A bill to be entitled

An act implementing the 2016-2017 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program; providing that funds for instructional materials must be released and expended as required in specified proviso language; specifying the required ad valorem tax millage contribution by certain district school boards for certain funded construction projects; amending s. 11.45, F.S.; requiring the Auditor General to conduct audits of the Florida School for the Deaf and Blind; creating s. 1001.66, F.S.; creating a Florida College System Performance-Based Incentive for Florida College System institutions; requiring the State Board of Education to adopt certain metrics and benchmarks; providing for funding and allocation of the incentives; authorizing the state board to withhold an institution's incentive under certain circumstances; providing for reporting and rulemaking; amending s. 1001.7065, F.S.; deleting obsolete provisions; revising the academic and research excellence standards for the preeminent state research universities program; creating the "emerging preeminent state research university" designation; requiring an emerging preeminent state research
university to submit a certain plan to the board and meet certain expectations to receive certain funds; providing for the distribution of certain funding increases; deleting the preeminent state research university enhancement initiative; authorizing a preeminent state research university to consider certain courses as a part of the general education requirements; providing that such courses are in addition to certain required courses; authorizing a preeminent state research university to require that such courses be earned at the university; authorizing the board to identify and grant certain authority and flexibility to emerging preeminent state research universities; amending s. 1001.92, F.S.; requiring performance-based metrics to include thresholds for added value of certain degrees; requiring the Board of Governors to develop an implementation plan for specified metrics relating to the employment of students with specified degrees by a specified fiscal year and provide the plan to the Governor and Legislature by a specified date; requiring the board to establish minimum performance funding eligibility thresholds; prohibiting a state university that fails to meet a certain threshold from eligibility for a share of the state's investment performance funding; requiring the board to adopt regulations; amending s.
1002.39, F.S.; providing that a John M. McKay Scholarship is not subject to the maximum value for funding a student under the Florida Education Finance Program; amending s. 1008.46, F.S.; revising the date by which the Board of Governors must submit a specific report; amending s. 1009.23, F.S.; revising provisions relating to the Florida College System institution distance learning course user fee; providing that the fee may not exceed a specified amount per credit hour; requiring that an increase in the current fee be approved by the State Board of Education; amending s. 1009.24, F.S.; revising provisions relating to the state university distance learning course fee; providing that the fee may not exceed a specified amount per credit hour; requiring each state university board of trustees to report specified information relating to the fee to the Board of Governors by a specified date; amending s. 1009.40, F.S.; revising provisions relating to student eligibility for state financial aid awards and tuition assistance grants; providing that a student may only be granted one probationary funding award; revising requirements for the award of probationary funding to a student who fails to earn the minimum number of credits; amending ss. 1009.50, 1009.505, 1009.51, and 1009.52, F.S., relating to the Florida Public Student Assistance Program.
Assistance Grant Program, the Florida Public Postsecondary Career Education Student Assistance Grant Program, the Florida Private Student Assistance Grant Program, and the Florida Postsecondary Student Assistance Grant Program; requiring the expected family contribution and all other aid available to a student be accounted and considered when determining a student's unmet need; requiring participating institutions to conduct an assessment of the available financial resources for each student; requiring certain funding mechanisms to be included in the assessment; revising the priority in the distribution of grant moneys; revising reporting requirements for participating institutions; amending s. 1009.701, F.S.; including Florida College System institutions in the First Generation Matching Grant Program; revising the state fund matching ratio for the grant program; amending s. 1011.61, F.S.; providing that a John M. McKay Scholarship is not subject to the maximum value for funding a student under the Florida Education Finance Program; amending s. 1011.62, F.S.; providing for funding of the district digital classrooms allocation; abrogating the scheduled expiration and reversion of specified amendments to s. 1011.62(13), F.S., relating to the federally connected student supplement; providing for expiration; prohibiting an
