

Fiscal Year 2025-2026 Conforming Bill
Relating to Transportation

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1 A bill to be entitled
2 An act relating to transportation; amending s. 206.46,
3 F.S.; reducing the maximum percentage funding spent on
4 public transportation projects from a specified
5 transportation trust fund; amending s. 212.20, F.S.;
6 specifying a monthly distribution from sales tax
7 collections to a specified transportation trust fund;
8 amending s. 311.10, F.S.; prohibiting seaports from
9 converting property to uses other than cargo purposes
10 without specified approval as a condition of receiving
11 specified funding; creating s. 334.067, F.S.; creating a
12 statewide mapping program using light detection and ranging
13 (LiDAR) technology program in the Department of
14 Transportation, specifying requirements; amending s.
15 339.08, F.S.; revising use of revenues in a specified
16 transportation trust fund, prohibiting funding of a project
17 or program of by specified entities inconsistent with state
18 energy policy, prohibiting the Department of Transportation
19 from providing research grants to specified institutions
20 without prior recommendation and approval by specified
21 entities; amending s. 339.135, F.S.; providing additional
22 conditions for execution of the transportation work program
23 budget; amending s. 339.651, F.S.; specifying project
24 conditions under the Strategic Intermodal Supply System,
25 adding transportation infrastructure related materials,
26 removing an expiration date; amending s. 341.051, F.S.;

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27 removing expiration dates for use of funding in the New
28 Starts Transit Program; providing an effective date.

29
30 Be It Enacted by the Legislature of the State of Florida:

31
32 Section 1. Subsection (6) of section 206.46, Florida
33 Statutes, is amended to read:

34 206.46 State Transportation Trust Fund.—

35 (6) The department may not annually commit more than ~~20~~ 15
36 percent of the revenues derived from state fuel taxes and motor
37 vehicle license-related fees deposited into the State
38 Transportation Trust Fund to public transit projects, in
39 accordance with chapter 341, except as otherwise provided
40 herein. Notwithstanding the foregoing, the department may
41 annually commit more than ~~20~~ 15 percent of such revenues for any
42 of the following:

43 (a) A public transit project that uses revenues derived
44 from state fuel taxes and motor vehicle license-related fees to
45 match funds made available by the Federal Government.

46 (b) A public transit project included in the transportation
47 improvement program adopted pursuant to s. 339.175(8) and
48 approved by a supermajority vote of the board of county
49 commissioners or the governing board of a consolidated county
50 and city government where the project is located.

51 (c) A bus rapid transit or rail project that would result
52 in maintaining or enhancing the level of service of the state
53 highway system along the corridor of the project, provided state

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54 funds do not exceed 50 percent of the nonfederal share of the
55 costs and the percentage of the local share.

56 Section 2. Paragraph (e) is added to subsection (6) of
57 section 212.20, Florida Statutes, to read:

58 212.20 Funds collected, disposition; additional powers of
59 department; operational expense; refund of taxes adjudicated
60 unconstitutionally collected.—

61 (6) Distribution of all proceeds under this chapter and
62 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

63 (a) Proceeds from the convention development taxes
64 authorized under s. 212.0305 shall be reallocated to the
65 Convention Development Tax Clearing Trust Fund.

66 (b) Proceeds from discretionary sales surtaxes imposed
67 pursuant to ss. 212.054 and 212.055 shall be reallocated to the
68 Discretionary Sales Surtax Clearing Trust Fund.

69 (c)1. Proceeds from the fees imposed under
70 ss. 212.05(1)(h)3. and 212.18(3) shall remain with the General
71 Revenue Fund.

72 2. The portion of the proceeds which constitutes gross
73 receipts tax imposed pursuant to s. 203.01(1)(a)3. shall be
74 deposited as provided by law and in accordance with s. 9, Art.
75 XII of the State Constitution.

76 (d) The proceeds of all other taxes and fees imposed
77 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
78 and (2)(b) shall be distributed as follows:

79 1. In any fiscal year, the greater of \$500 million, minus
80 an amount equal to 4.6 percent of the proceeds of the taxes

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81 collected pursuant to chapter 201, or 5.2 percent of all other
82 taxes and fees imposed pursuant to this chapter or remitted
83 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
84 monthly installments into the General Revenue Fund.

