservation plan that was developed by a soil and conservation district, such plan shall be used to guide management of the property until a formal land use plan is completed.

(a) State conservation lands shall be managed to ensure the conservation of this ~~the~~ state's plant and animal species and to ensure the accessibility of state lands for the benefit and enjoyment of all people of this ~~the~~ state, both present and future. Each land management plan for state conservation lands shall provide a desired outcome, describe both short-term and long-term management goals, and include measurable objectives to achieve those goals. Short-term goals shall be achievable within a 2-year planning period, and long-term goals shall be achievable within a 10-year

planning period. These short-term and long-term management goals shall be the basis for all subsequent land management activities.

(b) Short-term and long-term management goals for state conservation lands shall include measurable objectives for the following, as appropriate:

1. Habitat restoration and improvement.
2. Public access and recreational opportunities.
3. Hydrological preservation and restoration.
4. Sustainable forest management.
5. Exotic and invasive species maintenance and control.
6. Capital facilities and infrastructure.
7. Cultural and historical resources.
8. Imperiled species habitat maintenance, enhancement, restoration, or population restoration.

(c) The land management plan shall, at a minimum, contain the following elements:

1. A physical description of the land.
2. A quantitative data description of the land which includes an inventory of forest and other natural resources; exotic and invasive plants; hydrological features; infrastructure, including recreational facilities; and other significant land, cultural, or historical features. The inventory shall reflect the number of acres for each resource and feature, when appropriate. The inventory shall be of such detail that objective measures and benchmarks can be established for each tract of land and monitored during the lifetime of the plan. All quantitative data collected shall be aggregated, standardized, collected, and presented in an electronic format to allow for uniform management reporting and analysis. The information collected by the Department of Environmental Protection pursuant to s. 253.0325(2) shall be available to the land manager and his or her assignee.
3. A detailed description of each short-term and long-term land management goal, the associated measurable objectives, and the related activities that are to be performed to meet the land management objectives. Each land management objective must be addressed by the land management plan, and if practicable, a land management objective may not be performed to the detriment of the other land management objectives.
4. A schedule of land management activities which contains short-term and long-term land management goals and the related measurable objective and activities. The schedule shall include for each activity a timeline for completion, quantitative measures, and detailed expense and manpower

budgets. The schedule shall provide a management tool that facilitates development of performance measures.

5. A summary budget for the scheduled land management activities of the land management plan. For state lands containing or anticipated to contain imperiled species habitat, the summary budget shall include any fees anticipated from public or private entities for projects to offset adverse impacts to imperiled species or such habitat, which fees shall be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat. The summary budget shall be prepared in such manner that it facilitates computing an aggregate of land management costs for all state-managed lands using the categories described in s. 259.037(3).

(d) Upon completion, the land management plan must be transmitted to the Acquisition and Restoration Council for review. The council shall have 90 days after receipt of the plan to review the plan and submit its recommendations to the board of trustees. During the review period, the land management plan may be revised if agreed to by the primary land manager and the council taking into consideration public input. The land management plan becomes effective upon approval by the board of trustees.

(e) Land management plans are to be updated every 10 years on a rotating basis. Each updated land management plan must identify any conservation lands under the plan, in part or in whole, that are no longer needed for conservation purposes and could be disposed of in fee simple or with the state retaining a permanent conservation easement.

(f) In developing land management plans, at least one public hearing shall be held in any one affected county.

(g) The Division of State Lands shall make available to the public an electronic copy of each land management plan for parcels that exceed 160 acres in size. The division shall review each plan for compliance with the requirements of this subsection, the requirements of chapter 259, and the requirements of the rules adopted by the board of trustees pursuant to this section. The Acquisition and Restoration Council shall also consider the propriety of the recommendations of the managing entity with regard to the future use of the property, the protection of fragile or nonrenewable resources, the potential for alternative or multiple uses not recognized by the managing entity, and the possibility of disposal of the property by the board of trustees. After its review, the council shall submit the plan, along with its recommendations and comments, to the board of trustees. The council shall specifically recommend to the board of trustees whether to approve the plan as submitted, approve the plan with modifications, or reject the plan. If the council fails to make a recommendation for a land management plan, the Secretary of Environmental Protection, Commissioner of Agriculture, or executive director of the Fish and Wildlife Conservation Commission or their designees shall submit the land management plan to the board of trustees.

(h) The board of trustees shall consider the land management plan submitted by each entity and the recommendations of the Acquisition and Restoration Council and the Division of State Lands and shall approve the plan with or without modification or reject such plan. The use or possession of any such lands that is not in accordance with an approved land management plan is subject to termination by the board of trustees.

(i)1. State nonconservation lands shall be managed to provide the greatest benefit to the state. State nonconservation lands may be grouped by similar land use types under one land use plan. Each land use plan shall, at a minimum, contain the following elements:

a. A physical description of the land to include any significant natural or cultural resources as well as management strategies developed by the land manager to protect such resources.

b. A desired development outcome.

c. A schedule for achieving the desired development outcome.

d. A description of both short-term and long-term development goals.

e. A management and control plan for invasive nonnative plants.

f. A management and control plan for soil erosion and soil and water contamination.

g. Measureable objectives to achieve the goals identified in the land use plan.

2. Short-term goals shall be achievable within a 5-year planning period and long-term goals shall be achievable within a 10-year planning period.

3. The use or possession of any such lands that is not in accordance with an approved land use plan is subject to termination by the board of trustees.

4. Land use plans submitted by a manager shall include reference to appropriate statutory authority for such use or uses and shall conform to the appropriate policies and guidelines of the state land management plan.

Section 24. Subsection (1) of section 253.0341, Florida Statutes, is amended to read:

253.0341 Surplus of state-owned lands.—

(1) The board of trustees shall determine which lands, the title to which is vested in the board, may be surplus. For all conservation lands, the Acquisition and Restoration Council shall make a recommendation to the board of trustees, and the board of trustees shall determine whether the lands are no longer needed for conservation purposes. If the board of trustees determines the lands are no longer needed for conservation purposes, it may dispose of such lands by an affirmative vote of at least three members. In the

case of a land exchange involving the disposition of conservation lands, the board of trustees must determine by an affirmative vote of at least three members that the exchange will result in a net positive conservation benefit. For all nonconservation lands, the board of trustees shall determine whether the lands are no longer needed. If the board of trustees determines the lands are no longer needed, it may dispose of such lands by an affirmative vote of at least three members. Local government requests for the state to surplus conservation or nonconservation lands, whether for purchase, ~~or~~ exchange, or any other means of transfer, must shall be expedited throughout the surplus process. Property jointly acquired by the state and other entities may not be surplus without the consent of all joint owners.

Section 25. Subsection (2) of section 288.101, Florida Statutes, is amended to read:

288.101 Florida Job Growth Grant Fund.—

(2) The department and Enterprise Florida, Inc., may identify projects, solicit proposals, and make funding recommendations to the Governor, who is authorized to approve:

(a) State or local public infrastructure projects to promote:

- 1. Economic recovery in specific regions of this the state;
- 2. Economic diversification; or
- 3. Economic enhancement in a targeted industry.

(b) State or local public infrastructure projects to facilitate the development or construction of affordable housing. This paragraph is repealed July 1, 2033.

(c) Infrastructure funding to accelerate the rehabilitation of the Herbert Hoover Dike. The department or the South Florida Water Management District may enter into agreements, as necessary, with the United States Army Corps of Engineers to implement this paragraph.

(d)(e) Workforce training grants to support programs at state colleges and state technical centers that provide participants with transferable, sustainable workforce skills applicable to more than a single employer, and for equipment associated with these programs. The department shall work with CareerSource Florida, Inc., to ensure programs are offered to the public based on criteria established by the state college or state technical center and do not exclude applicants who are unemployed or underemployed.

Section 26. Section 420.0003, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 420.0003, F.S., for present text.)

420.0003 State housing strategy.—

(1) LEGISLATIVE INTENT.—It is the intent of this act to articulate a state housing strategy that will carry the state toward the goal of ensuring that each Floridian has safe, decent, and affordable housing. This strategy must involve state and local governments working in partnership with communities and the private sector and must involve financial, as well as regulatory, commitment to accomplish this goal.

(2) POLICIES.—

(a) Housing production and rehabilitation programs.—Programs to encourage housing production or rehabilitation must be guided by the following general policies, as appropriate for the purpose of the specific program:

1. State and local governments shall provide incentives to encourage the private sector to be the primary delivery vehicle for the development of affordable housing. When possible, state funds should be heavily leveraged to achieve the maximum federal, local, and private commitment of funds and be used to ensure long-term affordability. To the maximum extent possible, state funds should be expended to create new housing stock and be used for repayable loans rather than grants. Local incentives to stimulate private sector development of affordable housing may include establishment of density bonus incentives.

2. State and local governments should consider and implement innovative solutions to housing issues where appropriate. Innovative solutions include, but are not limited to:

a. Utilizing publicly held land to develop affordable housing through state or local land purchases, long-term land leasing, and school district affordable housing programs. To the maximum extent possible, state-owned lands that are appropriate for the development of affordable housing must be made available for that purpose.

b. Community-led planning that focuses on urban infill, flexible zoning, redevelopment of commercial property into mixed-use property, resiliency, and furthering development in areas with preexisting public services, such as wastewater, transit, and schools.

c. Project features that maximize efficiency in land and resource use, such as high density, high rise, and mixed use.

d. Mixed-income projects that facilitate more diverse and successful communities.

e. Modern housing concepts such as manufactured homes, tiny homes, 3D-printed homes, and accessory dwelling units.

3. State funds should be available only to local governments that provide incentives or financial assistance for housing. State funding for housing should not be made available to local governments whose comprehensive plans have been found not in compliance with chapter 163 and who have not entered into a stipulated settlement agreement with the department to bring the plans into compliance. State funds should be made available only for projects consistent with the local government's comprehensive plan.

4. Local governments are encouraged to enter into interlocal agreements, as appropriate, to coordinate strategies and maximize the use of state and local funds.

5. State-funded development should emphasize use of developed land, urban infill, and the transformation of existing infrastructure in order to minimize sprawl, separation of housing from employment, and effects of increased housing on ecological preservation areas. Housing available to the state's workforce should prioritize proximity to employment and services.

(b) *Public-private partnerships.*—Cost-effective public-private partnerships must emphasize production and preservation of affordable housing.

1. Data must be developed and maintained on the affordable housing activities of local governments, community-based organizations, and private developers.

2. The state shall assist local governments and community-based organizations by providing training and technical assistance.

3. In coordination with local activities and with federal initiatives, the state shall provide incentives for public sector and private sector development of affordable housing.

(c) *Preservation of housing stock.*—The existing stock of affordable housing must be preserved and improved through rehabilitation programs and expanded neighborhood revitalization efforts to promote suitable living environments for individuals and families.

(d) *Unique housing needs.*—The wide range of need for safe, decent, and affordable housing must be addressed, with an emphasis on assisting the neediest persons.

1. State housing programs must promote the self-sufficiency and economic dignity of the people of this state, including elderly persons and persons with disabilities.

2. The housing requirements of special needs populations must be addressed through programs that promote a range of housing options bolstering integration with the community.

3. All housing initiatives and programs must be nondiscriminatory.

4. The geographic distribution of resources must provide for the development of housing in rural and urban areas.

5. The important contribution of public housing to the well-being of citizens in need shall be acknowledged through efforts to continue and bolster existing programs. State and local government funds allocated to enhance public housing must be used to supplement, not supplant, federal support.

(3) IMPLEMENTATION.—The state, in carrying out the strategy articulated in this section, shall have the following duties:

(a) State fiscal resources must be directed to achieve the following programmatic objectives:

1. Effective technical assistance and capacity-building programs must be established at the state and local levels.

2. The Shimberg Center for Housing Studies at the University of Florida shall develop and maintain statewide data on housing needs and production, provide technical assistance relating to real estate development and finance, operate an information clearinghouse on housing programs, and coordinate state housing initiatives with local government and federal programs.

3. The corporation shall maintain a consumer-focused website for connecting tenants with affordable housing.

(b) The long-range program plan of the department must include specific goals, objectives, and strategies that implement the housing policies in this section.

(c) The Shimberg Center for Housing Studies at the University of Florida, in consultation with the department and the corporation, shall perform functions related to the research and planning for affordable housing. Functions must include quantifying affordable housing needs, documenting results of programs administered, and inventorying the supply of affordable housing units made available in this state. The recommendations required in this section and a report of any programmatic modifications made as a result of these policies must be included in the housing report required by s. 420.6075. The report must identify the needs of specific populations, including, but not limited to, elderly persons, persons with disabilities, and persons with special needs, and may recommend statutory modifications when appropriate.

(d) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall evaluate affordable housing issues pursuant to the schedule set forth in this paragraph. OPPAGA may coordinate with and rely upon the expertise and research activities of the Shimberg Center for Housing Studies in conducting the evaluations. The analysis may include relevant reports prepared by the Shimberg Center for Housing Studies, the department, the corporation, and the provider of the Affordable Housing

Catalyst Program; interviews with the agencies, providers, offices, developers, and other organizations related to the development and provision of affordable housing at the state and local levels; and any other relevant data. When appropriate, each report must recommend policy and statutory modifications for consideration by the Legislature. Each report must be submitted to the President of the Senate and the Speaker of the House of Representatives pursuant to the schedule. OPPAGA shall review and evaluate:

1. By December 15, 2023, and every 5 years thereafter, innovative affordable housing strategies implemented by other states, their effectiveness, and their potential for implementation in this state.

2. By December 15, 2024, and every 5 years thereafter, affordable housing policies enacted by local governments, their effectiveness, and which policies constitute best practices for replication across this state. The report must include a review and evaluation of the extent to which interlocal cooperation is used, effective, or hampered.

3. By December 15, 2025, and every 5 years thereafter, existing state-level housing rehabilitation, production, preservation, and finance programs to determine their consistency with relevant policies in this section and effectiveness in providing affordable housing. The report must also include an evaluation of the degree of coordination between housing programs of this state, and between state, federal, and local housing activities, and shall recommend improved program linkages when appropriate.

(e) The department and the corporation should conform the administrative rules for each housing program to the policies stated in this section, provided that such changes in the rules are consistent with the statutory intent or requirements for the program. This authority applies only to programs offering loans, grants, or tax credits and only to the extent that state policies are consistent with applicable federal requirements.

Section 27. Subsection (36) of section 420.503, Florida Statutes, is amended to read:

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

(36) “Qualified contract” has the same meaning as in 26 U.S.C. s. 42(h)(6)(F) in effect on the date of the preliminary determination certificate for the low-income housing tax credits for the development that is the subject of the qualified contract request, unless the Internal Revenue Code requires a different statute or regulation to apply to the development. The corporation shall deem a bona fide contract to be a qualified contract at the time the bona fide contract is presented to the owner and the initial second-earnest money deposit is deposited in escrow in accordance with the terms of the bona fide contract, and, in such event, the corporation is deemed to have fulfilled its responsibility to present the owner with a qualified contract.

Section 28. Subsection (3) and paragraph (a) of subsection (4) of section 420.504, Florida Statutes, are amended to read:

420.504 Public corporation; creation, membership, terms, expenses.—

(3) The corporation is a separate budget entity and is not subject to control, supervision, or direction by the department of ~~Economic Opportunity~~ in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters. The corporation shall consist of a board of directors composed of the Secretary of Economic Opportunity as an ex officio and voting member, or a senior-level agency employee designated by the secretary, one member appointed by the President of the Senate, one member appointed by the Speaker of the House of Representatives, and eight members appointed by the Governor subject to confirmation by the Senate from the following:

(a) One citizen actively engaged in the residential home building industry.

(b) One citizen actively engaged in the banking or mortgage banking industry.

(c) One citizen who is a representative of those areas of labor engaged in home building.

(d) One citizen with experience in housing development who is an advocate for low-income persons.

(e) One citizen actively engaged in the commercial building industry.

(f) One citizen who is a former local government elected official.

(g) Two citizens of the state who are not principally employed as members or representatives of any of the groups specified in paragraphs (a)-(f).

(4)(a) Members of the corporation shall be appointed for terms of 4 years, except that any vacancy shall be filled for the unexpired term. Vacancies on the board shall be filled by appointment by the Governor, the President of the Senate, or the Speaker of the House of Representatives, respectively, depending on who appointed the member whose vacancy is to be filled or whose term has expired.