under allocation in a prior year caused by a school
district error from being the basis for certain
allocation adjustments; amending s. 1012.39, F.S.;
providing requirements regarding liability insurance
for students performing clinical field experience;
creating s. 1012.731, F.S.; providing legislative
intent; establishing the Florida Best and Brightest
Teacher Scholarship Program; providing eligibility
criteria; requiring a school district to annually
submit the number of eligible classroom teachers to
the Department of Education; providing for funding and
the disbursement of funds; defining the term "school
district"; amending s. 1012.75, F.S.; extending by 1
year the expiration date for the educator liability
insurance program; amending s. 1013.64, F.S.; revising
capital outlay full-time equivalent membership;
providing that certain prekindergarten exceptional
students are included in the membership; revising the
calculation of capital outlay membership; providing
for future expiration and reversion of specified
statutory text; incorporating by reference certain
calculations of the Medicaid Low-Income Pool,
Disproportionate Share Hospital, and Hospital
Reimbursement programs; amending s. 296.37, F.S.;
extending for 1 fiscal year the requirement that
certain residents of a veterans' nursing home
contribute to their maintenance and support;
authorizing the Agency for Health Care Administration,
in consultation with the Department of Health, to
submit a budget amendment to realign funding based
upon a specified model, methodology, and framework;
specifying requirements for such realignment;
authorizing the agency to request nonoperating budget
authority for transferring certain federal funds to
the Department of Health; providing that certain funds
provided for training purposes shall be allocated to
community-based lead agencies based on a training
needs assessment conducted by the Department of
Children and Families; amending s. 893.055, F.S.;
authorizing the Department of Health to use certain
funds to administer the prescription drug monitoring
program; prohibiting the use of funds received from a
settlement agreement to administer the program;
amending s. 216.262, F.S.; extending for 1 fiscal year
the authority of the Department of Corrections to
submit a budget amendment for additional positions and
appropriations under certain circumstances;
authorizing the Department of Legal Affairs to expend
certain appropriated funds on programs that were
funded by the department from specific appropriations
in general appropriations acts in previous years;
amending s. 932.7055, F.S.; extending for 1 fiscal
year the authority for a municipality to expend funds
from its special law enforcement trust fund to
reimburse its general fund for certain moneys advanced
from the general fund; amending s. 215.18, F.S.;
extending for 1 fiscal year the authority and related
repayment requirements for temporary trust fund loans
to the state court system which are sufficient to meet
the system's appropriation; prohibiting the Department
of Corrections from transferring funds from a salaries
and benefits category to another category, other than
a salaries and benefits category, unless approved by
the Legislative Budget Commission; requiring the
Department of Juvenile Justice to review county
juvenile detention payments to determine if the county
has met specified financial responsibilities;
requiring amounts owed by the county for such
financial responsibilities to be deducted from certain
county funds; requiring the Department of Revenue to
transfer funds withheld to specified trust funds;
requiring the Department of Revenue to ensure that
such reductions in amounts distributed do not reduce
distributions below amounts necessary for certain
payments due on bonds and comply with bond covenants;
requiring the Department of Revenue to notify the
Department of Juvenile Justice if bond payment
requirements require a reduction in deductions for