85 2. After the distribution under subparagraph 1., 8.9744
86 percent of the amount remitted by a sales tax dealer located
87 within a participating county pursuant to s. 218.61 shall be
88 transferred into the Local Government Half-cent Sales Tax
89 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
90 transferred shall be reduced by 0.1 percent, and the department
91 shall distribute this amount to the Public Employees Relations
92 Commission Trust Fund less \$5,000 each month, which shall be
93 added to the amount calculated in subparagraph 3. and
94 distributed accordingly.

95 3. After the distribution under subparagraphs 1. and 2.,
96 0.0966 percent shall be transferred to the Local Government
97 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
98 to s. 218.65.

99 4. After the distributions under subparagraphs 1., 2., and
100 3., 2.0810 percent of the available proceeds shall be
101 transferred monthly to the Revenue Sharing Trust Fund for
102 Counties pursuant to s. 218.215.

103 5. After the distributions under subparagraphs 1., 2., and
104 3., 1.3653 percent of the available proceeds shall be
105 transferred monthly to the Revenue Sharing Trust Fund for
106 Municipalities pursuant to s. 218.215. If the total revenue to
107 be distributed pursuant to this subparagraph is at least as

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108 great as the amount due from the Revenue Sharing Trust Fund for
109 Municipalities and the former Municipal Financial Assistance
110 Trust Fund in state fiscal year 1999-2000, no municipality shall
111 receive less than the amount due from the Revenue Sharing Trust
112 Fund for Municipalities and the former Municipal Financial
113 Assistance Trust Fund in state fiscal year 1999-2000. If the
114 total proceeds to be distributed are less than the amount
115 received in combination from the Revenue Sharing Trust Fund for
116 Municipalities and the former Municipal Financial Assistance
117 Trust Fund in state fiscal year 1999-2000, each municipality
118 shall receive an amount proportionate to the amount it was due
119 in state fiscal year 1999-2000.

120 6. Of the remaining proceeds:

121 a. In each fiscal year, the sum of \$29,915,500 shall be
122 divided into as many equal parts as there are counties in the
123 state, and one part shall be distributed to each county. The
124 distribution among the several counties must begin each fiscal
125 year on or before January 5th and continue monthly for a total
126 of 4 months. If a local or special law required that any moneys
127 accruing to a county in fiscal year 1999-2000 under the then-
128 existing provisions of s. 550.135 be paid directly to the
129 district school board, special district, or a municipal
130 government, such payment must continue until the local or
131 special law is amended or repealed. The state covenants with
132 holders of bonds or other instruments of indebtedness issued by
133 local governments, special districts, or district school boards
134 before July 1, 2000, that it is not the intent of this

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135 subparagraph to adversely affect the rights of those holders or
136 relieve local governments, special districts, or district school
137 boards of the duty to meet their obligations as a result of
138 previous pledges or assignments or trusts entered into which
139 obligated funds received from the distribution to county
140 governments under then-existing s. 550.135. This distribution
141 specifically is in lieu of funds distributed under
142 s. 550.135 before July 1, 2000.

143 b. The department shall distribute \$166,667 monthly to each
144 applicant certified as a facility for a new or retained
145 professional sports franchise pursuant to s. 288.1162. Up to
146 \$41,667 shall be distributed monthly by the department to each
147 certified applicant as defined in s. 288.11621 for a facility
148 for a spring training franchise. However, not more than \$416,670
149 may be distributed monthly in the aggregate to all certified
150 applicants for facilities for spring training franchises.
151 Distributions begin 60 days after such certification and
152 continue for not more than 30 years, except as otherwise
153 provided in s. 288.11621. A certified applicant identified in
154 this sub-subparagraph may not receive more in distributions than
155 expended by the applicant for the public purposes provided in
156 s. 288.1162(5) or s. 288.11621(3).

157 c. The department shall distribute up to \$83,333 monthly to
158 each certified applicant as defined in s. 288.11631 for a
159 facility used by a single spring training franchise, or up to
160 \$166,667 monthly to each certified applicant as defined in
161 s. 288.11631 for a facility used by more than one spring

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162 training franchise. Monthly distributions begin 60 days after
163 such certification or July 1, 2016, whichever is later, and
164 continue for not more than 20 years to each certified applicant
165 as defined in s. 288.11631 for a facility used by a single
166 spring training franchise or not more than 25 years to each
167 certified applicant as defined in s. 288.11631 for a facility
168 used by more than one spring training franchise. A certified
169 applicant identified in this sub-subparagraph may not receive
170 more in distributions than expended by the applicant for the
171 public purposes provided in s. 288.11631(3).

172 d. The department shall distribute \$15,333 monthly to the
173 State Transportation Trust Fund.