Section 29. Subsection (30) of section 420.507, Florida Statutes, is amended to read:

420.507 Powers of the corporation.—The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

(30) To prepare and submit to the Secretary of Economic Opportunity a budget request for purposes of the corporation, which request must shall, notwithstanding the provisions of chapter 216 and in accordance with s. 216.351, contain a request for operational expenditures and separate requests for other authorized corporation programs. The request must include, for informational purposes, the amount of state funds necessary to use all federal housing funds anticipated to be received by, or allocated to, the state in the fiscal year in order to maximize the production of new, affordable multifamily housing units in this state. The request need not contain information on the number of employees, salaries, or any classification thereof, and the approved operating budget therefor need not comply with s. 216.181(8)-(10). The secretary may include within the department's budget request the corporation's budget request in the form as authorized by this section.

Section 30. The amendment made by this act to s. 420.507(30), Florida Statutes, expires July 1, 2033, and the text of that subsection shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 31. Subsection (10) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10) The corporation may prioritize a portion of the program funds set aside under paragraph (3)(d) for persons with special needs as defined in s. 420.0004(13) to provide funding for the development of newly constructed permanent rental housing ~~on a campus~~ that provides housing for persons in foster care or persons aging out of foster care pursuant to s. 409.1451. Such housing shall promote and facilitate access to community-based supportive, educational, and employment services and resources that assist persons aging out of foster care to successfully transition to independent living and adulthood. The corporation must consult with the Department of Children and Families to create minimum criteria for such housing.

Section 32. Section 420.50871, Florida Statutes, is created to read:

420.50871 Allocation of increased revenues derived from amendments to s. 201.15 made by this act.—Funds that result from increased revenues to the State Housing Trust Fund derived from amendments made to s. 201.15 made by this act must be used annually for projects under the State Apartment Incentive Loan Program under s. 420.5087 as set forth in this section, notwithstanding ss. 420.507(48) and (50) and 420.5087(1) and (3).

The Legislature intends for these funds to provide for innovative projects that provide affordable and attainable housing for persons and families working, going to school, or living in this state. Projects approved under this section are intended to provide housing that is affordable as defined in s. 420.0004, notwithstanding the income limitations in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and annually for 10 years thereafter:

(1) The corporation shall allocate 70 percent of the funds provided by this section to issue competitive requests for application for the affordable housing project purposes specified in this subsection. The corporation shall finance projects that:

(a) Both redevelop an existing affordable housing development and provide for the construction of a new development within close proximity to the existing development to be rehabilitated. Each project must provide for building the new affordable housing development first, relocating the tenants of the existing development to the new development, and then demolishing the existing development for reconstruction of an affordable housing development with more overall and affordable units.

(b) Address urban infill, including conversions of vacant, dilapidated, or functionally obsolete buildings or the use of underused commercial property.

(c) Provide for mixed use of the location, incorporating nonresidential uses, such as retail, office, institutional, or other appropriate commercial or nonresidential uses.

(d) Provide housing near military installations in this state, with preference given to projects that incorporate critical services for service-members, their families, and veterans, such as mental health treatment services, employment services, and assistance with transition from active-duty service to civilian life.

(2) From the remaining funds, the corporation shall allocate the funds to issue competitive requests for application for any of the following affordable housing purposes specified in this subsection. The corporation shall finance projects that:

(a) Propose using or leasing public lands. Projects that propose to use or lease public lands must include a resolution or other agreement with the unit of government owning the land to use the land for affordable housing purposes.

(b) Address the needs of young adults who age out of the foster care system.

(c) Meet the needs of elderly persons.

(d) Provide housing to meet the needs in areas of rural opportunity, designated pursuant to s. 288.0656.

(3) Under any request for application under this section, the corporation shall coordinate with the appropriate state department or agency and prioritize projects that provide for mixed-income developments.

(4) This section does not prohibit the corporation from allocating additional funds to the purposes described in this section. In any fiscal year, if the funds allocated by the corporation to any request for application under subsections (1) and (2) are not fully used after the application and award processes are complete, the corporation may use those funds to supplement any future request for application under this section.

(5) This section is repealed June 30, 2033.

Section 33. The Division of Law Revision is directed to replace the phrase “this act” wherever it occurs in s. 420.50871, Florida Statutes, as created by this act, with the assigned chapter number of this act.

Section 34. Section 420.50872, Florida Statutes, is created to read:

420.50872 Live Local Program.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Annual tax credit amount” means, for any state fiscal year, the sum of the amount of tax credits approved under paragraph (3)(a), including tax credits to be taken under s. 220.1878 or s. 624.51058, which are approved for taxpayers whose taxable years begin on or after January 1 of the calendar year preceding the start of the applicable state fiscal year.

(b) “Eligible contribution” means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to the corporation for use in the State Apartment Incentive Loan Program under s. 420.5087. The taxpayer making the contribution may not designate a specific project, property, or geographic area of this state as the beneficiary of the eligible contribution.

(c) “Live Local Program” means the program described in this section whereby eligible contributions are made to the corporation.

(d) “Tax credit cap amount” means the maximum annual tax credit amount that the Department of Revenue may approve for a state fiscal year.

(2) RESPONSIBILITIES OF THE CORPORATION.—The corporation shall:

(a) Expend 100 percent of eligible contributions received under this section for the State Apartment Incentive Loan Program under s. 420.5087. However, the corporation may use up to \$25 million of eligible contributions to provide loans for the construction of large-scale projects of significant regional impact. Such projects must include a substantial civic, educational, or health care use and may include a commercial use, any of which must be

incorporated within or contiguous to the project property. Such a loan must be made, except as otherwise provided in this subsection, in accordance with the practices and policies of the State Apartment Incentive Loan Program. Such a loan is subject to the competitive application process and may not exceed 25 percent of the total project cost. The corporation must find that the loan provides a unique opportunity for investment alongside local government participation that would enable creation of a significant amount of affordable housing. Projects approved under this section are intended to provide housing that is affordable as defined in s. 420.0004, notwithstanding the income limitations in s. 420.5087(2).

(b) Upon receipt of an eligible contribution, provide the taxpayer that made the contribution with a certificate of contribution. A certificate of contribution must include the taxpayer's name; its federal employer identification number, if available; the amount contributed; and the date of contribution.

(c) Within 10 days after issuing a certificate of contribution, provide a copy to the Department of Revenue.

(3) LIVE LOCAL TAX CREDITS; APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

(a) Beginning in the 2023-2024 fiscal year, the tax credit cap amount is \$100 million in each state fiscal year.

(b) Beginning October 1, 2023, a taxpayer may submit an application to the Department of Revenue for an allocation of the tax credit cap for tax credits to be taken under either or both of s. 220.1878 or s. 624.51058.

1. The taxpayer shall specify in the application each tax for which the taxpayer requests a credit and the applicable taxable year. For purposes of s. 220.1878, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that year pursuant to s. 220.222. For purposes of s. 624.51058, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that prior taxable year pursuant to ss. 624.509 and 624.5092. The Department of Revenue shall approve tax credits on a first-come, first-served basis.

2. Within 10 days after approving or denying an application, the Department of Revenue shall provide a copy of its approval or denial letter to the corporation.

(c) If a tax credit approved under paragraph (b) is not fully used for the specified taxable year for credits under s. 220.1878 or s. 624.51058 because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 10 taxable years. For purposes of s. 220.1878, a credit carried forward may be used in a subsequent year

after applying the other credits and unused carryovers in the order provided in s. 220.02(8).

(d) A taxpayer may not convey, transfer, or assign an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, a tax credit under s. 220.1878 or s. 624.51058 may be conveyed, transferred, or assigned between members of an affiliated group of corporations if the type of tax credit under s. 220.1878 or s. 624.51058 remains the same. A taxpayer shall notify the Department of Revenue of its intent to convey, transfer, or assign a tax credit to another member within an affiliated group of corporations. The amount conveyed, transferred, or assigned is available to another member of the affiliated group of corporations upon approval by the Department of Revenue.

(e) Within any state fiscal year, a taxpayer may rescind all or part of a tax credit allocation approved under paragraph (b). The amount rescinded must become available for that state fiscal year to another eligible taxpayer as approved by the Department of Revenue if the taxpayer receives notice from the Department of Revenue that the rescindment has been accepted by the Department of Revenue. Any amount rescinded under this paragraph must become available to an eligible taxpayer on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the Department of Revenue.

(f) Within 10 days after approving or denying the conveyance, transfer, or assignment of a tax credit under paragraph (d), or the rescindment of a tax credit under paragraph (e), the Department of Revenue shall provide a copy of its approval or denial letter to the corporation.

(g) For purposes of calculating the underpayment of estimated corporate income taxes under s. 220.34 and tax installment payments for taxes on insurance premiums or assessments under s. 624.5092, the final amount due is the amount after credits earned under s. 220.1878 or s. 624.51058 for contributions to eligible charitable organizations are deducted.

1. For purposes of determining if a penalty or interest under s. 220.34(2)(d)1. will be imposed for underpayment of estimated corporate income tax, a taxpayer may, after earning a credit under s. 220.1878, reduce any estimated payment in that taxable year by the amount of the credit.

2. For purposes of determining if a penalty under s. 624.5092 will be imposed, an insurer, after earning a credit under s. 624.51058 for a taxable year, may reduce any installment payment for such taxable year of 27 percent of the amount of the net tax due as reported on the return for the preceding year under s. 624.5092(2)(b) by the amount of the credit.

(4) PRESERVATION OF CREDIT.—If any provision or portion of this section, s. 220.1878, or s. 624.51058 or the application thereof to any person or circumstance is held unconstitutional by any court or is otherwise

declared invalid, the unconstitutionality or invalidity does not affect any credit earned under s. 220.1878 or s. 624.51058 by any taxpayer with respect to any contribution paid to the Live Local Program before the date of a determination of unconstitutionality or invalidity. The credit must be allowed at such time and in such a manner as if a determination of unconstitutionality or invalidity had not been made, provided that nothing in this subsection by itself or in combination with any other provision of law may result in the allowance of any credit to any taxpayer in excess of \$1 of credit for each dollar paid to an eligible charitable organization.

(5) ADMINISTRATION; RULES.—

(a) The Department of Revenue and the corporation may develop a cooperative agreement to assist in the administration of this section, as needed.

(b) The Department of Revenue may adopt rules necessary to administer this section, s. 220.1878, and s. 624.51058, including rules establishing application forms, procedures governing the approval of tax credits and carryforward tax credits under subsection (3), and procedures to be followed by taxpayers when claiming approved tax credits on their returns.

(c) By August 15, 2023, and by each August 15 thereafter, the Department of Revenue shall determine the 500 taxpayers with the greatest total corporate income or franchise tax due as reported on the taxpayer's return filed pursuant to s. 220.22 during the previous calendar year and notify those taxpayers of the existence of the Live Local Program and the process for obtaining an allocation of the tax credit cap. The Department of Revenue shall confer with the corporation in the drafting of the notification. The Department of Revenue may provide this notification by electronic means.

Section 35. Section 420.5096, Florida Statutes, is created to read:

420.5096 Florida Hometown Hero Program.—

(1) The Legislature finds that individual homeownership is vital to building long-term housing and financial security. With rising home prices, down payment and closing costs are often significant barriers to homeownership for working Floridians. Each person in Florida's hometown workforce is essential to creating thriving communities, and the Legislature finds that the ability of Floridians to reside within the communities in which they work is of great importance. Therefore, the Legislature finds that providing assistance to homebuyers in this state by reducing the amount of down payment and closing costs is a necessary step toward expanding access to homeownership and achieving safe, decent, and affordable housing for all Floridians.

(2) The Florida Hometown Hero Program is created to assist Florida's hometown workforce in attaining homeownership by providing financial

assistance to residents to purchase a home as their primary residence. Under the program, a borrower may apply to the corporation for a loan to reduce the amount of the down payment and closing costs paid by the borrower by a minimum of \$10,000 and up to 5 percent of the first mortgage loan, not exceeding \$35,000. Loans must be made available at a zero percent interest rate and must be made available for the term of the first mortgage. The balance of any loan is due at closing if the property is sold, refinanced, rented, or transferred, unless otherwise approved by the corporation.

(3) For loans made available pursuant to s. 420.507(23)(a)1. or 2., the corporation may underwrite and make those mortgage loans through the program to persons or families who have household incomes that do not exceed 150 percent of the state median income or local median income, whichever is greater. A borrower must be seeking to purchase a home as a primary residence; a first-time homebuyer and a Florida resident; and employed full-time by a Florida-based employer. The borrower must provide documentation of full-time employment, or full-time status for self-employed individuals, of 35 hours or more per week. The requirement to be a first-time homebuyer does not apply to a borrower who is an active duty service-member of a branch of the armed forces or the Florida National Guard, as defined in s. 250.01, or a veteran.

(4) Loans made under the Florida Hometown Hero Program may be used for the purchase of manufactured homes, as defined in s. 320.01(2)(b), which were constructed after July 13, 1994; which are permanently affixed to real property in this state, whether owned or leased by the borrower; and which are titled and financed as tangible personal property or as real property.

(5) This program is intended to be evergreen, and repayments for loans made under this program shall be retained within the program to make additional loans.

Section 36. Subsection (3) is added to section 420.531, Florida Statutes, to read:

420.531 Affordable Housing Catalyst Program.—

(3) The corporation may contract with the entity providing statewide training and technical assistance to provide technical assistance to local governments to establish selection criteria and related provisions for requests for proposals or other competitive solicitations for use or lease of government-owned real property for affordable housing purposes. The entity providing statewide training and technical assistance may develop best practices or other key elements for successful use of public property for affordable housing, in conjunction with technical support provided under subsection (1).

Section 37. Section 420.6075, Florida Statutes, is amended to read:

420.6075 Research and planning for affordable housing; annual housing report.—

(1) The research and planning functions of the department shall include the collection of data on the need for affordable housing in this state and the extent to which that need is being met through federal, state, and local programs, in order to facilitate planning to meet the housing needs in this state and to enable the development of sound strategies and programs for affordable housing. To fulfill this function, the Shimberg Center for Housing Studies ~~Affordable Housing~~ at the University of Florida shall perform the following functions:

(a) Quantify affordable housing needs in ~~this the~~ state by analyzing available data, including information provided through the housing elements of local comprehensive plans, and identify revisions in the housing element data requirements that would result in more uniform, meaningful information being obtained.

(b) Document the results since 1980 of all programs administered by the department which provide for or act as incentives for housing production or improvement. Data on program results must include the number of units produced and the unit cost under each program.

(c) Inventory the supply of affordable housing units made available through federal, state, and local programs. Data on the geographic distribution of affordable units must show the availability of units in each county and municipality.

(2) By December 31 of each year, the Shimberg Center for Housing Studies ~~Affordable Housing~~ shall submit to the Legislature an updated housing report describing the supply of and need for affordable housing. This annual housing report shall include:

(a) A synopsis of training and technical assistance activities and community-based organization housing activities for the year.

(b) A status report on the degree of progress toward meeting the housing objectives of the department's agency functional plan.

(c) Recommended housing initiatives for the next fiscal year and recommended priorities for assistance to the various target populations within the spectrum of housing need.

(3) The Shimberg Center for Housing Studies ~~Affordable Housing~~ shall:

(a) Conduct research on program options to address the need for affordable housing.

(b) Conduct research on training models to be replicated or adapted to meet the needs of community-based organizations and state and local government staff involved in housing development.

Section 38. Paragraph (a) of subsection (1) of section 553.792, Florida Statutes, is amended to read:

553.792 Building permit application to local government.—

(1)(a) Within 10 days of an applicant submitting an application to the local government, the local government shall advise the applicant what information, if any, is needed to deem the application properly completed in compliance with the filing requirements published by the local government. If the local government does not provide written notice that the applicant has not submitted the properly completed application, the application shall be automatically deemed properly completed and accepted. Within 45 days after receiving a completed application, a local government must notify an applicant if additional information is required for the local government to determine the sufficiency of the application, and shall specify the additional information that is required. The applicant must submit the additional information to the local government or request that the local government act without the additional information. While the applicant responds to the request for additional information, the 120-day period described in this subsection is tolled. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. The local government must approve, approve with conditions, or deny the application within 120 days following receipt of a completed application. A local government shall maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited.

Section 39. Subsection (7) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(7) Credits and deductions against the tax imposed by this section shall be taken in the following order: deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220 and the credit allowed under subsection (5), as these credits are limited by subsection (6); the credit allowed under s. 624.51057; the credit allowed under s. 624.51058; all other available credits and deductions.

Section 40. Paragraph (c) of subsection (1) of section 624.5105, Florida Statutes, is amended to read:

624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration.—

(1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 220.183 is ~~\$25~~ \$14.5 million in the ~~2023-2024~~ ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071 and \$4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects.

Section 41. Section 624.51058, Florida Statutes, is created to read:

624.51058 Credit for contributions to the Live Local Program.—

(1) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 100 percent of an eligible contribution made to the Live Local Program under s. 420.50872 against any tax due for a taxable year under s. 624.509(1) after deducting from such tax deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220; and the credit allowed under s. 624.509(5), as such credit is limited by s. 624.509(6). An eligible contribution must be made to the Live Local Program on or before the date the taxpayer is required to file a return pursuant to ss. 624.509 and 624.5092. An insurer claiming a credit against premium tax liability under this section is not required to pay any additional retaliatory tax levied under s. 624.5091 as a result of claiming such credit. Section 624.5091 does not limit such credit in any manner.

