



## House Bill 1209 – Changes in Law Designed to Support Rural and Fiscally Constrained Communities Regarding the Payment of Specified Invoices

August 22, 2023

Meredith Ivey, Deputy Secretary  
Division of Community Development



# Agenda

*“Under Governor DeSantis’ leadership, FloridaCommerce is committed to promoting and investing in Florida’s rural communities. FloridaCommerce is proud to partner with local communities to help them create an economic development vision, so they are able to take steps to bring those visions to life.”*

***-FloridaCommerce Secretary J. Alex Kelly***

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# Introductions

- Meredith Ivey, Deputy Secretary, Division of Community Development
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- Matt Swanson, Chief Operating Officer
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- Kate Doyle, Assistant Deputy Secretary, Division of Community Development
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- Pam Portwood, Bureau Chief, Bureau of Small Cities and Rural Communities
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- Joshua Askey, REDI Coordinator, Bureau of Community Planning and Growth
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# Overview of House Bill 1209

- House Bill 1209 (Chapter 2023-202 Laws of Florida) requires Florida’s state agencies – including FloridaCommerce – to include language in their agreements that provides for the payment of specified invoices to certain counties or municipalities for certain verified and eligible performance.
- As of July 1, 2023, a rural community or rural area of opportunity, as those terms are defined in Section 288.0656(2), F.S., may receive payment for costs under its grant agreement with FloridaCommerce for “verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement.”
- Bottom line – an eligible grantee may receive direct payment for performance under its grant agreement with FloridaCommerce without being required to spend its own cash first.

# Eligibility Criteria

The direct payment option outlined in HB 1209 is available to units of local government within an area designated as a Rural Area of Opportunity or a rural county or community as defined by section 288.0656, Florida Statutes.

- “Rural area of opportunity” means a rural community, or a region composed of rural communities, designated by the Governor, which has been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster or that presents a unique economic development opportunity of regional impact.
- “Rural community” means:
  - A county with a population of 75,000 or fewer.
  - A county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer.
  - A municipality within a county described in the two bullets above.
  - An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in Section 288.0656(1)(c) and verified by the department.





# FloridaCommerce Request Process

- Pursuant to HB 1209, a rural community, or rural area of opportunity, as those terms are defined in section 288.0656(2), F.S., must demonstrate financial hardship.
- However, a rural community, or rural area of opportunity, as those terms are defined in section 288.0656(2), F.S., which is located in a fiscally constrained county, as defined in section 218.67(1), F.S., is automatically deemed to have demonstrated a financial hardship.
- In either case, this is the eligible Grantee's choice, and the Grantee must notify FloridaCommerce in writing to exercise the direct payment option.
  - Direct payment requests should be submitted to: [DirectPaymentRequests@Commerce.Fl.gov](mailto:DirectPaymentRequests@Commerce.Fl.gov)
  - A letter advising of the approval of the direct payment option will be distributed to the grantee.
    - Approval letter applies to all active grant agreements between FloridaCommerce and the grantee.



# FloridaCommerce Approve/Contract Amendment Existing Agreement

Upon approval of a direct payment request, existing agreements will be amended to incorporate the following language:

*If the Grantee is a county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., the payment of submitted invoices may be issued for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in this Agreement to the extent that federal or state law, rule, or other regulation allows such payments. Upon meeting either of the criteria set forth below, the Grantee may elect in writing to exercise this provision.*

- 1. A county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., that demonstrates financial hardship; or*
- 2. A county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., and which is located in a fiscally constrained county, as defined in section 218.67(1). If the Grantee meets the criteria set forth in this paragraph, then the Grantee is deemed to have demonstrated a financial hardship.*

# FloridaCommerce Contracts Moving Forward

All new agreements with eligible rural communities will include the contract language that allows for the direct payment option.

However, grantees must submit a request for direct payment for review/approval.

- Direct payment requests should be submitted to:  
[DirectPaymentRequests@Commerce.FI.gov](mailto:DirectPaymentRequests@Commerce.FI.gov)
- A letter advising of the approval of the direct payment option will be distributed to the grantee.



# How to Submit Invoices for Direct Payment

Invoices for Direct Payment should be submitted in accordance with program guidelines in the Subrecipient Enterprise Resource Application (SERA) system.

- Payment requests must be for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in the agreement.
- In most cases, payment request documentation requirements will be the same as previous reimbursement requests, except that proof of payment will not be required at the time of invoice submittal.

Once submitted, the payment request will follow the standard FloridaCommerce review/approval process.

# Question & Answers



# Contact Us/Find Out More Information

## Thank You.

If you have questions or comments about this presentation, please contact us.

[www.FloridaJobs.org/REDI](http://www.FloridaJobs.org/REDI)



**FloridaCommerce**

Email: [DirectPaymentRequests@Commerce.Fl.gov](mailto:DirectPaymentRequests@Commerce.Fl.gov)