174 e.(I) On or before July 25, 2021, August 25, 2021, and
175 September 25, 2021, the department shall distribute \$324,533,334
176 in each of those months to the Unemployment Compensation Trust
177 Fund, less an adjustment for refunds issued from the General
178 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
179 distribution. The adjustments made by the department to the
180 total distributions shall be equal to the total refunds made
181 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
182 subtracted from any single distribution exceeds the
183 distribution, the department may not make that distribution and
184 must subtract the remaining balance from the next distribution.

185 (II) Beginning July 2022, and on or before the 25th day of
186 each month, the department shall distribute \$90 million monthly
187 to the Unemployment Compensation Trust Fund.

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188 (III) If the ending balance of the Unemployment
189 Compensation Trust Fund exceeds \$4,071,519,600 on the last day
190 of any month, as determined from United States Department of the
191 Treasury data, the Office of Economic and Demographic Research
192 shall certify to the department that the ending balance of the
193 trust fund exceeds such amount.

194 (IV) This sub-subparagraph is repealed, and the department
195 shall end monthly distributions under sub-sub-subparagraph (II),
196 on the date the department receives certification under sub-sub-
197 subparagraph (III).

198 f. Beginning July 1, 2023, in each fiscal year, the
199 department shall distribute \$27.5 million to the Florida
200 Agricultural Promotional Campaign Trust Fund under s. 571.26,
201 for further distribution in accordance with s. 571.265.

202 7. All other proceeds must remain in the General Revenue
203 Fund.

204 (e) To account for the impact of electric and hybrid
205 vehicles on the state highway system and the use of the taxes
206 already collected from such motorists when charging, beginning
207 in July 2025 and reassessed every five fiscal years, on or
208 before the 25th day of each month of each year thereafter of the
209 portion of the proceeds of the tax imposed under s.
210 212.05(1)(e)1.c., the department shall distribute \$4.167 million
211 to the State Transportation Trust Fund.

212 Section 3. Subsection (4) is added to section 311.10,
213 Florida Statutes, to read:

214 311.10 Strategic Port Investment Initiative.—

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215 (1) There is created the Strategic Port Investment
216 Initiative within the Department of Transportation. Beginning in
217 fiscal year 2012-2013, a minimum of \$35 million annually shall
218 be made available from the State Transportation Trust Fund to
219 fund the Strategic Port Investment Initiative. The Department of
220 Transportation shall work with the deepwater ports listed in
221 s. 311.09 to develop and maintain a priority list of strategic
222 investment projects. Project selection shall be based on
223 projects that meet the state's economic development goal of
224 becoming a hub for trade, logistics, and export-oriented
225 activities by:

226 (a) Providing important access and major on-port capacity
227 improvements;

228 (b) Providing capital improvements to strategically
229 position the state to maximize opportunities in international
230 trade, logistics, or the cruise industry;

231 (c) Achieving state goals of an integrated intermodal
232 transportation system; and

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

235 (2) Prior to making final project allocations, the
236 Department of Transportation shall schedule a publicly noticed
237 workshop with the Department of Commerce and the deepwater ports
238 listed in s. 311.09 to review the proposed projects. After
239 considering the comments received, the Department of
240 Transportation shall finalize a prioritized list of potential
241 projects.

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242 (3) The Department of Transportation shall, to the maximum
243 extent feasible, include the seaport projects proposed to be
244 funded under this section in the tentative work program
245 developed under s. 339.135(4).

246 (4) As a condition of receiving a project grant for any
247 program in this chapter and as a condition of receiving state
248 funds as described in s. 215.31, seaports located in counties
249 identified in s. 331.304(1) and (5) must agree in any agreement
250 with the department that the seaport may not convert any planned
251 or existing lands, facilities, or infrastructure designated for
252 cargo purposes for any alternative purpose unless express
253 approval is obtained by the Secretary of Transportation and
254 Secretary of Commerce. As used in this section, the term cargo
255 purposes includes, but is not limited to, any facility,
256 activity, property, energy source, or infrastructure asset which
257 supports spaceport activities.