(2) Section 420.50872 applies to the credit authorized by this section.

Section 42. The Department of Economic Opportunity's Keys Workforce Housing Initiative, approved by the Administration Commission on June 13, 2018, is considered an exception to the evacuation time constraints of s. 380.0552(9)(a)2., Florida Statutes, by requiring deed-restricted affordable workforce housing properties receiving permit allocations to agree to evacuate at least 48 hours in advance of hurricane landfall. A comprehensive plan amendment approved by the Department of Economic Opportunity to implement the initiative is hereby valid and the respective local governments may adopt local ordinances or regulations to implement such plan amendment.

Section 43. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under s. 120.54(4), Florida Statutes, for the purpose of implementing provisions related to the Live Local Program created by this act. Notwithstanding any other law, emergency rules adopted under this section are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section expires July 1, 2026.

Section 44. For the 2023-2024 fiscal year, the sum of \$100 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to implement the Florida Hometown Hero Housing Program established in s. 420.5096, Florida Statutes, as created by this act.

Section 45. For the 2023-2024 fiscal year, the sum of \$252 million in nonrecurring funds from the Local Government Housing Trust Fund is appropriated in the Grants and Aids - Housing Finance Corporation (HFC) - State Housing Initiatives Partnership (SHIP) Program appropriation category to the Florida Housing Finance Corporation.

Section 46. For the 2023-2024 fiscal year, the sum of \$150 million in recurring funds and \$109 million in nonrecurring funds from the State Housing Trust Fund is appropriated in the Grants and Aids - Housing Finance Corporation (HFC) - Affordable Housing Programs appropriation category to the Florida Housing Finance Corporation. The recurring funds are appropriated to implement s. 420.50871, Florida Statutes, as created by this act.

Section 47. For the 2022-2023 fiscal year, the sum of \$100 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to implement a competitive assistance loan program for new construction projects in the development pipeline that have not commenced construction and are experiencing verifiable cost increases due to market inflation. These funds are intended to support the corporation's efforts to maintain the viability of projects in the development pipeline as the unprecedented economic factors coupled with the housing crisis makes it of upmost importance to deliver much-needed affordable housing units in communities in a timely manner. Eligible projects are those that accepted an invitation to enter credit underwriting by the corporation for funding during the period of time of July 1, 2020, through June 30, 2022. The corporation may establish such criteria and application processes as necessary to implement this section. The unexpended balance of funds appropriated to the corporation as of June 30, 2023, shall revert and is appropriated to the corporation for the same purpose for the 2023-2024 fiscal year. Any funds not awarded by December 1, 2023, must be used for the State Apartment Incentive Loan Program under s. 420.5087, Florida Statutes. This section is effective upon becoming a law.

Section 48. The Legislature finds and declares that this act fulfills an important state interest.

Section 49. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2023.

Approved by the Governor March 29, 2023.

Filed in Office Secretary of State March 29, 2023.

CHAPTER 2023-31

Committee Substitute for Committee Substitute for Senate Bill No. 1604

An act relating to land use and development regulations; amending s. 163.3177, F.S.; revising the planning periods that must be included in a comprehensive plan; amending s. 163.3191, F.S.; requiring local governments to determine if plan amendments are necessary to reflect a certain minimum planning period; specifying requirements for a certain notification; requiring, rather than encouraging, a local government to comprehensively evaluate and update its comprehensive plan to reflect changes in local conditions; requiring that updates to certain elements of the comprehensive plan be processed in the same plan amendment cycle; prohibiting a local government from initiating or adopting any publicly initiated plan amendments to its comprehensive plan under certain circumstances; providing applicability; prohibiting a certain denial of plan amendments from being based on the failure of a local government to update its comprehensive plan; requiring the state land planning agency to provide population projections if a local government fails to update its comprehensive plan; requiring the local government to update its comprehensive plan within a specified timeframe after receiving the population projections and to transmit the update within a specified timeframe; requiring the state land planning agency to establish a certain timeline if such update is not in compliance; authorizing the local government to seek approval from the state land planning agency to process publicly initiated plan amendments under certain circumstances; authorizing the local government to provide certain alternative population projections under certain circumstances; amending s. 163.3202, F.S.; revising exceptions to applicability of land development regulations relating to single-family or two-family dwelling building design elements; amending s. 163.3208, F.S.; revising the definition of the term “distribution electric substation”; revising the substation approval process to include applications for changes to existing electric substations; amending s. 189.031, F.S.; precluding an independent special district from complying with the terms of certain development agreements under certain circumstances; requiring a newly elected or appointed governing body to review, within a certain timeframe, certain agreements and vote on whether to seek readoption of such agreement; providing retroactive applicability; providing for future expiration; amending s. 189.08, F.S.; conforming a cross-reference; providing effective dates.

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

Section 1. Paragraph (a) of subsection (5) of section 163.3177, Florida Statutes, is amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(5)(a) Each local government comprehensive plan must include at least two planning periods, one covering at least the first ~~10-year~~ 5-year period occurring after the plan's adoption and one covering at least a ~~20-year~~ 10-year period. Additional planning periods for specific components, elements, land use amendments, or projects shall be permissible and accepted as part of the planning process.

Section 2. Section 163.3191, Florida Statutes, is amended to read:

163.3191 Evaluation and appraisal of comprehensive plan.—

(1) At least once every 7 years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect a minimum planning period of at least 10 years as provided in s. 163.3177(5) or to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination. The notification must include a separate affidavit, signed by the chair of the governing body of the county or the mayor of the municipality, attesting that all elements of its comprehensive plan comply with this subsection. The affidavit must also include a certification that the adopted comprehensive plan contains the minimum planning period of 10 years, as provided in s. 163.3177(5), and must cite the source and date of the population projections used in establishing the 10-year planning period.

(2) If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government ~~must~~ shall prepare and transmit within 1 year such plan amendment or amendments for review pursuant to s. 163.3184.

(3) Local governments ~~shall be encouraged to~~ comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Plan amendments transmitted pursuant to this section must shall be reviewed pursuant to s. 163.3184(4). Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

(4) If a local government fails to submit ~~the its letter and affidavit prescribed by subsection (1) or to transmit the update to its plan pursuant to subsection (3) within 1 year after the date the letter was transmitted to the state land planning agency (2), it may not initiate or adopt any publicly initiated plan amendments to amend its comprehensive plan until such time as it complies with this section, unless otherwise required by general law. This prohibition on plan amendments does not apply to privately initiated plan amendments. The failure of the local government to timely update its plan may not be the basis for the denial of privately initiated comprehensive plan amendments.~~

(5) If it is determined that a local government has failed to update its comprehensive plan pursuant to this section, the state land planning agency must provide the required population projections that must be used by the local government to update the comprehensive plan. The local government shall initiate an update to its comprehensive plan within 3 months following the receipt of the population projections and must transmit the update within 12 months. If the state land planning agency finds the update is not in compliance, it must establish the timeline to address the deficiencies, not to exceed an additional 12-month period. If the update is challenged by a third party, the local government may seek approval from the state land planning agency to process publicly initiated plan amendments that are necessary to accommodate population growth during the pendency of the litigation. During the update process, the local government may provide alternative population projections based on professionally accepted methodologies, but only if those population projections exceed the population projections provided by the state land planning agency and only if the update is completed within the timeframe set forth in this subsection.

(6) The state land planning agency may not adopt rules to implement this section, other than procedural rules or a schedule indicating when local governments must comply with the requirements of this section.

Section 3. Paragraphs (a) and (b) of subsection (5) of section 163.3202, Florida Statutes, are amended to read:

163.3202 Land development regulations.—

(5)(a) Land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling unless:

1. The dwelling is listed in the National Register of Historic Places, as defined in s. 267.021(5); is located in a National Register Historic District; or is designated as a historic property or located in a historic district, under the terms of a local preservation ordinance;

2. The regulations are adopted in order to implement the National Flood Insurance Program;

3. The regulations are adopted pursuant to and in compliance with chapter 553;

4. The dwelling is located in a community redevelopment area, as defined in s. 163.340(10);

5. The regulations are required to ensure protection of coastal wildlife in compliance with s. 161.052, s. 161.053, s. 161.0531, s. 161.085, s. 161.163, or chapter 373;

6. The dwelling is located in a planned unit development or master planned community created pursuant to a local ordinance, resolution, or

other final action approved by the local governing body before July 1, 2023;
or

7. The dwelling is located within the jurisdiction of a local government that has a design review board or an architectural review board created before January 1, 2020.

(b) For purposes of this subsection, the term:

1. “Building design elements” means the external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms. The term does not include the height, bulk, orientation, or location of a dwelling on a zoning lot; or the use of buffering or screening to minimize potential adverse physical or visual impacts or to protect the privacy of neighbors.

2. “Planned unit development” or “master planned community” means an area of land that is planned and developed as a single entity or in approved stages with uses and structures substantially related to the character of the entire development, or a self-contained development in which the subdivision and zoning controls are applied to the project as a whole rather than to individual lots.

Section 4. Section 163.3208, Florida Statutes, is amended to read:

163.3208 Substation approval process.—

(1) It is the intent of the Legislature to maintain, encourage, and ensure adequate and reliable electric infrastructure in the state. It is essential that electric infrastructure be constructed and maintained in various locations in order to ensure the efficient and reliable delivery of electric service. Electric infrastructure should be constructed, to the maximum extent practicable, to achieve compatibility with adjacent and surrounding land uses, and the criteria included in this section are intended to balance the need for electricity with land use compatibility.

(2) The term “~~distribution~~ electric substation” means an electric substation, including accessory administration or maintenance buildings and related accessory uses and structures, which takes electricity from the transmission grid and converts it to another voltage or a lower voltage so it can be distributed to customers in the local area on the local distribution grid through one or more ~~distribution~~ lines ~~less than 69 kilovolts in size~~.

(3) Electric substations are a critical component of electric transmission and distribution. Except for substations in s. 163.3205(2)(c), local governments may adopt and enforce reasonable land development regulations for new and existing ~~distribution~~ electric substations, addressing only setback, landscaping, buffering, screening, lighting, and other aesthetic

compatibility-based standards. Vegetated buffers or screening beneath aerial access points to the substation equipment shall not be required to have a mature height in excess of 14 feet.

(4) New and existing distribution electric substations shall be a permitted use in all land use categories in the applicable local government comprehensive plan and zoning districts within a utility's service territory except those designated as preservation, conservation, or historic preservation on the future land use map or duly adopted ordinance. If a local government has not adopted reasonable standards for substation siting in accordance with subsection (3), the following standards shall apply to new ~~distribution~~ electric substations:

(a) In nonresidential areas, the substation must comply with the setback and landscaped buffer area criteria applicable to other similar uses in that district, if any.

(b) Unless the local government approves a lesser setback or landscape requirement, in residential areas, a setback of up to 100 feet between the substation property boundary and permanent equipment structures shall be maintained as follows:

1. For setbacks between 100 feet and 50 feet, an open green space shall be formed by installing native landscaping, including trees and shrub material, consistent with the relevant local government's land development regulations. Substation equipment shall be protected by a security fence consistent with the relevant local government's land development regulations.

2. For setbacks of less than 50 feet, a buffer wall 8 feet high or a fence 8 feet high with native landscaping consistent with the relevant local government's regulations shall be installed around the substation.

(5) If the application for a proposed ~~distribution~~ electric substation or for changes to an existing electric substation demonstrates that the substation design is consistent with the local government's applicable setback, landscaping, buffering, screening, and other aesthetic compatibility-based standards, the application for development approval for or changes to the substation shall be approved.

(6)(a) This paragraph ~~applies~~ may apply to the proposed placement or construction of a new ~~distribution~~ electric substation within a residential area. Before ~~Prior to~~ submitting an application for the location of a new ~~distribution~~ electric substation in residential areas, the utility shall consult with the local government regarding the selection of a site. The utility shall provide information regarding the utility's preferred site and as many as three alternative available sites, including sites within nonresidential areas, that are technically and electrically reasonable for the load to be served, if the local government deems that the siting of a new ~~distribution~~ electric substation warrants this additional review and consideration. The final

determination on the site application as to the preferred and alternative sites shall be made solely by the local government within 90 days of presentation of all the necessary and required information on the preferred site and on the alternative sites. In the event the utility and the local government are unable to reach agreement on an appropriate location, the substation site selection shall be submitted to mediation conducted pursuant to ss. 44.401-44.406, unless otherwise agreed to in writing by the parties, and the mediation shall be concluded within 30 days unless extended by written agreement of the parties. The 90-day time period for the local government to render a final decision on the site application is tolled from the date a notice of intent to mediate the site selection issue is served on the utility or local government, until the mediation is concluded, terminated, or an impasse is declared. The local government and utility may agree to waive or extend this 90-day time period. Upon rendition of a final decision of the local government, a person may pursue available legal remedies in accordance with law, and the matter shall be considered on an expedited basis.

(b) A local government's land development and construction regulations for new ~~distribution~~ electric substations or for changes to existing electric substations and the local government's review of an application for the placement or construction of a new ~~distribution~~ electric substation or for changes to an existing electric substation shall only address land development, zoning, or aesthetic compatibility-based issues. In such local government regulations or review, a local government may not require information or evaluate a utility's business decisions about its service, customer demand for its service, or quality of its service to or from a particular area or site, unless the utility voluntarily offers this information to the local government.

(7) Substation siting standards adopted after the effective date of this act ~~does~~ shall not apply to applications for new ~~distribution~~ electric substations or for changes to existing electric substations which ~~substation applications that were submitted before~~ prior to the notice of the local government's adoption hearing.

(8)(a) If a local government has adopted standards for the siting of new ~~distribution~~ electric substations or for changes to existing electric substations within any of the local government's land use categories or zoning districts, the local government shall grant or deny a properly completed application for a permit to locate a new electric substation or change an existing ~~distribution~~ electric substation within the land use category or zoning district within 90 days after the date the properly completed application is declared complete in accordance with the applicable local government application procedures. If the local government fails to approve or deny a properly completed application for a new ~~distribution~~ electric substation or for changes to an existing electric substation within the timeframes set forth, the application ~~is~~ shall be deemed automatically approved, and the applicant may proceed with construction consistent with its application without interference or penalty. Issuance of such local permit does not relieve the applicant from complying with applicable federal or

state laws or regulations and other applicable local land development or building regulations, if any.

(b) The local government shall notify the permit applicant within 30 days after the date the application is submitted as to whether the application is, for administrative purposes only, properly completed and has been properly submitted. Further completeness determinations shall be provided within 15 days after the receipt of additional information. However, such determination ~~is not shall not be not deemed an approval~~ of the application.

(c) To be effective, a waiver of the timeframes set forth in this subsection must be voluntarily agreed to by the utility applicant and the local government. A local government may request, but not require, a waiver of the timeframes by the applicant, except that, with respect to a specific application, a one-time waiver may be required in the case of a declared local, state, or federal emergency that directly affects the administration of all permitting activities of the local government.

(d) The local government may establish reasonable timeframes within which the required information to cure the application deficiency is to be provided, or the application will be considered withdrawn or closed.

Section 5. Effective upon becoming a law, subsection (7) is added to section 189.031, Florida Statutes, to read:

189.031 Legislative intent for the creation of independent special districts; special act prohibitions; model elements and other requirements; local general-purpose government/Governor and Cabinet creation authorizations.—

(7) REVIEW OF DEVELOPMENT AGREEMENTS.—An independent special district is precluded from complying with the terms of any development agreement, or any other agreement for which the development agreement serves in whole or part as consideration, which is executed within 3 months preceding the effective date of a law modifying the manner of selecting members of the governing body of the independent special district from election to appointment or from appointment to election. The newly elected or appointed governing body of the independent special district shall review within 4 months of taking office any development agreement or any other agreement for which the development agreement serves in whole or part as consideration and shall, after such review, vote on whether to seek readoption of such agreement. This subsection shall apply to any development agreement that is in effect on, or is executed after, the effective date of this section. This subsection expires July 1, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 6. Paragraph (a) of subsection (2) of section 189.08, Florida Statutes, is amended to read:

189.08 Special district public facilities report.—

(2) Each independent special district shall submit to each local general-purpose government in which it is located a public facilities report and an annual notice of any changes. The public facilities report shall specify the following information:

(a) A description of existing public facilities owned or operated by the special district, and each public facility that is operated by another entity, except a local general-purpose government, through a lease or other agreement with the special district. This description shall include the current capacity of the facility, the current demands placed upon it, and its location. This information shall be required in the initial report and updated every 7 years at least 12 months before the submission date of the evaluation and appraisal notification letter of the appropriate local government required by s. 163.3191. The department shall post a schedule on its website, based on the evaluation and appraisal notification schedule prepared pursuant to s. 163.3191(6) ~~s. 163.3191(5)~~, for use by a special district to determine when its public facilities report and updates to that report are due to the local general-purpose governments in which the special district is located.