CODING: Words **stricken** are deletions; words *underlined* are additions.
amounts owed by a county; directing the Department of Management Services to use tenant broker services to renegotiate or reprocure certain private lease agreements for office or storage space; requiring the Department of Management Services to provide a report to the Governor and Legislature by a specified date; reenacting s. 624.502, F.S., relating to the deposit of fees for service of process made upon the Chief Financial Officer or the Director of the Office of Insurance Regulation into the Administrative Trust Fund; providing for the future expiration and reversion of statutory text requiring the deposit of certain fees into the Administrative Trust Fund; specifying the amount of the transaction fee to be collected for use of the online procurement system; authorizing the Executive Office of the Governor to transfer funds appropriated for data processing between agencies for a specified purpose; authorizing the Executive Office of the Governor to transfer funds appropriated for certain data processing services between departments for a specified purpose; prohibiting an agency from transferring funds from a data processing category to another category that is not a data processing category; authorizing the Executive Office of the Governor to transfer certain funds between agencies in order to allocate a
reduction relating to SUNCOM Network services;
authorizing agencies to transfer certain data
processing funds to contract with a private sector
cloud service under certain circumstances; specifying
that such transfers are subject to certain notice,
review, and objection procedures; authorizing the
Executive Office of the Governor to transfer funds
between departments for purposes of aligning amounts
paid for risk management insurance and for human
resource management services; providing for
replacement of Florida Accounting Information Resource
Subsystem; providing for project governance structure;
amending s. 161.143, F.S.; extending by 1 fiscal year
the directive that the amount allocated for inlet
management funding is provided in the General
Appropriations Act; amending s. 259.105, F.S.;
revising the distribution of certain proceeds from
cash payments or bonds issued pursuant to the Florida
Forever Act; amending s. 216.181, F.S.; extending by 1
fiscal year the authority for the Legislative Budget
Commission to increase amounts appropriated to the
Fish and Wildlife Conservation Commission or the
Department of Environmental Protection for certain
fixed capital outlay projects from specified sources;
amending s. 403.709, F.S.; revising the conditions
under which the Department of Environmental Protection
may use the solid waste landfill closure account within the Solid Waste Management Trust Fund to contract with a third party to close and provide long-term care of certain solid waste management facilities; authorizing the Department of Environmental Protection to use the Solid Waste Management Trust Fund under specified circumstances if amounts paid under an insurance policy or alternative financial assurance do not cover the cost of the closing or providing long-term care of a facility; amending s. 215.18, F.S.; authorizing the Governor, if there is a specified deficiency in a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, to transfer funds from other trust funds in the State Treasury as a temporary loan to such trust fund; providing procedures for the transfer and repayment of the loan; providing a legislative determination that the repayment of the temporary loan is a constitutionally allowable use of such moneys; requiring the Department of Environmental Protection to transfer designated proportions of the revenues deposited in the Land Acquisition Trust Fund within the department to land acquisition trust funds in the Department of
Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Conservation Commission according to specified parameters and calculations; defining the term "department"; requiring the department to retain a proportionate share of revenues; specifying a limit on distributions; amending s. 403.890, F.S.; providing for use of funds deposited into or appropriated to the Water Protection and Sustainability Trust Fund; requiring the Department of Highway Safety and Motor Vehicles to contract with a specified corporation to manufacture current or newly redesigned license plates; providing price specifications for such contract; specifying requirements to be met by the corporation in manufacturing such license plates; prohibiting the name of a county from appearing on redesigned license plates; amending s. 339.2818, F.S.; revising the definition of the term "small county" for purposes of the Small County Outreach Program; reenacting s. 216.292(2)(a), F.S., relating to exceptions for nontransferable appropriations; providing for the future expiration and reversion of statutory text related to nontransferable appropriations; prohibiting a state agency from initiating a competitive solicitation for a product or service under certain circumstances; providing an
exception; amending s. 112.24, F.S.; extending by 1
fiscal year the authorization, subject to specified
requirements, for the assignment of an employee of a
state agency under an employee interchange agreement;
providing that the annual salaries of the members of
the Legislature shall be maintained at a specified
level; reenacting s. 215.32(2)(b), F.S., relating to
the source and use of certain trust funds; providing
for the future expiration and reversion of statutory
text related to the source and use of specified trust
funds; providing a legislative determination that the
issuance of new debt is in the best interests of the
state; limiting the use of travel funds to activities
that are critical to an agency's mission; providing
exceptions; reenacting s. 110.12315, F.S., relating to
the state employees' prescription drug program;
providing for the future expiration and reversion of
statutory text related to the state employees'
prescription drug program; prohibiting agencies from
entering into contracts containing certain
nondisclosure agreements; providing conditions under
which the veto of certain appropriations or proviso
language in the General Appropriations Act voids
language that implements such appropriation; providing
for the continued operation of certain provisions
notwithstanding a future repeal or expiration provided
by the act; providing severability; providing an