258 Section 4. Section 334.067, Florida Statutes, is created to
259 read:

260 334.067 Statewide mapping program using light detection and
261 ranging (LiDAR) technology.— Notwithstanding s. 20.255(9), the
262 department shall pilot a statewide mapping program that houses
263 geospatial data managed by state agencies. The program should
264 utilize light detection and ranging (LiDAR) or similar
265 geospatial data technology in order to support critical features
266 for programs across the department and other state and local
267 agencies. The department shall administer the program and
268 utilize qualified firms to collect and process statewide mapping

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269 data at a minimum density of 25 points per meter, including
270 creation of digital elevation models, elevation-derived
271 hydrography data, and provide for a cloud-based portal for data
272 management and distribution. The statewide mapping data shall be
273 collected on a recurring basis with one-third of state lands
274 collected annually. Any state agency utilizing LiDAR or similar
275 geospatial data shall participate in the pilot program.

276 Section 5. Subsections (6) and (7) are added to section
277 339.08, Florida Statutes, to read:

278 339.08 Use of moneys in State Transportation Trust Fund.—

279 (1) The department shall expend moneys in the State
280 Transportation Trust Fund accruing to the department, in
281 accordance with its annual budget. The use of such moneys shall
282 be restricted to the following purposes:

283 (a) To pay administrative expenses of the department,
284 including administrative expenses incurred by the several state
285 transportation districts, but excluding administrative expenses
286 of commuter rail authorities that do not operate rail service.

287 (b) To pay the cost of construction of the State Highway
288 System.

289 (c) To pay the cost of maintaining the State Highway
290 System.

291 (d) To pay the cost of public transportation projects in
292 accordance with chapter 341 and ss. 332.003-332.007.

293 (e) To reimburse counties or municipalities for
294 expenditures made on projects in the State Highway System as
295 authorized by s. 339.12(4) upon legislative approval.

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296 (f) To pay the cost of economic development transportation
297 projects in accordance with s. 339.2821.

298 (g) To lend or pay a portion of the operating, maintenance,
299 and capital costs of a revenue-producing transportation project
300 that is located on the State Highway System or that is
301 demonstrated to relieve traffic congestion on the State Highway
302 System.

303 (h) To match any federal-aid funds allocated for any other
304 transportation purpose, including funds allocated to projects
305 not located in the State Highway System.

306 (i) To pay the cost of county road projects selected in
307 accordance with the Small County Road Assistance Program created
308 in s. 339.2816.

309 (j) To pay the cost of county or municipal road projects
310 selected in accordance with the County Incentive Grant Program
311 created in s. 339.2817, the Small County Outreach Program
312 created in s. 339.2818, and the Enhanced Bridge Program for
313 Sustainable Transportation created in s. 339.285.

314 (k) To provide loans and credit enhancements for use in
315 constructing and improving highway transportation facilities
316 selected in accordance with the state-funded infrastructure bank
317 created in s. 339.55.

318 (l) To pay the cost of projects on the Florida Strategic
319 Intermodal System created in s. 339.61.

320 (m) To pay the cost of transportation projects selected in
321 accordance with the Transportation Regional Incentive Program
322 created in s. 339.2819.

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323 (n) To pay other lawful expenditures of the department.

324 (2) Unless specifically provided in the General
325 Appropriations Act or the substantive bill implementing the
326 General Appropriations Act, no moneys in the State
327 Transportation Trust Fund may be used to fund the operational or
328 capital outlay cost for any correctional facility of the
329 Department of Corrections. The department shall, however, enter
330 into contractual arrangements with the Department of Corrections
331 for those specific maintenance functions that can be performed
332 effectively by prison inmates under the supervision of
333 Department of Corrections personnel with technical assistance
334 being provided by the department. The cost of such contracts
335 must not exceed the cost that would be incurred by the
336 department if these functions were to be performed by its
337 personnel or by contract with another entity unless,
338 notwithstanding cost, the department can clearly demonstrate
339 that for reasons of expediency or efficiency it is in the best
340 interests of the department to contract with the Department of
341 Corrections.

342 (3) The department may authorize the investment of the
343 earnings accrued and collected upon the investment of the
344 minimum balance of funds required to be maintained in the State
345 Transportation Trust Fund pursuant to s. 339.135(6)(b).

346 (4) Notwithstanding any other law, and for the 2023-2024
347 and 2024-2025 fiscal years only, funds are appropriated to the
348 State Transportation Trust Fund from the General Revenue Fund
349 and the Discretionary Sales Surtax Clearing Trust Fund as

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350 provided in the General Appropriations Act. The department is
351 not required to deplete the resources transferred from the
352 General Revenue Fund for the fiscal year as required in
353 s. 339.135(3)(b), and the funds may not be used in calculating
354 the required quarterly cash balance of the trust fund as
355 required in s. 339.135(6)(b). The department shall track and
356 account for appropriated funds from the General Revenue Fund as
357 a separate funding source for eligible projects on the State
358 Highway System and from the Discretionary Sales Surtax Clearing
359 Trust Fund for eligible projects pursuant to the General
360 Appropriations Act. This subsection expires July 1, 2025.