Section 7. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2023.

Approved by the Governor May 5, 2023.

Filed in Office Secretary of State May 5, 2023.

CHAPTER 2023-28

Committee Substitute for Committee Substitute for House Bill No. 3

An act relating to government and corporate activism; amending s. 17.57, F.S.; defining the term “pecuniary factor”; requiring that the Chief Financial Officer, or a party authorized to invest on his or her behalf, make investment decisions based solely on pecuniary factors; amending s. 20.058, F.S.; requiring a specified attestation, under penalty of perjury, from certain organizations; defining the term “pecuniary factor”; requiring citizen support organizations and direct-support organizations to make investment decisions based solely on pecuniary factors; amending s. 112.656, F.S.; requiring that investment decisions comply with a specified requirement related to the consideration of pecuniary factors; amending s. 112.661, F.S.; conforming a provision to changes made by the act; creating s. 112.662, F.S.; defining the term “pecuniary factor”; providing that only pecuniary factors may be considered in investment decisions for retirement systems or plans; providing that the interests of participants and beneficiaries of such systems or plans may not be subordinated to other objectives; requiring shareholder rights to be exercised considering only pecuniary factors; requiring specified reports; providing requirements for such reports; requiring the Department of Management Services to report certain noncompliance to the Attorney General; authorizing certain proceedings to be brought by the Attorney General who, if successful in those proceedings, is entitled to reasonable attorney fees and costs; requiring the department to adopt rules; providing applicability; amending ss. 175.071 and 185.06, F.S.; specifying that certain public boards of trustees are subject to the requirement that only pecuniary factors be considered in investment decisions; amending s. 215.47, F.S.; defining the term “pecuniary factor”; requiring the State Board of Administration to make investment decisions based solely on pecuniary factors; providing an exception to current investment and fiduciary standards in the event of a conflict; amending s. 215.475, F.S.; requiring the Florida Retirement System Defined Benefit Plan Investment Policy Statement to comply with the requirement that only pecuniary factors be considered in investment decisions; amending s. 215.4755, F.S.; requiring certain investment advisors or managers to certify in writing that investment decisions are based solely on pecuniary factors; providing applicability; providing that failure to file a required certification is grounds for termination of certain contracts; providing that a submission of a materially false certification is deemed a willful refusal to comply with a certain fiduciary standard; requiring that certain noncompliance be reported to the Attorney General, who is authorized to bring certain civil or administrative actions; providing that if the Attorney General is successful in those proceedings, he or she is entitled to reasonable attorney fees and costs; creating s. 215.681, F.S.; defining terms; prohibiting bond issuers from issuing environmental, social, and governance bonds and taking other related

actions; authorizing certain financial institutions to purchase and underwrite specified bonds; providing applicability; creating s. 215.855, F.S.; defining terms; requiring that contracts between governmental entities and investment managers contain certain provisions and a specified disclaimer; providing applicability; amending s. 218.415, F.S.; defining the term “pecuniary factor”; requiring units of local government to make investment decisions based solely on pecuniary factors; amending s. 280.02, F.S.; revising the definition of the term “qualified public depository”; creating s. 280.025, F.S.; requiring a specified attestation, under penalty of perjury, from certain entities; amending s. 280.05, F.S.; requiring the Chief Financial Officer to verify such attestations; requiring the Chief Financial Officer to report materially false attestations to the Attorney General, who is authorized to bring certain civil and administrative actions; providing that if the Attorney General is successful in those proceedings, he or she is entitled to reasonable attorney fees and costs; providing construction; authorizing the Chief Financial Officer to suspend or disqualify a qualified public depository that no longer meets the definition of that term; amending s. 280.051, F.S.; adding grounds for suspension or disqualification of a qualified public depository; amending s. 280.054, F.S.; providing that failure to timely file a required attestation is deemed a knowing and willful violation; amending s. 280.055, F.S.; adding a circumstance under which the Chief Financial Officer may issue certain orders against a qualified public depository; creating s. 287.05701, F.S.; defining the term “awarding body”; prohibiting an awarding body from requesting certain documentation or giving preference to vendors based on their social, political, or ideological interests; requiring that solicitations for the procurement of commodities or contractual services by an awarding body contain a specified notification, beginning on a specified date; creating s. 516.037, F.S.; requiring licensees to make certain determinations based on an analysis of certain risk factors; prohibiting such licensees from engaging in unsafe and unsound practices; providing construction; providing that certain actions on the part of licensees are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from applicants and licensees, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; creating s. 560.1115, F.S.; requiring licensees to make determinations about the provision or denial of services based on an analysis of certain risk factors; prohibiting the licensees from engaging in unsafe and unsound practices; providing construction; providing that certain actions are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from applicants and licensees, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to

specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; amending s. 560.114, F.S.; revising the actions that constitute grounds for specified disciplinary action of a money services business, an authorized vendor, or an affiliated party; amending s. 655.005, F.S.; revising a definition; creating s. 655.0323, F.S.; requiring financial institutions to make determinations about the provision or denial of services based on an analysis of specified risk factors; prohibiting financial institutions from engaging in unsafe and unsound practices; providing construction; providing that certain actions are an unsafe and unsound practice; requiring a specified attestation, under penalty of perjury, from financial institutions annually, beginning on a specified date; providing that a failure to comply with specified requirements or engaging in unsafe and unsound practices constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act, subject to specified sanctions and penalties; providing that only the enforcing authority can enforce such violations; providing that an enforcing authority that brings a successful action for violations is entitled to reasonable attorney fees and costs; prohibiting certain entities from exercising specified authority; amending s. 1010.04, F.S.; prohibiting school districts, Florida College System Institutions, and state universities from requesting certain documentation from vendors and giving preference to vendors based on their social, political, or ideological interests; requiring that solicitations for purchases or leases include a specified notice; reenacting s. 17.61(1), F.S., relating to powers and duties of the Chief Financial Officer in the investment of certain funds, to incorporate the amendment made to s. 17.57, F.S., in references thereto; reenacting s. 215.44(3), F.S., relating to the powers and duties of the Board of Administration in the investment of trust funds, to incorporate the amendment made to s. 215.47, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (1) of section 17.57, Florida Statutes, is amended to read:

17.57 Deposits and investments of state money.—

(1)(a) As used in this subsection, the term “pecuniary factor” means a factor that the Chief Financial Officer, or other party authorized to invest on his or her behalf, prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(b) The Chief Financial Officer, or other parties with the permission of the Chief Financial Officer, shall deposit the money of the state or any money in the State Treasury in such qualified public depositories of the state

as will offer satisfactory collateral security for such deposits, pursuant to chapter 280. It is the duty of the Chief Financial Officer, consistent with the cash requirements of the state, to keep such money fully invested or deposited as provided herein in order that the state may realize maximum earnings and benefits.

(c) Notwithstanding any other law except for s. 215.472, when deciding whether to invest and when investing, the Chief Financial Officer, or other party authorized to invest on his or her behalf, must make decisions based solely on pecuniary factors and may not subordinate the interests of the people of this state to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

Section 2. Present subsections (4) and (5) of section 20.058, Florida Statutes, are redesignated as subsections (5) and (6), respectively, and paragraph (g) is added to subsection (1) and a new subsection (4) is added to that section, to read:

20.058 Citizen support and direct-support organizations.—

(1) By August 1 of each year, a citizen support organization or direct-support organization created or authorized pursuant to law or executive order and created, approved, or administered by an agency, shall submit the following information to the appropriate agency:

(g) An attestation, under penalty of perjury, stating that the organization has complied with subsection (4).

(4)(a) As used in this section, the term “pecuniary factor” means a factor that the citizen support organization or direct-support organization prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(b) Notwithstanding any other law, when deciding whether to invest and when investing funds on behalf of an agency, the citizen support organization or direct-support organization must make decisions based solely on pecuniary factors and may not subordinate the interests of the people of this state to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

Section 3. Subsection (1) of section 112.656, Florida Statutes, is amended to read:

112.656 Fiduciary duties; certain officials included as fiduciaries.—

(1) A fiduciary shall discharge his or her duties with respect to a plan solely in the interest of the participants and beneficiaries for the exclusive purpose of providing benefits to participants and their beneficiaries and defraying reasonable expenses of administering the plan. Investment decisions must comply with s. 112.662.

Section 4. Subsection (4) of section 112.661, Florida Statutes, is amended to read:

112.661 Investment policies.—Investment of the assets of any local retirement system or plan must be consistent with a written investment policy adopted by the board. Such policies shall be structured to maximize the financial return to the retirement system or plan consistent with the risks incumbent in each investment and shall be structured to establish and maintain an appropriate diversification of the retirement system or plan's assets.

(4) INVESTMENT AND FIDUCIARY STANDARDS.—The investment policy shall describe the level of prudence and ethical standards to be followed by the board in carrying out its investment activities with respect to funds described in this section. The board in performing its investment duties shall comply with the fiduciary standards set forth in the Employee Retirement Income Security Act of 1974 at 29 U.S.C. s. 1104(a)(1)(A)-(C). Except as provided in s. 112.662, in case of conflict with other provisions of law authorizing investments, the investment and fiduciary standards set forth in this section shall prevail.

Section 5. Section 112.662, Florida Statutes, is created to read:

112.662 Investments; exercising shareholder rights.—

(1) As used in this section, the term “pecuniary factor” means a factor that the plan administrator, named fiduciary, board, or board of trustees prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with the investment objectives and funding policy of the retirement system or plan. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(2) Notwithstanding any other law, when deciding whether to invest and when investing the assets of any retirement system or plan, only pecuniary factors may be considered and the interests of the participants and beneficiaries of the system or plan may not be subordinated to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

(3) Notwithstanding any other law, when deciding whether to exercise shareholder rights or when exercising such rights on behalf of a retirement

system or plan, including the voting of proxies, only pecuniary factors may be considered and the interests of the participants and beneficiaries of the system or plan may not be subordinated to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor.

(4)(a) By December 15, 2023, and by December 15 of each odd-numbered year thereafter, each retirement system or plan shall file a comprehensive report detailing and reviewing the governance policies concerning decision-making in vote decisions and adherence to the fiduciary standards required of such retirement system or plan under this section, including the exercise of shareholder rights.

1. The State Board of Administration, on behalf of the Florida Retirement System, shall submit its report to the Governor, the Attorney General, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives.

2. All other retirement systems or plans shall submit their reports to the Department of Management Services.

(b) By January 15, 2024, and by January 15 of each even-numbered year thereafter, the Department of Management Services shall submit a summary report to the Governor, the Attorney General, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives that includes a summary of the reports submitted under paragraph (a) and identifies any relevant trends among such systems and plans.

(c) The Department of Management Services shall report incidents of noncompliance to the Attorney General, who may institute proceedings to enjoin any person found violating this section. If such action is successful, the Attorney General is entitled to reasonable attorney fees and costs.

(d) The Department of Management Services shall adopt rules to implement this subsection.

(5) This section does not apply to individual member-directed investment accounts established as part of a defined contribution plan under s. 401(a), s. 403(b), or s. 457 of the Internal Revenue Code.

Section 6. Subsection (1) of section 175.071, Florida Statutes, is amended to read:

175.071 General powers and duties of board of trustees.—For any municipality, special fire control district, chapter plan, local law municipality, local law special fire control district, or local law plan under this chapter:

(1) The board of trustees, subject to the fiduciary standards in ss. 112.656, 112.661, and 518.11, ~~and the Code of Ethics in ss. 112.311-112.3187, and the requirements in s. 112.662,~~ may:

(a) Invest and reinvest the assets of the firefighters' pension trust fund in annuity and life insurance contracts of life insurance companies in amounts sufficient to provide, in whole or in part, the benefits to which all of the participants in the firefighters' pension trust fund are entitled under this chapter and pay the initial and subsequent premiums thereon.

(b) Invest and reinvest the assets of the firefighters' pension trust fund in:

1. Time or savings accounts of a national bank, a state bank insured by the Bank Insurance Fund, or a savings, building, and loan association insured by the Savings Association Insurance Fund administered by the Federal Deposit Insurance Corporation or a state or federal chartered credit union whose share accounts are insured by the National Credit Union Share Insurance Fund.

2. Obligations of the United States or obligations guaranteed as to principal and interest by the government of the United States.

3. Bonds issued by the State of Israel.

4. Bonds, stocks, or other evidences of indebtedness issued or guaranteed by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia, if:

a. The corporation is listed on any one or more of the recognized national stock exchanges or on the National Market System of the NASDAQ Stock Market and, in the case of bonds only, holds a rating in one of the three highest classifications by a major rating service; and

b. The board of trustees may not invest more than 5 percent of its assets in the common stock or capital stock of any one issuing company, nor may the aggregate investment in any one issuing company exceed 5 percent of the outstanding capital stock of that company or the aggregate of its investments under this subparagraph at cost exceed 50 percent of the assets of the fund.

This paragraph applies to all boards of trustees and participants. However, if a municipality or special fire control district has a duly enacted pension plan pursuant to, and in compliance with, s. 175.351, and the trustees desire to vary the investment procedures, the trustees of such plan must request a variance of the investment procedures as outlined herein only through a municipal ordinance, special act of the Legislature, or resolution by the governing body of the special fire control district; if a special act, or a municipality by ordinance adopted before July 1, 1998, permits a greater than 50-percent equity investment, such municipality is not required to comply with the aggregate equity investment provisions of this paragraph.

Notwithstanding any other provision of law, this section may not be construed to take away any preexisting legal authority to make equity investments that exceed the requirements of this paragraph. Notwithstanding any other provision of law, the board of trustees may invest up to 25 percent of plan assets in foreign securities on a market-value basis. The investment cap on foreign securities may not be revised, amended, increased, or repealed except as provided by general law.

(c) Issue drafts upon the firefighters' pension trust fund pursuant to this act and rules prescribed by the board of trustees. All such drafts must be consecutively numbered, be signed by the chair and secretary, or by two individuals designated by the board who are subject to the same fiduciary standards as the board of trustees under this subsection, and state upon their faces the purpose for which the drafts are drawn. The treasurer or depository of each municipality or special fire control district shall retain such drafts when paid, as permanent vouchers for disbursements made, and no money may be otherwise drawn from the fund.

(d) Convert into cash any securities of the fund.

(e) Keep a complete record of all receipts and disbursements and the board's acts and proceedings.

Section 7. Subsection (1) of section 185.06, Florida Statutes, is amended to read:

185.06 General powers and duties of board of trustees.—For any municipality, chapter plan, local law municipality, or local law plan under this chapter:

(1) The board of trustees, subject to the fiduciary standards in ss. 112.656, 112.661, and 518.11, ~~and the Code of Ethics in ss. 112.311-112.3187, and the requirements in s. 112.662,~~ may:

(a) Invest and reinvest the assets of the retirement trust fund in annuity and life insurance contracts of life insurance companies in amounts sufficient to provide, in whole or in part, the benefits to which all of the participants in the municipal police officers' retirement trust fund are entitled under this chapter, and pay the initial and subsequent premiums thereon.

(b) Invest and reinvest the assets of the retirement trust fund in:

1. Time or savings accounts of a national bank, a state bank insured by the Bank Insurance Fund, or a savings and loan association insured by the Savings Association Insurance Fund administered by the Federal Deposit Insurance Corporation or a state or federal chartered credit union whose share accounts are insured by the National Credit Union Share Insurance Fund.

2. Obligations of the United States or obligations guaranteed as to principal and interest by the United States.

3. Bonds issued by the State of Israel.

4. Bonds, stocks, or other evidences of indebtedness issued or guaranteed by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia, provided:

a. The corporation is listed on any one or more of the recognized national stock exchanges or on the National Market System of the NASDAQ Stock Market and, in the case of bonds only, holds a rating in one of the three highest classifications by a major rating service; and

b. The board of trustees may not invest more than 5 percent of its assets in the common stock or capital stock of any one issuing company, nor shall the aggregate investment in any one issuing company exceed 5 percent of the outstanding capital stock of the company or the aggregate of its investments under this subparagraph at cost exceed 50 percent of the fund's assets.