effective date.

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

Section 1. It is the intent of the Legislature that the
implementing and administering provisions of this act apply to
the General Appropriations Act for the 2016-2017 fiscal year.

Section 2. In order to implement Specific Appropriations
7, 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act,
the calculations of the Florida Education Finance Program for
the 2016-2017 fiscal year in the document titled "Public School
Funding: The Florida Education Finance Program," dated January
28, 2016, and filed with the Clerk of the House of
Representatives, are incorporated by reference for the purpose
of displaying the calculations used by the Legislature,
consistent with the requirements of state law, in making
appropriations for the Florida Education Finance Program. This
section expires July 1, 2017.

Section 3. In order to implement Specific Appropriations 7
and 94 of the 2016-2017 General Appropriations Act and
notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
expenditure of funds provided for instructional materials, for
the 2016-2017 fiscal year, funds provided for instructional
materials shall be released and expended as required in the

Section 4. In order to implement Specific Appropriation 23 of the 2016-2017 General Appropriations Act and notwithstanding s. 1013.64(2), Florida Statutes, any district school board that generates less than $2 million in revenue from a 1-mill levy of ad valorem tax shall contribute 0.75 mill for the 2016-2017 fiscal year toward the cost of funded special facilities construction projects. This section expires July 1, 2017.

Section 5. In order to implement Specific Appropriation 113 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (2) of section 11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—
(2) DUTIES.—The Auditor General shall:
   (d) Annually conduct financial audits of the accounts and records of all district school boards in counties with populations of fewer than 150,000, according to the most recent federal decennial statewide census, and the Florida School for the Deaf and Blind.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in
subsection (3).

Section 6. In order to implement Specific Appropriations 12 and 126 of the 2016-2017 General Appropriations Act, section 1001.66, Florida Statutes, is created to read:

1001.66 Florida College System Performance-Based Incentive.—

(1) A Florida College System Performance-Based Incentive shall be awarded to Florida College System institutions using performance-based metrics adopted by the State Board of Education. The performance-based metrics must include retention rates; program completion and graduation rates; postgraduation employment, salaries, and continuing education for workforce education and baccalaureate programs, with wage thresholds that reflect the added value of the certificate or degree; and outcome measures appropriate for associate of arts degree recipients. The state board shall adopt benchmarks to evaluate each institution's performance on the metrics to measure the institution's achievement of institutional excellence or need for improvement and the minimum requirements for eligibility to receive performance funding.

(2) Each fiscal year, the amount of funds available for allocation to Florida College System institutions based on the performance-based funding model shall consist of the state's investment in performance funding plus institutional investments consisting of funds to be redistributed from the base funding of the Florida College System Program Fund as determined in the
General Appropriations Act. The State Board of Education shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. An institution that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for all institutions eligible for the state's investment under the performance-based funding model.

(3)(a) Each Florida College System institution's share of the performance funding shall be calculated based on its relative performance on the established metrics in conjunction with the institutional size and scope.

(b) A Florida College System institution that fails to meet the State Board of Education's minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the state board and must submit an improvement plan to the state board that specifies the activities and strategies for improving the institution's performance. The state board must review and approve the improvement plan and, if the plan is approved, must monitor the institution's progress in implementing the activities and strategies specified in the improvement plan. The institution shall submit monitoring reports to the state board by December 31 and May 31 of each year in which an improvement
plan is in place.

(c) The Commissioner of Education shall withhold disbursement of the institutional investment until the monitoring report is approved by the State Board of Education. A Florida College System institution determined by the state board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. An institution that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the state board's performance-based metrics.

(4) Distributions of performance funding, as provided in this section, shall be made to each of the Florida College System institutions listed in the Florida Colleges category in the General Appropriations Act.

(5) By October 1 of each year, the State Board of Education shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report on the prior fiscal year's performance funding allocation, which must reflect the rankings and award distributions.

(6) The State Board of Education shall adopt rules to administer this section.

(7) This section expires July 1, 2017.

Section 7. In order to implement Specific Appropriation
142 of the 2016-2017 General Appropriations Act, subsection (1) of 1001.7065, Florida Statutes, is reenacted, and subsections (2), (3), and (5) through (8) of that section are amended, to read:

1001.7065 Preeminent state research universities program.—

(1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—Effective July 1, 2013, the following academic and research excellence standards are established for the preeminent state research universities program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher on a 2400-point scale or 1200 or higher on a 1600-point scale
for fall semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, including, but not limited to, the U.S. News and World Report rankings, reflecting national preeminence, using most recent rankings.