361 (5) The department may not expend any state funds as
362 described in s. 215.31 to support a project or program of any of
363 the following entities:

364 (a) A public transit provider as defined in s. 341.031(1);

365 (b) An authority created pursuant to chapter 343, chapter
366 348, or chapter 349;

367 (c) A public-use airport as defined in s. 332.004; or

368 (d) A port listed in s. 311.09(1),

369
370 which is found in violation of s. 381.00316. The department
371 shall withhold state funds until the public transit provider,
372 authority, public-use airport, or port is found in compliance
373 with s. 381.00316.

374 (6) The Department may not expend any state funds as
375 described in s. 215.31 to support a project or program of any of

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376 the following entities which adopt or promote energy policy
377 goals inconsistent with state energy policy:

378 (a) A public transit provider as defined in s. 341.031(1);

379 (b) An authority created pursuant to chapter 343, chapter
380 348, or chapter 349;

381 (c) A public-use airport as defined in s. 332.004; or

382 (d) A port listed in s. 311.09(1).

383

384 As used in this subsection, the term state energy policy has the
385 same meaning as s. 377.601 and also includes any intended or
386 actual measure, obligation, target or timeframe related to the
387 reduction in carbon dioxide emissions.

388 (7) The Department may not provide research grants to a
389 State University or College System Institution unless those
390 proposed grants are recommended by the Secretary of
391 Transportation and subsequently approved by the Board of
392 Governors of the State University System or State Board of
393 Education, respectively.

394 Section 6. Paragraph (a) of subsection (6) of section
395 339.135, Florida Statutes, is amended to read:

396 (6) EXECUTION OF THE BUDGET.—

397 (a) The department, during any fiscal year, shall not
398 expend money, incur any liability, or enter into any contract
399 which, by its terms, involves the expenditure of money in excess
400 of the amounts budgeted as available for expenditure as part of
401 the Adopted Work Program provided for in this section during
402 such fiscal year. Any contract, verbal or written, made in

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403 violation of this subsection is null and void, and no money may
404 be paid on such contract. The department shall require a
405 statement from the comptroller of the department that funds are
406 available prior to entering into any such contract or other
407 binding commitment of funds. Nothing herein contained shall
408 prevent the making of contracts for periods exceeding 1 year,
409 but any contract so made shall be executory only for the value
410 of the services to be rendered or agreed to be paid for in
411 succeeding fiscal years; and this paragraph shall be
412 incorporated verbatim in all contracts of the department which
413 are for an amount in excess of \$25,000 and which have a term for
414 a period of more than 1 year. Unless provided for in this
415 subsection, the department shall comply with the provisions of
416 chapter 216.

417 Section 7. Subsections (3) and (7) of section 339.651,
418 Florida Statutes, are amended to read:

419 339.651 Strategic Intermodal System supply chain demands.—

420 (3) The department shall annually make up to \$20 million
421 ~~available each year for fiscal years 2023-2024 through 2027-~~
422 ~~2028,~~ from existing work program revenues, to fund projects that
423 meet the public purpose of providing increased capacity and
424 enhanced capabilities to move and store construction aggregate
425 and transportation infrastructure related materials. Applicants
426 eligible for project funding under this section are seaports
427 listed in s. 311.09 and rail lines and rail facilities.

428 ~~(7) This section shall stand repealed on July 1, 2028.~~

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429 Section 8. Paragraph (b) of subsection (6) of Section
430 341.051, Florida Statutes, is amended to read:
431 341.051 Administration and financing of public transit and
432 intercity bus service programs and projects.—
433 (6) ANNUAL APPROPRIATION.—
434 (a) Funds paid into the State Transportation Trust Fund
435 pursuant to s. 201.15 for the New Starts Transit Program are
436 hereby annually appropriated for expenditure to support the New
437 Starts Transit Program.
438 (b) The remaining unallocated New Starts Transit Program
439 funds as of June 30, ~~2024~~, shall be reallocated for the purpose
440 of the Strategic Intermodal System within the State
441 Transportation Trust Fund. ~~This paragraph expires June 30, 2026.~~
442 Section 9. This act shall take effect July 1, 2025.