This paragraph applies to all boards of trustees and participants. However, if a municipality has a duly enacted pension plan pursuant to, and in compliance with, s. 185.35 and the trustees desire to vary the investment procedures, the trustees of such plan shall request a variance of the investment procedures as outlined herein only through a municipal ordinance or special act of the Legislature; if a special act, or a municipality by ordinance adopted before July 1, 1998, permits a greater than 50-percent equity investment, such municipality is not required to comply with the aggregate equity investment provisions of this paragraph. Notwithstanding any other provision of law, this section may not be construed to take away any preexisting legal authority to make equity investments that exceed the requirements of this paragraph. Notwithstanding any other provision of law, the board of trustees may invest up to 25 percent of plan assets in foreign securities on a market-value basis. The investment cap on foreign securities may not be revised, amended, repealed, or increased except as provided by general law.

(c) Issue drafts upon the municipal police officers' retirement trust fund pursuant to this act and rules prescribed by the board of trustees. All such drafts shall be consecutively numbered, be signed by the chair and secretary or by two individuals designated by the board who are subject to the same fiduciary standards as the board of trustees under this subsection, and state upon their faces the purposes for which the drafts are drawn. The city treasurer or other depository shall retain such drafts when paid, as permanent vouchers for disbursements made, and no money may otherwise be drawn from the fund.

(d) Finally decide all claims to relief under the board's rules and regulations and pursuant to the provisions of this act.

(e) Convert into cash any securities of the fund.

(f) Keep a complete record of all receipts and disbursements and of the board's acts and proceedings.

Section 8. Subsection (10) of section 215.47, Florida Statutes, is amended to read:

215.47 Investments; authorized securities; loan of securities.—Subject to the limitations and conditions of the State Constitution or of the trust agreement relating to a trust fund, moneys available for investments under ss. 215.44-215.53 may be invested as follows:

(10)(a) As used in this subsection, the term “pecuniary factor” means a factor that the State Board of Administration prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(b) Notwithstanding any other law except for ss. 215.471, 215.4725, and 215.473, when deciding whether to invest and when investing the assets of any fund, the State Board of Administration must make decisions based solely on pecuniary factors and may not subordinate the interests of the participants and beneficiaries of the fund to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

(c) Investments made by the State Board of Administration shall be designed to maximize the financial return to the fund consistent with the risks incumbent in each investment and shall be designed to preserve an appropriate diversification of the portfolio. The board shall discharge its duties with respect to a plan solely in the interest of its participants and beneficiaries. The board in performing the above investment duties shall comply with the fiduciary standards set forth in the Employee Retirement Income Security Act of 1974 at 29 U.S.C. s. 1104(a)(1)(A) through (C). Except as provided in paragraph (b), in case of conflict with other provisions of law authorizing investments, the investment and fiduciary standards set forth in this paragraph subsection shall prevail.

Section 9. Subsection (1) of section 215.475, Florida Statutes, is amended to read:

215.475 Investment policy statement.—

(1) In making investments for the System Trust Fund pursuant to ss. 215.44-215.53, the board shall make no investment which is not in conformance with the Florida Retirement System Defined Benefit Plan

Investment Policy Statement, hereinafter referred to as “the IPS,” as developed by the executive director and approved by the board. The IPS must comply with s. 215.47(10) and include, among other items, the investment objectives of the System Trust Fund; permitted types of securities in which the board may invest; and evaluation criteria necessary to measure the investment performance of the fund. As required from time to time, the executive director of the board may present recommended changes in the IPS to the board for approval.

Section 10. Present paragraphs (b), (c), and (d) of subsection (1) of section 215.4755, Florida Statutes, are redesignated as paragraphs (c), (d), and (e), respectively, a new paragraph (b) is added to that subsection, and subsection (3) of that section is amended, to read:

215.4755 Certification and disclosure requirements for investment advisers and managers.—

(1) An investment adviser or manager who has discretionary investment authority for direct holdings and who is retained as provided in s. 215.44(2)(b) shall agree pursuant to contract to annually certify in writing to the board that:

(b) All investment decisions made on behalf of the trust funds and the board are made based solely on pecuniary factors as defined in s. 215.47(10)(a) and do not subordinate the interests of the participants and beneficiaries of the funds to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. This paragraph applies to any contract executed, amended, or renewed on or after July 1, 2023.

(3)(a) An investment adviser or manager certification required under subsection (1) ~~must shall~~ be provided by each annually, ~~no later than~~ January 31, for the reporting period of the previous calendar year on a form prescribed by the board.

(b) Failure to timely file the certification required under subsection (1) is grounds for termination of any contract between the board and the investment adviser or manager.

(c) Submission of a materially false certification is deemed a willful refusal to comply with the fiduciary standard described in paragraph (1)(b).

(d) If an investment adviser or manager fails to comply with the fiduciary standard described in paragraph (1)(b) while providing services to the board, the board must report such noncompliance to the Attorney General, who may bring a civil or administrative action for damages, injunctive relief, and such other relief as may be appropriate. If such action is successful, the Attorney General is entitled to reasonable attorney fees and costs.

Section 11. Section 215.681, Florida Statutes, is created to read:

215.681 ESG bonds; prohibitions.—

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

(a) “Bonds” means any note, general obligation bond, revenue bond, special assessment bond, special obligation bond, private activity bond, certificate of participation, or other evidence of indebtedness or obligation, in either temporary or definitive form.

(b) “ESG” means environmental, social, and governance.

(c) “ESG bonds” means any bonds that have been designated or labeled as bonds that will be used to finance a project with an ESG purpose, including, but not limited to, green bonds, Certified Climate Bonds, GreenStar designated bonds, and other environmental bonds marketed as promoting a generalized or global environmental objective; social bonds marketed as promoting a social objective; and sustainability bonds and sustainable development goal bonds marketed as promoting both environmental and social objectives. The term includes those bonds self-designated by the issuer as ESG-labeled bonds and those designated as ESG-labeled bonds by a third-party verifier.

(d) “Issuer” means the division, acting on behalf of any entity; any local government, educational entity, or entity of higher education as defined in s. 215.89(2)(c), (d), and (e), respectively, or other political subdivision granted the power to issue bonds; any public body corporate and politic authorized or created by general or special law and granted the power to issue bonds, including, but not limited to, a water and sewer district created under chapter 153, a health facilities authority as defined in s. 154.205, an industrial development authority created under chapter 159, a housing financing authority as defined in s. 159.603(3), a research and development authority as defined in s. 159.702(1)(c), a legal or administrative entity created by interlocal agreement pursuant to s. 163.01(7), a community redevelopment agency as defined in s. 163.340(1), a regional transportation authority created under chapter 163, a community development district as defined in s. 190.003, an educational facilities authority as defined in s. 243.52(1), the Higher Educational Facilities Financing Authority created under s. 243.53, the Florida Development Finance Corporation created under s. 288.9604, a port district or port authority as defined in s. 315.02(1) and (2), respectively, the South Florida Regional Transportation Authority created under s. 343.53, the Central Florida Regional Transportation Authority created under s. 343.63, the Tampa Bay Area Regional Transit Authority created under s. 343.92, the Greater Miami Expressway Agency created under s. 348.0304, the Tampa-Hillsborough County Expressway Authority created under s. 348.52, the Central Florida Expressway Authority created under s. 348.753, the Jacksonville Transportation Authority created under s. 349.03, and the Florida Housing Finance Corporation created under s. 420.504.

(e) “Rating agency” means any nationally recognized rating service or nationally recognized statistical rating organization.

(f) “Third-party verifier” means any entity that contracts with an issuer to conduct an external review and independent assessment of proposed ESG bonds to ensure that such bonds may be designated or labeled as ESG bonds or will be used to finance a project that will comply with applicable ESG standards.

(2) Notwithstanding any other provision of law relating to the issuance of bonds, it is a violation of this section and it is prohibited for any issuer to:

(a) Issue ESG bonds.

(b) Expend public funds as defined in s. 215.85(3) or use moneys derived from the issuance of bonds to pay for the services of a third-party verifier related to the designation or labeling of bonds as ESG bonds, including, but not limited to, certifying or verifying that bonds may be designated or labeled as ESG bonds, rendering a second-party opinion or producing a verifier’s report as to the compliance of proposed ESG bonds with applicable ESG standards and metrics, complying with post-issuance reporting obligations, or other services that are only provided due to the designation or labeling of bonds as ESG bonds.

(c) Enter into a contract with any rating agency whose ESG scores for such issuer will have a direct, negative impact on the issuer’s bond ratings.

(3) Notwithstanding s. 655.0323, a financial institution as defined in s. 655.005(1) may purchase and underwrite bonds issued by a governmental entity.

(4) This section does not apply to any bonds issued before July 1, 2023, or to any agreement entered into or any contract executed before July 1, 2023.

Section 12. Section 215.855, Florida Statutes, is created to read:

215.855 Investment manager external communication.—

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

(a) “Governmental entity” means a state, regional, county, municipal, special district, or other political subdivision whether executive, judicial, or legislative, including, but not limited to, a department, division, board, bureau, commission, authority, district, or agency thereof, or a public school, Florida College System institution, state university, or associated board.

(b) “Investment manager” means a private sector company that offers one or more investment products or services to a governmental entity and that has the discretionary investment authority for direct holdings.

(c) “Public funds” means all moneys under the jurisdiction of a governmental entity and includes all manner of pension and retirement funds and all other funds held, as trust funds or otherwise, for any public purpose, subject to investment.

(2) Any contract between a governmental entity and an investment manager must contain the following provisions:

(a) That any written communication made by the investment manager to a company in which such manager invests public funds on behalf of a governmental entity must include the following disclaimer in a conspicuous location if such communication discusses social, political, or ideological interests; subordinates the interests of the company’s shareholders to the interest of another entity; or advocates for the interest of an entity other than the company’s shareholders:

The views and opinions expressed in this communication are those of the sender and do not reflect the views and opinions of the people of the State of Florida.

(b) That the contract may be unilaterally terminated at the option of the governmental entity if the investment manager does not include the disclaimer required in paragraph (a).

(3) This section applies to contracts between a governmental entity and an investment manager executed, amended, or renewed on or after July 1, 2023.

Section 13. Subsection (24) is added to section 218.415, Florida Statutes, to read:

218.415 Local government investment policies.—Investment activity by a unit of local government must be consistent with a written investment plan adopted by the governing body, or in the absence of the existence of a governing body, the respective principal officer of the unit of local government and maintained by the unit of local government or, in the alternative, such activity must be conducted in accordance with subsection (17). Any such unit of local government shall have an investment policy for any public funds in excess of the amounts needed to meet current expenses as provided in subsections (1)-(16), or shall meet the alternative investment guidelines contained in subsection (17). Such policies shall be structured to place the highest priority on the safety of principal and liquidity of funds. The optimization of investment returns shall be secondary to the requirements for safety and liquidity. Each unit of local government shall adopt policies that are commensurate with the nature and size of the public funds within its custody.

(24) INVESTMENT DECISIONS.—

(a) As used in this subsection, the term “pecuniary factor” means a factor that the governing body of the unit of local government, or in the absence of the existence of a governing body, the respective principal officer of the unit of local government, prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.

(b) Notwithstanding any other law, when deciding whether to invest and when investing public funds pursuant to this section, the unit of local government must make decisions based solely on pecuniary factors and may not subordinate the interests of the people of this state to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns.

Section 14. Present paragraphs (e) and (f) of subsection (26) of section 280.02, Florida Statutes, are redesignated as paragraphs (g) and (h), respectively, and new paragraphs (e) and (f) are added to that subsection, to read:

280.02 Definitions.—As used in this chapter, the term:

(26) “Qualified public depository” means a bank, savings bank, or savings association that:

(e) Makes determinations about the provision of services or the denial of services based on an analysis of risk factors unique to each customer or member. This paragraph does not restrict a qualified public depository that claims a religious purpose from making such determinations based on the religious beliefs, religious exercise, or religious affiliations of a customer or member.

(f) Does not engage in the unsafe and unsound practice of denying or canceling its services to a person, or otherwise discriminating against a person in making available such services or in the terms or conditions of such services, on the basis of:

1. The person’s political opinions, speech, or affiliations;
2. Except as provided in paragraph (e), the person’s religious beliefs, religious exercise, or religious affiliations;
3. Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person’s business sector; or
4. The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

- a. The person's political opinions, speech, or affiliations.
- b. The person's religious beliefs, religious exercise, or religious affiliations.
- c. The person's lawful ownership of a firearm.
- d. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.
- e. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.
- f. The person's support of the state or Federal Government in combatting illegal immigration, drug trafficking, or human trafficking.
- g. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this subparagraph.
- h. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:
 - (I) Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;
 - (II) Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;
 - (III) Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or
 - (IV) Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.

Section 15. Section 280.025, Florida Statutes, is created to read:

280.025 Attestation required.—

- (1) Beginning July 1, 2023, the following entities must attest, under penalty of perjury, on a form prescribed by the Chief Financial Officer, whether the entity is in compliance with s. 280.02(26)(e) and (f):
 - (a) A bank, savings bank, or savings association, upon application or reapplication for designation as a qualified public depository.
 - (b) A qualified public depository, upon filing the report required by s. 280.16(1)(d).

(2) If an application or reapplication for designation as a qualified public depository is pending on July 1, 2023, the bank, savings bank, or savings association must file the attestation required under subsection (1) before being designated or redesignated a qualified public depository.

Section 16. Paragraph (d) of subsection (13) and subsection (17) of section 280.05, Florida Statutes, are amended to read:

280.05 Powers and duties of the Chief Financial Officer.—In fulfilling the requirements of this act, the Chief Financial Officer has the power to take the following actions he or she deems necessary to protect the integrity of the public deposits program:

(13) Require the filing of the following reports, which the Chief Financial Officer shall process as provided:

(d)1. Any related documents, reports, records, or other information deemed necessary by the Chief Financial Officer in order to ascertain compliance with this chapter, including, but not limited to, verifying the attestation required under s. 280.025.

2. If the Chief Financial Officer determines that the attestation required under s. 280.025 is materially false, he or she must report such determination to the Attorney General, who may bring a civil or administrative action for damages, injunctive relief, and such other relief as may be appropriate. If such action is successful, the Attorney General is entitled to reasonable attorney fees and costs.

3. As related to federally chartered financial institutions, this paragraph may not be construed to create a power exceeding the visitorial powers of the Chief Financial Officer allowed under federal law.

(17) Suspend or disqualify or disqualify after suspension any qualified public depository that has violated any of the provisions of this chapter or of rules adopted hereunder or that no longer meets the definition of a qualified public depository under s. 280.02.

(a) Any qualified public depository that is suspended or disqualified pursuant to this subsection is subject to the provisions of s. 280.11(2) governing withdrawal from the public deposits program and return of pledged collateral. Any suspension shall not exceed a period of 6 months. Any qualified public depository which has been disqualified may not reapply for qualification until after the expiration of 1 year from the date of the final order of disqualification or the final disposition of any appeal taken therefrom.

(b) In lieu of suspension or disqualification, impose an administrative penalty upon the qualified public depository as provided in s. 280.054.

(c) If the Chief Financial Officer has reason to believe that any qualified public depository or any other financial institution holding public deposits is

or has been violating ~~any of the provisions of this chapter or of rules adopted hereunder or no longer meets the definition of a qualified public depository under s. 280.02~~, he or she may issue to the qualified public depository or other financial institution an order to cease and desist from the violation or to correct the condition giving rise to or resulting from the violation. If any qualified public depository or other financial institution violates a cease-and-desist or corrective order, the Chief Financial Officer may impose an administrative penalty upon the qualified public depository or other financial institution as provided in s. 280.054 or s. 280.055. In addition to the administrative penalty, the Chief Financial Officer may suspend or disqualify any qualified public depository for violation of any order issued pursuant to this paragraph.

Section 17. Subsections (14) and (15) are added to section 280.051, Florida Statutes, to read:

280.051 Grounds for suspension or disqualification of a qualified public depository.—A qualified public depository may be suspended or disqualified or both if the Chief Financial Officer determines that the qualified public depository has:

(14) Failed to file the attestation required under s. 280.025.

(15) No longer meets the definition of a qualified public depository under s. 280.02.

Section 18. Paragraph (b) of subsection (1) of section 280.054, Florida Statutes, is amended to read:

280.054 Administrative penalty in lieu of suspension or disqualification.

(1) If the Chief Financial Officer finds that one or more grounds exist for the suspension or disqualification of a qualified public depository, the Chief Financial Officer may, in lieu of suspension or disqualification, impose an administrative penalty upon the qualified public depository.

(b) With respect to any knowing and willful violation of a lawful order or rule, the Chief Financial Officer may impose a penalty upon the qualified public depository in an amount not exceeding \$1,000 for each violation. If restitution is due, the qualified public depository shall make restitution upon the order of the Chief Financial Officer and shall pay interest on such amount at the legal rate. Each day a violation continues constitutes a separate violation. Failure to timely file the attestation required under s. 280.025 is deemed a knowing and willful violation.