(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).

(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.

(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report or the official membership directories maintained by each national academy.

(f) Total annual research expenditures, including federal research expenditures, of $200 million or more, as reported annually by the National Science Foundation (NSF).

(g) Total annual research expenditures in diversified nonmedical sciences of $150 million or more, based on data reported annually by the NSF.

(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.

(i) One hundred or more total patents awarded by the
United States Patent and Trademark Office for the most recent 3-
year period.

(j) Four hundred or more doctoral degrees awarded
annually, including professional doctoral degrees awarded in
medical and health care disciplines, as reported in the Board of
Governors Annual Accountability Report.

(k) Two hundred or more postdoctoral appointees annually,
as reported in the TARU annual report.

(l) An endowment of $500 million or more, as reported in
the Board of Governors Annual Accountability Report.

(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

(a) The Board of Governors shall designate each state
research university that annually meets at least 11 of the 12
academic and research excellence standards identified in
subsection (2) as a preeminent state research university.

(b) The Board of Governors shall designate each state
university that annually meets at least six of the 12 academic
and research excellence standards identified in subsection (2)
as an emerging preeminent state research university.

(5) PREEMINENT STATE RESEARCH UNIVERSITIES PROGRAM
UNIVERSITY SUPPORT.—

(a) A state research university that is designated as a
preeminent state research university, as of July 1, 2013, meets
all 12 of the academic and research excellence standards
identified in subsection (2), as verified by the Board of
Governors, shall submit to the Board of Governors a 5-year
benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section on an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(b) A state university designated as an emerging preeminent state research university shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university its proportionate share of any funds provided annually to support the program created under this section.

(c) The award of funds under this subsection is contingent upon funding provided in the General Appropriations Act to support the preeminent state research universities program created under this section. Funding increases appropriated beyond the amounts funded in the prior fiscal year shall be distributed as follows:

1. Each designated preeminent state research university
that meets the criteria in paragraph (a) shall receive an equal
amount of funding.

2. Each designated emerging preeminent state research
university that meets the criteria in paragraph (b) shall
receive an amount of funding that is equal to one-half of the
total increased amount awarded to each designated preeminent
state research university.

(6) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT
INITIATIVE. A state research university that, as of July 1,
2013, meets 11 of the 12 academic and research excellence
standards identified in subsection (2), as verified by the Board
of Governors, shall submit to the Board of Governors a 5-year
benchmark plan with target rankings on key performance metrics
for national excellence. Upon the university's meeting the
benchmark plan goals annually, the Board of Governors shall
award the university an amount specified in the General
Appropriations Act to be provided annually throughout the 5-year
period for the purpose of recruiting National Academy Members,
expediting the provision of a master's degree in cloud
virtualization, and instituting an entrepreneurs-in-residence
program throughout its campus. Funding for this purpose is
contingent upon specific appropriation in the General
Appropriations Act.

(6)(7) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE
REQUIREMENT AUTHORITY.—In order to provide a jointly shared
educational experience, a university that is designated a
preeminent state research university may require its incoming first-time-in-college students to take a 9-to-12-credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.

(7)(8) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that each designated preeminent state research university and each designated emerging preeminent state research university is free from unnecessary restrictions.

Section 8. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, subsections (1), (2), (3) and subsection (6) of section 1001.92, Florida Statutes, are amended to read:

1001.92 State University System Performance-Based Incentive.—

(1) A State University System Performance-Based Incentive shall be awarded to state universities using performance-based metrics adopted by the Board of Governors of the State University System.

(a) The performance-based metrics must include graduation
rates; retention rates; postgraduation education rates; degree production; affordability; postgraduation employment and salaries, including wage thresholds that reflect the added value of a baccalaureate degree; access and other metrics approved by the board in a formally noticed meeting.

(b) The board shall adopt benchmarks to evaluate each state university's performance on the metrics to measure the state university's achievement of institutional excellence or need for improvement and minimum requirements for eligibility to receive performance funding.

c) The board shall develop an implementation plan for including a metric that addresses the full-time employment rate of 90 percent of graduates for each state university's top two, six-digit Classification of Instructional Program baccalaureate degrees to be incorporated into the performance funding formula beginning in the 2017-2018 fiscal year. The Board of Governors shall submit its implementation plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2016.