Section 19. Paragraphs (e) and (f) of subsection (1) of section 280.055, Florida Statutes, are amended, and paragraph (g) is added to that subsection, to read:

280.055 Cease and desist order; corrective order; administrative penalty.—

(1) The Chief Financial Officer may issue a cease and desist order and a corrective order upon determining that:

(e) A qualified public depository or a custodian has not furnished to the Chief Financial Officer, when the Chief Financial Officer requested, a power of attorney or bond power or bond assignment form required by the bond agent or bond trustee for each issue of registered certificated securities pledged and registered in the name, or nominee name, of the qualified public depository or custodian; ~~or~~

(f) A qualified public depository; a bank, savings association, or other financial institution; or a custodian has committed any other violation of this chapter or any rule adopted pursuant to this chapter that the Chief Financial Officer determines may be remedied by a cease and desist order or corrective order; or

(g) A qualified public depository no longer meets the definition of a qualified public depository under s. 280.02.

Section 20. Section 287.05701, Florida Statutes, is created to read:

287.05701 Prohibition against considering social, political, or ideological interests in government contracting.—

(1) As used in this section, the term “awarding body” means:

(a) For state contracts, an agency or the department.

(b) For local government contracts, the governing body of a county, a municipality, a special district, or any other political subdivision of the state.

(2)(a) An awarding body may not request documentation of or consider a vendor’s social, political, or ideological interests when determining if the vendor is a responsible vendor.

(b) An awarding body may not give preference to a vendor based on the vendor’s social, political, or ideological interests.

(3) Beginning July 1, 2023, any solicitation for the procurement of commodities or contractual services by an awarding body must include a provision notifying vendors of the provisions of this section.

Section 21. Section 516.037, Florida Statutes, is created to read:

516.037 Unsafe and unsound practices.—

(1) Licensees must make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer and may not engage in an unsafe and unsound practice as provided in subsection (2). This subsection does not restrict a licensee that claims a religious purpose from making such determinations based on the

current or prospective customer's religious beliefs, religious exercise, or religious affiliations.

(2) It is an unsafe and unsound practice for a licensee to deny or cancel its services to a person, or to otherwise discriminate against a person in making available such services or in the terms or conditions of such services, on the basis of:

(a) The person's political opinions, speech, or affiliations;

(b) Except as provided in subsection (1), the person's religious beliefs, religious exercise, or religious affiliations;

(c) Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person's business sector; or

(d) The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

1. The person's political opinions, speech, or affiliations.

2. The person's religious beliefs, religious exercise, or religious affiliations.

3. The person's lawful ownership of a firearm.

4. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.

5. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.

6. The person's support of the state or Federal Government in combating illegal immigration, drug trafficking, or human trafficking.

7. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this paragraph.

8. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:

a. Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;

b. Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;

c. Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or

d. Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.

(3) Beginning July 1, 2023, and upon application for a license or license renewal, applicants and licensees must attest, under penalty of perjury, on a form prescribed by the commission whether the applicant or licensee is acting in compliance with subsections (1) and (2).

(4) In addition to any sanctions and penalties under this chapter, a failure to comply with subsection (1) or engaging in a practice described in subsection (2) constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501. Notwithstanding s. 501.211, violations must be enforced only by the enforcing authority, as defined in s. 501.203(2), and subject the violator to the sanctions and penalties provided for in that part. If such action is successful, the enforcing authority is entitled to reasonable attorney fees and costs.

Section 22. Section 560.1115, Florida Statutes, is created to read:

560.1115 Unsafe and unsound practices.—

(1) Licensees must make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer and may not engage in an unsafe and unsound practice as provided in subsection (2). This subsection does not restrict a licensee that claims a religious purpose from making such determinations based on the current or prospective customer's religious beliefs, religious exercise, or religious affiliations.

(2) It is an unsafe and unsound practice for a licensee to deny or cancel its services to a person, or to otherwise discriminate against a person in making available such services or in the terms or conditions of such services, on the basis of:

(a) The person's political opinions, speech, or affiliations;

(b) Except as provided in subsection (1), the person's religious beliefs, religious exercise, or religious affiliations;

(c) Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person's business sector; or

(d) The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

1. The person's political opinions, speech, or affiliations.
 2. The person's religious beliefs, religious exercise, or religious affiliations.
 3. The person's lawful ownership of a firearm.
 4. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.
 5. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.
 6. The person's support of the state or Federal Government in combating illegal immigration, drug trafficking, or human trafficking.
 7. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this paragraph.
 8. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:
 - a. Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;
 - b. Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;
 - c. Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or
 - d. Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.
- (3) Beginning July 1, 2023, and upon application for a license or license renewal, applicants and licensees, as applicable, must attest, under penalty of perjury, on a form prescribed by the commission whether the applicant or licensee is acting in compliance with subsections (1) and (2).
- (4) In addition to any sanctions and penalties under this chapter, a failure to comply with subsection (1) or engaging in a practice described in subsection (2) constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501. Notwithstanding s. 501.211, violations must be enforced only by the enforcing authority, as defined in s. 501.203(2), and subject the violator to the sanctions and

penalties provided for in that part. If such action is successful, the enforcing authority is entitled to reasonable attorney fees and costs.

Section 23. Paragraph (h) of subsection (1) of section 560.114, Florida Statutes, is amended to read:

560.114 Disciplinary actions; penalties.—

(1) The following actions by a money services business, authorized vendor, or affiliated party constitute grounds for the issuance of a cease and desist order; the issuance of a removal order; the denial, suspension, or revocation of a license; or taking any other action within the authority of the office pursuant to this chapter:

(h) Engaging in an act prohibited under s. 560.111 or s. 560.1115.

Section 24. Paragraph (y) of subsection (1) of section 655.005, Florida Statutes, is amended to read:

655.005 Definitions.—

(1) As used in the financial institutions codes, unless the context otherwise requires, the term:

(y) “Unsafe or unsound practice” or “unsafe and unsound practice” means:

1. Any practice or conduct found by the office to be contrary to generally accepted standards applicable to a financial institution, or a violation of any prior agreement in writing or order of a state or federal regulatory agency, which practice, conduct, or violation creates the likelihood of loss, insolvency, or dissipation of assets or otherwise prejudices the interest of the financial institution or its depositors or members. In making this determination, the office must consider the size and condition of the financial institution, the gravity of the violation, and the prior conduct of the person or institution involved; or

2. Failure to comply with s. 655.0323(1), or engaging in a practice described in s. 655.0323(2).

Section 25. Section 655.0323, Florida Statutes, is created to read:

655.0323 Unsafe and unsound practices.—

(1) Financial institutions must make determinations about the provision or denial of services based on an analysis of risk factors unique to each current or prospective customer or member and may not engage in an unsafe and unsound practice as provided in subsection (2). This subsection does not restrict a financial institution that claims a religious purpose from making such determinations based on the current or prospective customer’s or member’s religious beliefs, religious exercise, or religious affiliations.

(2) It is an unsafe and unsound practice for a financial institution to deny or cancel its services to a person, or to otherwise discriminate against a person in making available such services or in the terms or conditions of such services, on the basis of:

(a) The person's political opinions, speech, or affiliations;

(b) Except as provided in subsection (1), the person's religious beliefs, religious exercise, or religious affiliations;

(c) Any factor if it is not a quantitative, impartial, and risk-based standard, including any such factor related to the person's business sector; or

(d) The use of any rating, scoring, analysis, tabulation, or action that considers a social credit score based on factors including, but not limited to:

1. The person's political opinions, speech, or affiliations.

2. The person's religious beliefs, religious exercise, or religious affiliations.

3. The person's lawful ownership of a firearm.

4. The person's engagement in the lawful manufacture, distribution, sale, purchase, or use of firearms or ammunition.

5. The person's engagement in the exploration, production, utilization, transportation, sale, or manufacture of fossil fuel-based energy, timber, mining, or agriculture.

6. The person's support of the state or Federal Government in combating illegal immigration, drug trafficking, or human trafficking.

7. The person's engagement with, facilitation of, employment by, support of, business relationship with, representation of, or advocacy for any person described in this paragraph.

8. The person's failure to meet or commit to meet, or expected failure to meet, any of the following as long as such person is in compliance with applicable state or federal law:

a. Environmental standards, including emissions standards, benchmarks, requirements, or disclosures;

b. Social governance standards, benchmarks, or requirements, including, but not limited to, environmental or social justice;

c. Corporate board or company employment composition standards, benchmarks, requirements, or disclosures based on characteristics protected under the Florida Civil Rights Act of 1992; or

d. Policies or procedures requiring or encouraging employee participation in social justice programming, including, but not limited to, diversity, equity, or inclusion training.

(3) Beginning July 1, 2023, and by July 1 of each year thereafter, financial institutions subject to the financial institutions codes must attest, under penalty of perjury, on a form prescribed by the commission whether the entity is acting in compliance with subsections (1) and (2).

(4) Engaging in a practice described in subsection (2) or failing to timely provide the attestation under subsection (3) is a failure to comply with this chapter, constitutes a violation of the financial institutions codes, and is subject to the applicable sanctions and penalties provided for in the financial institutions codes.

(5) Notwithstanding ss. 501.211 and 501.212, a failure to comply with subsection (1) or engaging in a practice described in subsection (2) constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of chapter 501. Violations must be enforced only by the enforcing authority, as defined in s. 501.203(2), and subject the violator to the sanctions and penalties provided for in that part. If such action is successful, the enforcing authority is entitled to reasonable attorney fees and costs.

(6) The office and the commission may not exercise authority pursuant to s. 655.061 in relation to this section.

Section 26. Subsection (5) is added to section 1010.04, Florida Statutes, to read:

1010.04 Purchasing.—

(5) Beginning July 1, 2023, school districts, Florida College System institutions, and state universities may not:

(a) Request documentation of or consider a vendor's social, political, or ideological interests.

(b) Give preference to a vendor based on the vendor's social, political, or ideological interests.

Any solicitation for purchases and leases must include a provision notifying vendors of the provisions of this subsection.

Section 27. For the purpose of incorporating the amendment made by this act to section 17.57, Florida Statutes, in references thereto, subsection (1) of section 17.61, Florida Statutes, is reenacted to read:

17.61 Chief Financial Officer; powers and duties in the investment of certain funds.—

(1) The Chief Financial Officer shall invest all general revenue funds and all the trust funds and all agency funds of each state agency, and of the judicial branch, as defined in s. 216.011, and may, upon request, invest funds of any board, association, or entity created by the State Constitution or by law, except for the funds required to be invested pursuant to ss. 215.44-215.53, by the procedure and in the authorized securities prescribed in s. 17.57; for this purpose, the Chief Financial Officer may open and maintain one or more demand and safekeeping accounts in any bank or savings association for the investment and reinvestment and the purchase, sale, and exchange of funds and securities in the accounts. Funds in such accounts used solely for investments and reinvestments shall be considered investment funds and not funds on deposit, and such funds shall be exempt from the provisions of chapter 280. In addition, the securities or investments purchased or held under the provisions of this section and s. 17.57 may be loaned to securities dealers and banks and may be registered by the Chief Financial Officer in the name of a third-party nominee in order to facilitate such loans, provided the loan is collateralized by cash or United States government securities having a market value of at least 100 percent of the market value of the securities loaned. The Chief Financial Officer shall keep a separate account, designated by name and number, of each fund. Individual transactions and totals of all investments, or the share belonging to each fund, shall be recorded in the accounts.

Section 28. For the purpose of incorporating the amendment made by this act to section 215.47, Florida Statutes, in a reference thereto, subsection (3) of section 215.44, Florida Statutes, is reenacted to read:

215.44 Board of Administration; powers and duties in relation to investment of trust funds.—

(3) Notwithstanding any law to the contrary, all investments made by the State Board of Administration pursuant to ss. 215.44-215.53 shall be subject to the restrictions and limitations contained in s. 215.47, except that investments made by the State Board of Administration under a trust agreement pursuant to subsection (1) shall be subject only to the restrictions and limitations contained in the trust agreement.

Section 29. This act shall take effect July 1, 2023.

Approved by the Governor May 2, 2023.

Filed in Office Secretary of State May 2, 2023.

CHAPTER 2023-32

Committee Substitute for Committee Substitute for Senate Bill No. 258

An act relating to prohibited applications on government-issued devices; creating s. 112.22, F.S.; defining terms; requiring public employers to take certain actions relating to prohibited applications; prohibiting employees and officers of public employers from downloading or accessing prohibited applications on government-issued devices; providing exceptions; providing a deadline by which specified employees must remove, delete, or uninstall a prohibited application; requiring the Department of Management Services to compile a specified list and establish procedures for a specified waiver; authorizing the department to adopt emergency rules; requiring that such rulemaking occur within a specified timeframe; requiring the department to adopt specified rules; providing a declaration of important state interest; providing an effective date.

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

Section 1. Section 112.22, Florida Statutes, is created to read:

112.22 Use of applications from foreign countries of concern prohibited.

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

(a) “Department” means the Department of Management Services.

(b) “Employee or officer” means a person who performs labor or services for a public employer in exchange for salary, wages, or other remuneration.

(c) “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity under significant control of such foreign country of concern.

(d) “Foreign principal” means:

1. The government or an official of the government of a foreign country of concern;

2. A political party or a member of a political party or any subdivision of a political party in a foreign country of concern;

3. A partnership, an association, a corporation, an organization, or another combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or an affiliate or a subsidiary thereof; or

4. Any person who is domiciled in a foreign country of concern and is not a citizen or a lawful permanent resident of the United States.

(e) “Government-issued device” means a cellular telephone, desktop computer, laptop computer, computer tablet, or other electronic device capable of connecting to the Internet which is owned or leased by a public employer and issued to an employee or officer for work-related purposes.

(f) “Prohibited application” means an application that meets the following criteria:

1. Any Internet application that is created, maintained, or owned by a foreign principal and that participates in activities that include, but are not limited to:

a. Collecting keystrokes or sensitive personal, financial, proprietary, or other business data;

b. Compromising e-mail and acting as a vector for ransomware deployment;

c. Conducting cyber-espionage against a public employer;

d. Conducting surveillance and tracking of individual users; or

e. Using algorithmic modifications to conduct disinformation or misinformation campaigns; or

2. Any Internet application the department deems to present a security risk in the form of unauthorized access to or temporary unavailability of the public employer’s records, digital assets, systems, networks, servers, or information.

(g) “Public employer” means the state or any agency, authority, branch, bureau, commission, department, division, special district, institution, university, institution of higher education, or board thereof; or any county, district school board, charter school governing board, or municipality, or any agency, branch, department, board, or metropolitan planning organization thereof.

(2)(a) A public employer shall do all of the following:

1. Block all prohibited applications from public access on any network and virtual private network that it owns, operates, or maintains.

2. Restrict access to any prohibited application on a government-issued device.

3. Retain the ability to remotely wipe and uninstall any prohibited application from a government-issued device that is believed to have been adversely impacted, either intentionally or unintentionally, by a prohibited application.

(b) A person, including an employee or officer of a public employer, may not download or access any prohibited application on any government-issued device.

1. This paragraph does not apply to a law enforcement officer as defined in s. 943.10(1) if the use of the prohibited application is necessary to protect the public safety or conduct an investigation within the scope of his or her employment.

2. A public employer may request a waiver from the department to allow designated employees or officers to download or access a prohibited application on a government-issued device.

(c) Within 15 calendar days after the department issues or updates its list of prohibited applications pursuant to paragraph (3)(a), an employee or officer of a public employer who uses a government-issued device must remove, delete, or uninstall any prohibited applications from his or her government-issued device.

(3) The department shall do all of the following:

(a) Compile and maintain a list of prohibited applications and publish the list on its website. The department shall update this list quarterly and shall provide notice of any update to public employers.

(b) Establish procedures for granting or denying requests for waivers pursuant to subparagraph (2)(b)2. The request for a waiver must include all of the following:

1. A description of the activity to be conducted and the state interest furthered by the activity.

2. The maximum number of government-issued devices and employees or officers to which the waiver will apply.

3. The length of time necessary for the waiver. Any waiver granted pursuant to subparagraph (2)(b)2. must be limited to a timeframe of no more than 1 year, but the department may approve an extension.

4. Risk mitigation actions that will be taken to prevent access to sensitive data, including methods to ensure that the activity does not connect to a state system, network, or server.

5. A description of the circumstances under which the waiver applies.

(4)(a) Notwithstanding s. 120.74(4) and (5), the department is authorized, and all conditions are deemed met, to adopt emergency rules pursuant to s. 120.54(4) and to implement paragraph (3)(a). Such rulemaking must occur initially by filing emergency rules within 30 days after July 1, 2023.

(b) The department shall adopt rules necessary to administer this section.

Section 2. The Legislature finds that a proper and legitimate state purpose is served when efforts are taken to secure a public employer's system, network, or server. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 3. This act shall take effect July 1, 2023.

Approved by the Governor May 8, 2023.

Filed in Office Secretary of State May 8, 2023.

CHAPTER 2023-33

Committee Substitute for Committee Substitute for Senate Bill No. 264

An act relating to interests of foreign countries; creating s. 287.138, F.S.; defining terms; prohibiting governmental entities from knowingly entering into certain contracts; prohibiting governmental entities from taking specified actions after a specified date relating to contracts that give certain access to personal identifying information; providing an exception; authorizing the Attorney General to bring a civil action; providing penalties; requiring penalties to be deposited into the General Revenue Fund; requiring the Department of Management Services to adopt rules; creating s. 288.007, F.S.; defining terms; prohibiting governmental entities from knowingly entering into certain contracts; requiring governmental entities to require an affidavit from applicants before providing any economic incentive; requiring the Department of Economic Opportunity to adopt rules; providing a directive to the Division of Law Revision to create part III of ch. 692, F.S., to be entitled “Conveyances to Foreign Entities”; creating s. 692.201, F.S.; defining terms; creating ss. 692.202 and 692.203, F.S.; prohibiting foreign principals from purchasing agricultural land, or having more than a de minimus indirect interest in such land, and certain real property in this state, respectively; providing exceptions from ownership restrictions; authorizing foreign principals to continue to own or hold such land or property under certain circumstances; requiring certain foreign principals that own or acquire such land or real property to register with a specified department; requiring the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to establish a form for such registration; providing civil penalties; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity to place a lien against unregistered agricultural land or real property, respectively; requiring certain foreign principals to sell, transfer, or otherwise divest themselves of certain agricultural land or real property within a specified timeframe; requiring buyers of such land or property to provide a signed affidavit; specifying that the failure to maintain or obtain the affidavit does not affect the title or insurability of the title for the agricultural land or real property, respectively, or subject the closing agent to certain liability; authorizing the Florida Real Estate Commission to adopt rules; authorizing that certain agricultural land or real property be forfeited to the state; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity to initiate civil actions for forfeiture of the interest in agricultural land or real property, respectively; requiring that such actions be filed in a certain circuit court; requiring clerks to record a lis pendens; requiring courts to advance the cause on the calendar; authorizing defendants to petition to modify or discharge the lis pendens; requiring the court to enter a specified final judgment under certain circumstances; authorizing the Department

of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to sell the agricultural land or real property; providing requirements for the proceeds from such sale; authorizing the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to seek a specified ex parte order; providing criminal penalties; requiring the Department of Agriculture and Consumer Services and the Department of Economic Opportunity, respectively, to adopt rules; creating s. 692.204, F.S.; prohibiting the People's Republic of China, the Chinese Communist Party, any other political party or member of a political party in the People's Republic of China, and certain persons and entities from purchasing or acquiring real property in this state or having more than a de minimus indirect interest in such real property; providing exceptions from ownership restrictions; authorizing such persons and entities to continue to own or hold such real property under certain circumstances; requiring certain persons or entities that own or acquire real property in this state to register with the Department of Economic Opportunity by a specified date; requiring the Department of Economic Opportunity to establish a form for such registration; providing civil penalties; authorizing the Department of Economic Opportunity to place a lien against unregistered real property; requiring certain persons and entities to sell, transfer, or otherwise divest themselves of certain real property within a specified timeframe; requiring buyers of real property to provide a signed affidavit; specifying that the failure to maintain or obtain the affidavit does not affect the title or insurability of the title for the real property or subject the closing agent to certain liability; authorizing the commission to adopt rules; authorizing certain real property to be forfeited to the state; authorizing the Department of Economic Opportunity to initiate civil actions for forfeiture of the interest in real property; requiring such actions to be filed in a certain circuit court; requiring clerks to record a lis pendens; requiring courts to advance the cause on the calendar; authorizing defendants to petition to modify or discharge the lis pendens; requiring the court to enter a specified final judgment under certain circumstances; authorizing the Department of Economic Opportunity to sell the real property; providing requirements for the proceeds from such sale; authorizing the Department of Economic Opportunity to seek a specified ex parte order; providing criminal penalties; requiring the Department of Economic Opportunity to adopt rules; creating s. 692.205, F.S.; providing an exception from ownership restrictions and registration requirements for real property that is used for diplomatic purposes; amending s. 408.051, F.S.; defining the terms "cloud computing" and "health care provider"; requiring that certain information held by health care providers that utilize certified electronic health record technology be maintained in specified locations; providing applicability; amending s. 408.810, F.S.; requiring a licensee to sign a specified affidavit upon initial application for a license and any renewal applications; authorizing disciplinary action by the Agency for Health Care Administration; prohibiting a person or entity that possesses a controlling interest from holding an interest in certain entities; providing definitions; amending s. 836.05, F.S.; providing enhanced

criminal penalties for threatening a person while acting as a foreign agent with the intent of benefiting a foreign country of concern; providing an effective date.

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

Section 1. Section 287.138, Florida Statutes, is created to read:

287.138 Contracting with entities of foreign countries of concern prohibited.—

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

(a) “Controlling interest” means possession of the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or entity that directly or indirectly has the right to vote 25 percent or more of the voting interests of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest.

(b) “Department” means the Department of Management Services.

(c) “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.

(d) “Governmental entity” means any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, but not limited to, the Commission on Ethics, the Public Service Commission, the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

(2) A governmental entity may not knowingly enter into a contract with an entity which would give access to an individual’s personal identifying information if:

(a) The entity is owned by the government of a foreign country of concern;

(b) The government of a foreign country of concern has a controlling interest in the entity; or

(c) The entity is organized under the laws of or has its principal place of business in a foreign country of concern.

(3) Beginning July 1, 2025, a governmental entity may not extend or renew a contract with an entity listed in paragraphs (2)(a)-(c) if the contract

would give such entity access to an individual's personal identifying information.

(4)(a) Beginning January 1, 2024, a governmental entity may not accept a bid on, a proposal for, or a reply to, or enter into, a contract with an entity which would grant the entity access to an individual's personal identifying information unless the entity provides the governmental entity with an affidavit signed by an officer or representative of the entity under penalty of perjury attesting that the entity does not meet any of the criteria in paragraphs (2)(a)-(c).

(b) Beginning July 1, 2025, when an entity extends or renews a contract with a governmental entity which would grant the entity access to an individual's personal identifying information, the entity must provide the governmental entity with an affidavit signed by an officer or representative of the entity under penalty of perjury attesting that the entity does not meet any of the criteria in paragraphs (2)(a)-(c).

(5) The Attorney General may bring a civil action in any court of competent jurisdiction against an entity that violates this section. Violations of this section may result in:

(a) A civil penalty equal to twice the amount of the contract for which the entity submitted a bid or proposal for, replied to, or entered into;

(b) Ineligibility to enter into, renew, or extend any contract, including any grant agreements, with any governmental entity for up to 5 years;

(c) Ineligibility to receive or renew any license, certification, or credential issued by a governmental entity for up to 5 years; and

(d) Placement on the suspended vendor list pursuant to s. 287.1351.

(6) Any penalties collected under subsection (5) must be deposited into the General Revenue Fund.

(7) The department shall adopt rules to implement this section, including rules establishing the form for the affidavit required under subsection (4).

Section 2. Section 288.007, Florida Statutes, is created to read:

288.007 Economic incentives to foreign countries of concern prohibited.

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

(a) "Controlled by" means having possession of the power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. A person or entity that directly or indirectly has the right to vote 25 percent or more of the

voting interests of the company or that is entitled to 25 percent or more of its profits is presumed to control the foreign entity.

(b) “Economic incentive” means all programs administered by, or for which an applicant for the program must seek certification, approval, or other action by, the department under this chapter, chapter 212, or chapter 220; and all local economic development programs, grants, or financial benefits administered by a political subdivision or an agent thereof.

(c) “Foreign country of concern” has the same meaning as in s. 692.201.

(d) “Foreign entity” means an entity that is:

1. Owned or controlled by the government of a foreign country of concern; or

2. A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity.

(e) “Government entity” means a state agency, a political subdivision, or any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.

(2) A government entity may not knowingly enter into an agreement or contract for an economic incentive with a foreign entity.

(3) Before providing any economic incentive, a government entity must require the recipient or applicant to provide the government entity with an affidavit signed under penalty of perjury attesting that the recipient or applicant is not a foreign entity.

(4) The department shall adopt rules to administer this section, including rules establishing the form for the affidavit required under subsection (3).

Section 3. The Division of Law Revision is directed to create part III of chapter 692, Florida Statutes, consisting of ss. 692.201, 692.202, 692.203, 692.204, and 692.205, Florida Statutes, to be entitled “Conveyances to Foreign Entities.”

Section 4. Section 692.201, Florida Statutes, is created to read:

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

(1) “Agricultural land” means land classified as agricultural under s. 193.461.

(2) “Critical infrastructure facility” means any of the following, if it employs measures such as fences, barriers, or guard posts that are designed to exclude unauthorized persons:

- (a) A chemical manufacturing facility.
 - (b) A refinery.
 - (c) An electrical power plant as defined in s. 403.031(20).
 - (d) A water treatment facility or wastewater treatment plant.
 - (e) A liquid natural gas terminal.
 - (f) A telecommunications central switching office.
 - (g) A gas processing plant, including a plant used in the processing, treatment, or fractionation of natural gas.
 - (h) A seaport as listed in s. 311.09.
 - (i) A spaceport territory as defined in s. 331.303(18).
 - (j) An airport as defined in s. 333.01.
- (3) “Foreign country of concern” means the People’s Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic, including any agency of or any other entity of significant control of such foreign country of concern.
- (4) “Foreign principal” means:
- (a) The government or any official of the government of a foreign country of concern;
 - (b) A political party or member of a political party or any subdivision of a political party in a foreign country of concern;
 - (c) A partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity; or
 - (d) Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent resident of the United States.
 - (e) Any person, entity, or collection of persons or entities, described in paragraphs (a) through (d) having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state.
- (5) “Military installation” means a base, camp, post, station, yard, or center encompassing at least 10 contiguous acres that is under the jurisdiction of the Department of Defense or its affiliates.

(6) “Real property” means land, buildings, fixtures, and all other improvements to land.

Section 5. Section 692.202, Florida Statutes, is created to read:

692.202 Purchase of agricultural land by foreign principals prohibited.

(1) A foreign principal may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent agricultural land or any interest, except a de minimus indirect interest, in such land in this state. A foreign principal has a de minimus indirect interest if any ownership is the result of the foreign principal’s ownership of registered equities in a publicly traded company owning the land and if the foreign principal’s ownership interest in the company is either:

(a) Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

(b) A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, may continue to own or hold such land or interest, but may not purchase or otherwise acquire by grant, devise, or descent any additional agricultural land or interest in such land in this state.

(3)(a) A foreign principal that directly or indirectly owns or acquires agricultural land or any interest in such land in this state before July 1, 2023, must register with the Department of Agriculture and Consumer Services by January 1, 2024. The department must establish a form for such registration, which, at minimum, must include all of the following:

1. The name of the owner of the agricultural land or the owner of the interest in such land.

2. The address of the agricultural land, the property appraiser’s parcel identification number, and the property’s legal description.

3. The number of acres of the agricultural land.

(b) A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The department may place a lien against the unregistered agricultural land for the unpaid balance of any penalties assessed under this paragraph.

(4) Notwithstanding subsection (1), a foreign principal may acquire agricultural land on or after July 1, 2023, by devise or descent, through the

enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of the agricultural land within 3 years after acquiring the agricultural land.

(5)(a) At the time of purchase, a buyer of agricultural land or an interest in such land must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a foreign principal; and
2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the agricultural land; or
2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(6)(a) The agricultural land or an interest in such land that is owned or acquired in violation of this section may be forfeited to the state.

(b) The Department of Agriculture and Consumer Services may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the agricultural land or any interest therein.

(c) Upon filing such action, the clerk must record a lis pendens in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the lis pendens based upon a finding that there is no probable cause to believe that the agricultural land, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the agricultural land, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the agricultural land in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens.

(e) The department may sell the agricultural land subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the agricultural land upon a showing that the defendant's control of the agricultural land constitutes a clear and present danger to the state.

(7) A foreign principal that purchases or acquires agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(8) A person who knowingly sells agricultural land or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) The Department of Agriculture and Consumer Services shall adopt rules to implement this section.

Section 6. Section 692.203, Florida Statutes, is created to read:

692.203 Purchase of real property on or around military installations or critical infrastructure facilities by foreign principals prohibited.—

(1) A foreign principal may not directly or indirectly own, or have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property on or within 10 miles of any military installation or critical infrastructure facility in this state. A foreign principal has a de minimus indirect interest if any ownership is the result of the foreign principal's ownership of registered equities in a publicly traded company owning the land and if the foreign principal's ownership interest in the company is either:

(a) Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

(b) A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) A foreign principal that directly or indirectly owns or acquires any interest in real property on or within 10 miles of any military installation or critical infrastructure facility in this state before July 1, 2023, may continue to own or hold such real property, but may not purchase or otherwise acquire by grant, devise, or descent any additional real property on or within 10 miles of any military installation or critical infrastructure facility in this state.

(3)(a) A foreign principal must register with the Department of Economic Opportunity if the foreign principal owns or acquires real property on or within 10 miles of any military installation or critical infrastructure facility in this state as authorized under subsection (4) or if the foreign principal owned or acquired an interest, other than a de minimus indirect interest, in

such property before July 1, 2023. The department must establish a form for such registration which, at a minimum, must include all of the following:

1. The name of the owner of the real property.
2. The address of the real property, the property appraiser's parcel identification number, and the property's legal description.

(b) A foreign principal that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. A foreign principal must register a property interest owned before July 1, 2023, by December 31, 2023. The registration is considered to be late after January 31, 2024. A foreign principal who owns or acquires real property on or after July 1, 2023, as authorized under subsection (4), must register the real property within 30 days after the property is owned or acquired. The department may place a lien against the unregistered real property for the unpaid balance of any penalties assessed under this paragraph.

(4) Notwithstanding subsection (1) a foreign principal who is a natural person may purchase one residential real property that is up to 2 acres in size if all of the following apply:

(a) The parcel is not on or within 5 miles of any military installation in this state.

(b) The person has a current verified United States Visa that is not limited to authorizing tourist-based travel or official documentation confirming that the person has been granted asylum in the United States, and such visa or documentation authorizes the person to be legally present within this state.

(c) The purchase is in the name of the person who holds the visa or official documentation described in paragraph (b).

(5) Notwithstanding subsections (1) and (2), a foreign principal may acquire real property or any interest therein which is on or within 10 miles of any military installation or critical infrastructure facility in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the foreign principal sells, transfers, or otherwise divests itself of such real property within 3 years after acquiring the real property.

(6)(a) At the time of purchase, a buyer of the real property that is on or within 10 miles of any military installation or critical infrastructure facility in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a foreign principal or not a foreign principal prohibited from purchasing the subject real property; and

2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the real property; or

2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(7)(a) If any real property is owned or acquired in violation of this section, the real property may be forfeited to the state.

(b) The Department of Economic Opportunity may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein.

(c) Upon filing such action, the clerk must record a lis pendens in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the lis pendens based upon a finding that there is no probable cause to believe that the real property, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens.

(e) The department may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the real property upon a showing that the defendant's control of the real property constitutes a clear and present danger to the state.

(8) A foreign principal that purchases or acquires real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(9) A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(10) The Department of Economic Opportunity shall adopt rules to implement this section.

Section 7. Section 692.204, Florida Statutes, is created to read:

692.204 Purchase or acquisition of real property by the People's Republic of China prohibited.—

(1)(a) The following persons or entities may not directly or indirectly own, have a controlling interest in, or acquire by purchase, grant, devise, or descent any interest, except a de minimus indirect interest, in real property in this state:

1. The People's Republic of China, the Chinese Communist Party, or any official or member of the People's Republic of China or the Chinese Communist Party.

2. Any other political party or member of a political party or a subdivision of a political party in the People's Republic of China.

3. A partnership, an association, a corporation, an organization, or any other combination of persons organized under the laws of or having its principal place of business in the People's Republic of China, or a subsidiary of such entity.

4. Any person who is domiciled in the People's Republic of China and who is not a citizen or lawful permanent resident of the United States.

5. Any person, entity, or collection of persons or entities described in subparagraphs 1. through 4. having a controlling interest in a partnership, association, corporation, organization, trust, or any other legal entity or subsidiary formed for the purpose of owning real property in this state.