(2) Each fiscal year, the amount of funds available for allocation to the state universities based on the performance-based funding model metrics shall consist of the state's investment in appropriation for performance funding, including increases in base funding consisting of funds deducted from the base funding of each state university in the State University System in an amount provided
in the General Appropriations Act. The Board of Governors shall establish minimum performance funding eligibility thresholds for the state's investment and the institutional investments. A state university that meets the minimum institutional investment eligibility threshold, but fails to meet the minimum state investment eligibility threshold, shall have its institutional investment restored but is ineligible for a share of the state's investment in performance funding. The institutional investment shall be restored for each institution eligible for the state's investment under the performance-based funding model metrics.

(3)(a) A state university that fails to meet the Board of Governors' minimum institutional investment performance funding eligibility threshold shall have a portion of its institutional investment withheld by the board and must submit an improvement plan to the board that specifies the activities and strategies for improving the state university's performance. The board must review and approve the improvement plan and, if the plan is approved, must monitor the state university's progress in implementing the activities and strategies specified in the improvement plan. The state university shall submit monitoring reports to the board by December 31 and May 31 of each year in which an improvement plan is in place. The ability of a state university to submit an improvement plan to the board is limited to 1 fiscal year.

(b) The Chancellor of the State University System shall withhold disbursement of the institutional investment until the
monitoring report is approved by the Board of Governors. A state university that is determined by the board to be making satisfactory progress on implementing the improvement plan shall receive no more than one-half of the withheld institutional investment in January and the balance of the withheld institutional investment in June. A state university that fails to make satisfactory progress may not have its full institutional investment restored. Any institutional investment funds that are not restored shall be redistributed in accordance with the board's performance-based metrics.

(6) The Board of Governors shall adopt regulations to administer this section.

(7) This section expires July 1, 2017.

Section 9. In order to implement Specific Appropriations 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (10) of section 1002.39, Florida Statutes, is amended to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(10) JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.—

(a)1. The maximum scholarship granted for an eligible student with disabilities shall be equivalent to the base student allocation in the Florida Education Finance Program
multiplied by the appropriate cost factor for the educational program that would have been provided for the student in the district school to which he or she was assigned, multiplied by the district cost differential.

2. In addition, a share of the guaranteed allocation for exceptional students shall be determined and added to the amount in subparagraph 1. The calculation shall be based on the methodology and the data used to calculate the guaranteed allocation for exceptional students for each district in chapter 2000-166, Laws of Florida. Except as provided in subparagraphs 3. and 4., the calculation shall be based on the student's grade, matrix level of services, and the difference between the 2000-2001 basic program and the appropriate level of services cost factor, multiplied by the 2000-2001 base student allocation and the 2000-2001 district cost differential for the sending district. The calculated amount shall include the per-student share of supplemental academic instruction funds, instructional materials funds, technology funds, and other categorical funds as provided in the General Appropriations Act.

3. The scholarship amount for a student who is eligible under sub-subparagraph (2)(a)2.b. shall be calculated as provided in subparagraphs 1. and 2. However, the calculation shall be based on the school district in which the parent resides at the time of the scholarship request.

4. Until the school district completes the matrix required by paragraph (5)(b), the calculation shall be based on the
matrix that assigns the student to support Level I of service as it existed prior to the 2000-2001 school year. When the school district completes the matrix, the amount of the payment shall be adjusted as needed.

5. The scholarship amount for a student eligible under s. 504 of the Rehabilitation Act of 1973 shall be based on the program cost factor the student currently generates through the Florida Education Finance Program.

6. A student's scholarship amount is not subject to the maximum value for funding a student as provided in s. 1011.61(4).

Section 10. In order to implement Specific Appropriation 154 of the 2016-2017 General Appropriations Act, subsection (1) of section 1008.46, Florida Statutes, is amended to read:

1008.46 State university accountability process.—It is the intent of the Legislature that an accountability process be implemented that provides for the systematic, ongoing evaluation of quality and effectiveness of state universities. It is further the intent of the Legislature that this accountability process monitor performance at the system level in each of the major areas of instruction, research, and public service, while recognizing the differing missions of each of the state universities. The accountability process shall provide for the adoption of systemwide performance standards and performance goals for each standard identified through a collaborative effort involving state universities, the Board of Governors, the
Legislature, and the Governor's Office, consistent with requirements specified in s. 1001.706. These standards and goals shall be consistent with s. 216.011(1) to maintain congruity with the performance-based budgeting process. This process requires that university accountability reports reflect measures defined through performance-based budgeting. The performance-based budgeting measures must also reflect the elements of teaching, research, and service inherent in the missions of the state universities.

(1) By February March 15 of each year, the Board of Governors shall submit an annual accountability report providing information on the implementation of performance standards, actions taken to improve university achievement of performance goals, the achievement of performance goals during the prior year, and initiatives to be undertaken during the next year. The accountability reports shall be designed in consultation with the Governor's Office, the Office of Program Policy Analysis and Government Accountability, and the Legislature.

Section 11. In order to implement Specific Appropriations 6 and 11 of the 2016-2017 General Appropriations Act, paragraphs (a) and (b) of subsection (16) of section 1009.23, Florida Statutes, are amended to read:

1009.23 Florida College System institution student fees.—
(16)(a) Effective July 1, 2016, each Florida College System institution may assess a student who enrolls in a course listed in the distance learning catalog, established pursuant to
s. 1006.735, a per-credit-hour distance learning course user fee not to exceed $15 per credit hour. An increase in an institution's current distance learning fee must be approved by the State Board of Education. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(b) The amount of the distance learning course user fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If a Florida College System institution assesses the distance learning course user fee, the institution may not assess any other fees to cover the additional costs. By September 1 of each year, each board of trustees shall report to the Division of Florida Colleges the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended.

Section 12. In order to implement Specific Appropriation 142 of the 2016-2017 General Appropriations Act, paragraphs (a) and (b) of subsection (17) of section 1009.24, Florida Statutes, are amended to read:

1009.24 State university student fees.—
(17)(a) A state university may assess a student who enrolls in a course listed in the distance learning catalog,
established pursuant to s. 1006.735, a per-credit-hour distance learning course fee not to exceed $15 per credit hour. For purposes of assessing this fee, a distance learning course is a course in which at least 80 percent of the direct instruction of the course is delivered using some form of technology when the student and instructor are separated by time or space, or both.

(b) By September 1 of each year, each board of trustees shall report to the Board of Governors the total amount of revenue generated by the distance learning course user fee for the prior fiscal year and how the revenue was expended. The amount of the distance learning course fee may not exceed the additional costs of the services provided which are attributable to the development and delivery of the distance learning course. If the distance learning course fee is assessed by a state university, the institution may not assess duplicative fees to cover the additional costs.

Section 13. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, paragraph (b) of subsection (1) of section 1009.40, Florida Statutes, is amended to read:

1009.40 General requirements for student eligibility for state financial aid awards and tuition assistance grants.—

(1)

(b)1. Eligibility for the renewal of undergraduate or career certificate financial aid awards shall be evaluated at the end of the second semester or third quarter of each academic
year. As a condition for renewal, a student shall:

a. Have earned a minimum cumulative grade point average of 2.0 on a 4.0 scale; and

b. Have earned, for undergraduate full-time study, 12 credits per term or the equivalent for the number of terms for which aid was received or have earned, for career certificate study, at least the equivalent in clock hours of 6 semester credit hours per term or the equivalent for the number of terms for which aid was received.

2. A student who earns the minimum number of credits required for renewal, but who fails to meet the minimum 2.0 cumulative grade point average, may be granted a probationary award for up to the equivalent of 1 academic year and shall be required to earn a cumulative grade point average of 2.0 on a 4.0 scale by the end of the probationary period to be eligible for subsequent renewal. A student who receives a probationary award and who fails to meet the conditions for renewal by the end of his or her probationary period shall be ineligible to receive additional awards for the equivalent of 1 academic year following his or her probationary period. Each such student may, however, reapply for assistance during a subsequent application period and may be eligible for an award if he or she has earned a cumulative grade point average of 2.0 on a 4.0 scale. A student may not be granted more than one probationary award.