(b) A person or entity has a de minimus indirect interest if any ownership is the result of the person's or entity's ownership of registered equities in a publicly traded company owning the land and if the person's or entity's ownership interest in the company is either:

1. Less than 5 percent of any class of registered equities or less than 5 percent in the aggregate in multiple classes of registered equities; or

2. A noncontrolling interest in an entity controlled by a company that is both registered with the United States Securities and Exchange Commission as an investment adviser under the Investment Advisers Act of 1940, as amended, and is not a foreign entity.

(2) Notwithstanding subsection (1), a natural person described in paragraph (1)(a) may purchase one residential real property that is up to 2 acres in size if all of the following apply:

(a) The parcel is not on or within 5 miles of any military installation in this state.

(b) The person has a current verified United States Visa that is not limited to authorizing tourist-based travel or official documentation confirming that the person has been granted asylum in the United States and such visa or documentation authorizes the person to be legally present within this state.

(c) The purchase is in the name of the person who holds the visa or official documentation described in paragraph (b).

(3) A person or entity described in paragraph (1)(a) that directly or indirectly owns or acquires any interest in real property in this state before July 1, 2023, may continue to own or hold such real property, but may not purchase or otherwise acquire by grant, devise, or descent any additional real property in this state.

(4)(a) A person or entity described in paragraph (1)(a), subsection (2), or subsection (5) must register with the Department of Economic Opportunity if the person or entity owns or acquires more than a de minimus indirect interest in real property in this state. The department must establish a form for such registration which, at a minimum, must include all of the following:

1. The name of the owner of the real property.
2. The address of the real property, the property appraiser's parcel identification number, and the property's legal description.

(b) A person or entity that fails to timely file a registration with the department is subject to a civil penalty of \$1,000 for each day that the registration is late. The person or entity subject to the registration requirements must register the property or property interests owned or acquired before July 1, 2023, by December 31, 2023. The registration is considered to be late 30 days after January 31, 2024. A person or entity that owns or acquires real property or an interest in real property as authorized under subsection (2) or subsection (5), other than a de minimus indirect interest, on or after July 1, 2023, must register the real property or interest within 30 days after the property or interest is owned or acquired. The department may place a lien against the unregistered real property for the unpaid balance of any penalties assessed under this paragraph.

(5) Notwithstanding subsection (1), a person or an entity described in paragraph (1)(a) may acquire real property in this state on or after July 1, 2023, by devise or descent, through the enforcement of security interests, or through the collection of debts, provided that the person or entity sells, transfers, or otherwise divests itself of such real property within 3 years

after acquiring the real property, unless the person or entity is exempt under s. 692.205.

(6)(a) At the time of purchase, a buyer of real property in this state must provide an affidavit signed under penalty of perjury attesting that the buyer is:

1. Not a person or entity described in paragraph (1)(a) or that the buyer is a person described in paragraph (1)(a) but is authorized under subsection (2) to purchase the subject property; and

2. In compliance with the requirements of this section.

(b) The failure to obtain or maintain the affidavit does not:

1. Affect the title or insurability of the title for the real property; or

2. Subject the closing agent to civil or criminal liability, unless the closing agent has actual knowledge that the transaction will result in a violation of this section.

(c) The Florida Real Estate Commission shall adopt rules to implement this subsection, including rules establishing the form for the affidavit required under this subsection.

(7)(a) If any real property is owned or acquired in violation of this section, the real property may be forfeited to the state.

(b) The Department of Economic Opportunity may initiate a civil action in the circuit court of the county in which the property lies for the forfeiture of the real property or any interest therein.

(c) Upon filing such action, the clerk must record a lis pendens in accordance with s. 48.23. The court must advance the cause on the calendar. The defendant may at any time petition to modify or discharge the lis pendens based upon a finding that there is no probable cause to believe that the real property, or any portion thereof, is owned or held in violation of this section.

(d) If the court finds that the real property, or any portion thereof, is owned or held in violation of this section, the court must enter a final judgment of forfeiture vesting title to the real property in this state, subject only to the rights and interests of bona fide lienholders, and such final judgment relates back to the date of the lis pendens.

(e) The department may sell the real property subject to a final judgment of forfeiture. Any proceeds from the sale must first be paid to any lienholders of the land, followed by payment of any outstanding fines assessed pursuant to this section, after which the department must be reimbursed for all costs related to the forfeiture civil action and any costs related to the sale of the land. Any remaining proceeds must be paid to the property owner.

(f) At any time during the forfeiture proceeding the department may seek an ex parte order of seizure of the real property upon a showing that the defendant's control of the real property constitutes a clear and present danger to the state.

(8) A violation of this section constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9) A person who knowingly sells real property or any interest therein in violation of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(10) The Department of Economic Opportunity shall adopt rules to implement this section.

Section 8. Section 692.205, Florida Statutes, is created to read:

692.205 Inapplicability of this part to real property for diplomatic purposes.—This part does not apply to a foreign principal that acquires real property for a diplomatic purpose that is recognized, acknowledged, or allowed by the Federal Government.

Section 9. Present subsections (3), (4), and (5) of section 408.051, Florida Statutes, are redesignated as subsections (4), (5), and (6), respectively, a new subsection (3) is added to that section, and subsection (2) of that section is reordered and amended, to read:

408.051 Florida Electronic Health Records Exchange Act.—

(2) DEFINITIONS.—As used in this section, the term:

(c)(a) “Electronic health record” means a record of a person’s medical treatment which is created by a licensed health care provider and stored in an interoperable and accessible digital format.

(i)(b) “Qualified electronic health record” means an electronic record of health-related information concerning an individual which includes patient demographic and clinical health information, such as medical history and problem lists, and which has the capacity to provide clinical decision support, to support physician order entry, to capture and query information relevant to health care quality, and to exchange electronic health information with, and integrate such information from, other sources.

(a)(e) “Certified electronic health record technology” means a qualified electronic health record that is certified pursuant to s. 3001(c)(5) of the Public Health Service Act as meeting standards adopted under s. 3004 of such act which are applicable to the type of record involved, such as an ambulatory electronic health record for office-based physicians or an inpatient hospital electronic health record for hospitals.

(b) “Cloud computing” has the same meaning as in s. 282.0041.

(d) “Health care provider” means any of the following:

1. A provider as defined in s. 408.803.
2. A health care practitioner as defined in s. 456.001.
3. A health care professional certified under part IV of chapter 468.
4. A home health aide as defined in s. 400.462.
5. A service provider as defined in s. 394.455 and the service provider’s clinical and nonclinical staff who provide inpatient or outpatient services.
6. A continuing care facility licensed under chapter 651.
7. A pharmacy permitted under chapter 465.

~~(e)~~(d) “Health record” means any information, recorded in any form or medium, which relates to the past, present, or future health of an individual for the primary purpose of providing health care and health-related services.

~~(f)~~(e) “Identifiable health record” means any health record that identifies the patient or with respect to which there is a reasonable basis to believe the information can be used to identify the patient.

~~(g)~~(f) “Patient” means an individual who has sought, is seeking, is undergoing, or has undergone care or treatment in a health care facility or by a health care provider.

~~(h)~~(g) “Patient representative” means a parent of a minor patient, a court-appointed guardian for the patient, a health care surrogate, or a person holding a power of attorney or notarized consent appropriately executed by the patient granting permission to a health care facility or health care provider to disclose the patient’s health care information to that person. In the case of a deceased patient, the term also means the personal representative of the estate of the deceased patient; the deceased patient’s surviving spouse, surviving parent, or surviving adult child; the parent or guardian of a surviving minor child of the deceased patient; the attorney for the patient’s surviving spouse, parent, or adult child; or the attorney for the parent or guardian of a surviving minor child.

(3) SECURITY AND STORAGE OF PERSONAL MEDICAL INFORMATION.—In addition to the requirements in 45 C.F.R. part 160 and subparts A and C of part 164, a health care provider that utilizes certified electronic health record technology must ensure that all patient information stored in an offsite physical or virtual environment, including through a third-party or subcontracted computing facility or an entity providing cloud computing services, is physically maintained in the continental United States or its territories or Canada. This subsection applies to all qualified electronic health records that are stored using any technology that can allow information to be electronically retrieved, accessed, or transmitted.

Section 10. Subsections (14) and (15) are added to section 408.810, Florida Statutes, to read:

408.810 Minimum licensure requirements.—In addition to the licensure requirements specified in this part, authorizing statutes, and applicable rules, each applicant and licensee must comply with the requirements of this section in order to obtain and maintain a license.

(14) The licensee must sign an affidavit at the time of his or her initial application for a license and on any renewal applications thereafter that attests under penalty of perjury that he or she is in compliance with s. 408.051(3). The licensee must remain in compliance with s. 408.051(3) or the licensee shall be subject to disciplinary action by the agency.

(15)(a) The licensee must ensure that a person or entity who possesses a controlling interest does not hold, either directly or indirectly, regardless of ownership structure, an interest in an entity that has a business relationship with a foreign country of concern or that is subject to s. 287.135.

(b) For purposes of this subsection, the term:

1. “Business relationship” means engaging in commerce in any form, including, but not limited to, acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, military equipment, or any other apparatus of business or commerce.

2. “Foreign country of concern” has the same meaning as in s. 692.201.

3. “Interest” has the same meaning as in s. 286.101(1).

Section 11. Section 836.05, Florida Statutes, is amended to read:

836.05 Threats; extortion.—

(1) Whoever, either verbally or by a written or printed communication, maliciously threatens to accuse another of any crime or offense, or by such communication maliciously threatens an injury to the person, property or reputation of another, or maliciously threatens to expose another to disgrace, or to expose any secret affecting another, or to impute any deformity or lack of chastity to another, with intent thereby to extort money or any pecuniary advantage whatsoever, or with intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against his or her will, ~~commits shall be guilty of~~ a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) A person who commits a violation of subsection (1) and at the time of the violation is acting as a foreign agent, as defined in s. 812.081(1), with the intent of benefiting a foreign country of concern, as defined in s. 692.201, commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 12. This act shall take effect July 1, 2023.

Approved by the Governor May 8, 2023.

Filed in Office Secretary of State May 8, 2023.

CHAPTER 2023-264

Senate Bill No. 7008

An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records for building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development; removing a provision authorizing disclosure of exempt information under certain circumstances; removing the scheduled repeal of the exemption; providing an effective date.

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

Section 1. Paragraph (c) of subsection (3) of section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(3) SECURITY AND FIRESAFETY.—

(c)1. Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, health care facility, or hotel or motel development, which records are held by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. This exemption applies to any such records held by an agency before, on, or after the effective date of this act.

~~3. Information made exempt by this paragraph may be disclosed to another governmental entity if disclosure is necessary for the receiving entity to perform its duties and responsibilities; to the owner or owners of the structure in question or the owner's legal representative; or upon a showing of good cause before a court of competent jurisdiction.~~

4. This paragraph does not apply to comprehensive plans or site plans, or amendments thereto, which are submitted for approval or which have been approved under local land development regulations, local zoning regulations, or development-of-regional-impact review.

~~4.5.~~ As used in this paragraph, the term:

a. “Attractions and recreation facility” means any sports, entertainment, amusement, or recreation facility, including, but not limited to, a sports arena, stadium, racetrack, tourist attraction, amusement park, or pari-mutuel facility that:

(I) For single-performance facilities:

(A) Provides single-performance facilities; or

(B) Provides more than 10,000 permanent seats for spectators.

(II) For serial-performance facilities:

(A) Provides parking spaces for more than 1,000 motor vehicles; or

(B) Provides more than 4,000 permanent seats for spectators.

b. “Entertainment or resort complex” means a theme park comprised of at least 25 acres of land with permanent exhibitions and a variety of recreational activities, which has at least 1 million visitors annually who pay admission fees thereto, together with any lodging, dining, and recreational facilities located adjacent to, contiguous to, or in close proximity to the theme park, as long as the owners or operators of the theme park, or a parent or related company or subsidiary thereof, has an equity interest in the lodging, dining, or recreational facilities or is in privity therewith. Close proximity includes an area within a 5-mile radius of the theme park complex.

c. “Industrial complex” means any industrial, manufacturing, processing, distribution, warehousing, or wholesale facility or plant, as well as accessory uses and structures, under common ownership that:

(I) Provides onsite parking for more than 250 motor vehicles;

(II) Encompasses 500,000 square feet or more of gross floor area; or

(III) Occupies a site of 100 acres or more, but excluding wholesale facilities or plants that primarily serve or deal onsite with the general public.

d. “Retail and service development” means any retail, service, or wholesale business establishment or group of establishments which deals primarily with the general public onsite and is operated under one common property ownership, development plan, or management that:

(I) Encompasses more than 400,000 square feet of gross floor area; or

(II) Provides parking spaces for more than 2,500 motor vehicles.

e. “Office development” means any office building or park operated under common ownership, development plan, or management that encompasses 300,000 or more square feet of gross floor area.

f. “Health care facility” means a hospital, ambulatory surgical center, nursing home, hospice, or intermediate care facility for the developmentally disabled.

g. “Hotel or motel development” means any hotel or motel development that accommodates 350 or more units.

~~6.—This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 2. This act shall take effect October 1, 2023.

Approved by the Governor June 19, 2023.

Filed in Office Secretary of State June 19, 2023.

CHAPTER 2023-75

House Bill No. 7007

An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public records requirements for certain security or firesafety system plans; removing the scheduled repeal of the exemption; repealing s. 281.301, F.S., relating to security and firesafety systems; amending s. 286.0113, F.S., which provides an exemption from public meeting requirements for the portion of a meeting that would reveal a security or firesafety system plan or portion thereof; removing the scheduled repeal of the exemption; amending s. 1006.1493, F.S.; conforming a provision to changes made by the act; providing an effective date.

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

Section 1. Paragraph (a) of subsection (3) of section 119.071, Florida Statutes, is amended to read:

119.071 General exemptions from inspection or copying of public records.—

(3) SECURITY AND FIRESAFETY.—

(a)1. As used in this paragraph, the term “security or firesafety system plan” includes all:

a. Records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to the physical security or firesafety of the facility or revealing security or firesafety systems;

b. Threat assessments conducted by any agency or any private entity;

c. Threat response plans;

d. Emergency evacuation plans;

e. Sheltering arrangements; or

f. Manuals for security or firesafety personnel, emergency equipment, or security or firesafety training.

2. A security or firesafety system plan or portion thereof for:

a. Any property owned by or leased to the state or any of its political subdivisions; or

b. Any privately owned or leased property

held by an agency is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption is remedial in nature, and it is the intent of the Legislature that this exemption apply to security or firesafety system plans held by an agency before, on, or after April 6, 2018 the effective date of this paragraph. This paragraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.

3. Information made confidential and exempt by this paragraph may be disclosed:

- a. To the property owner or leaseholder;
- b. In furtherance of the official duties and responsibilities of the agency holding the information;
- c. To another local, state, or federal agency in furtherance of that agency's official duties and responsibilities; or
- d. Upon a showing of good cause before a court of competent jurisdiction.

Section 2. Section 281.301, Florida Statutes, is repealed.

Section 3. Subsection (1) of section 286.0113, Florida Statutes, is amended to read:

286.0113 General exemptions from public meetings.—

(1) That portion of a meeting that would reveal a security or firesafety system plan or portion thereof made confidential and exempt by s. 119.071(3)(a) is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution. ~~This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.~~

Section 4. Subsection (5) of section 1006.1493, Florida Statutes, is amended to read:

1006.1493 Florida Safe Schools Assessment Tool.—

(5) In accordance with s. 119.071(3)(a) ~~ss. 119.071(3)(a) and 281.301~~, data and information related to security risk assessments administered pursuant to this section and s. 1006.07(6) and the security information contained in the annual report required pursuant to subsection (4) are confidential and exempt from public records requirements.

Section 5. This act shall take effect October 1, 2023.

Approved by the Governor May 11, 2023.

Filed in Office Secretary of State May 11, 2023.

STONEGATE
COMMUNITY DEVELOPMENT DISTRICT

STAFF
REPORTS D

STONEGATE COMMUNITY DEVELOPMENT DISTRICT

BOARD OF SUPERVISORS FISCAL YEAR 2023/2024 MEETING SCHEDULE

LOCATION

Malibu Bay Clubhouse, 1020 NE 34th Avenue, Homestead, Florida 33033

DATE	POTENTIAL DISCUSSION/FOCUS	TIME
October 3, 2023	Regular Meeting	6:30 PM
November 7, 2023	Regular Meeting	6:30 PM
December 5, 2023	Regular Meeting	6:30 PM
February 6, 2024	Regular Meeting	6:30 PM
March 5, 2024	Regular Meeting	6:30 PM
April 2, 2024	Regular Meeting	6:30 PM
May 7, 2024	Regular Meeting	6:30 PM
June 4, 2024	Regular Meeting	6:30 PM
July 2, 2024	Regular Meeting	6:30 PM
August 6, 2024	Regular Meeting	6:30 PM
September 3, 2024	Regular Meeting	6:30 PM