3. A student who meets the minimum 2.0 cumulative grade point average, but who fails to earn the minimum number of
credits required for renewal, may be granted a probationary
award for up to the equivalent of 1 academic year and shall be
required to earn the minimum number of credits during the
probationary period and maintain at least a 2.0 cumulative grade
point average on a 4.0 scale to be eligible for subsequent
renewal. A student who receives a probationary award and fails
to meet the conditions for renewal by the end of his or her
probationary period is ineligible to receive additional awards
for the equivalent of 1 academic year following his or her
probationary period shall lose his or her eligibility for
renewal for a period equivalent to 1 academic year. However, the
student may reapply during a subsequent application period and
may be eligible for an award if he or she has earned a minimum
cumulative grade point average of 2.0 on a 4.0 scale. A student
may not be granted more than one probationary award.

4. Students who receive state student aid and subsequently
fail to meet state academic progress requirements due to
verifiable illness or other emergencies may be granted an
exception from the academic requirements. Such students shall
make a written appeal to the institution. The appeal shall
include a description and verification of the circumstances.
Verification of illness or other emergencies may include but not
be limited to a physician's statement or written statement of a
parent or college official. The institution shall recommend
exceptions with necessary documentation to the department. The
department may accept or deny such recommendations for exception
Section 14. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.50, Florida Statutes, is amended to read:

1009.50 Florida Public Student Assistance Grant Program; eligibility for grants.—

(2)(a) State student assistance grants through the program may be made only to degree-seeking students who enroll in at least 6 semester hours, or the equivalent per term, and who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually for the amount of demonstrated unmet need for the cost of education, after the expected family contribution and all other aid available to the student is accounted for, but and may not exceed an amount equal to the average prior academic year cost of tuition fees and other registration fees for 30 credit hours at state universities or such other amount as specified in the General Appropriations Act, to any recipient. A demonstrated unmet need of less than $200, after the expected family contribution and all other aid available to the student is accounted for, shall render the applicant ineligible for a state student assistance grant.

Recipients of the grants must have been accepted at a state university or Florida College System institution authorized by Florida law. A student is eligible for the award for 110 percent of the number of credit hours required to complete the program from the institution.
in which enrolled, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida public student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:

1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.
4. Prepaid tuition contracts.
5. Private awards for merit or need.
6. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the
assessment of available financial resources is conducted pursuant to paragraph (c) lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(e) Each participating institution shall report, to the department by the established date, the eligible students eligible for the program for whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.

Section 15. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (3) and paragraph (a) of subsection (4) of section 1009.505, Florida Statutes, are amended to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

(3)(a) Student assistance grants through the program may
be made only to certificate-seeking students enrolled at least half-time in a public postsecondary career certificate program who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. The grants shall be awarded annually to any recipient for the amount of demonstrated unmet need for the cost of education, after the expected family contribution and all other aid available to the student is accounted for, but and may not exceed the average annual cost of tuition and registration fees or such other amount as specified in the General Appropriations Act. A demonstrated unmet need of less than $200, after the expected family contribution and all other aid available to the student is accounted for, shall render the applicant ineligible for a grant under this section. Recipients of the grants must have been accepted at a Florida College System institution authorized by Florida law or a career center operated by a district school board under s. 1001.44. A student is eligible for the award for 110 percent of the number of clock hours required to complete the program in which enrolled.

(b) A student applying for a Florida public postsecondary career education student assistance grant shall be required to apply for the Pell Grant. A Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student; however, a Pell Grant entitlement shall not be required as a condition of receiving a grant under this section.
(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:

1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.
4. Prepaid tuition contracts.
5. Private awards for merit or need.
6. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution
may not impose additional criteria to determine a student's eligibility to receive a grant award.

(e) Each participating institution shall report, to the department by the established date, the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by to the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.

(4)(a) The funds appropriated for the Florida Public Postsecondary Career Education Student Assistance Grant Program shall be distributed to eligible Florida College System institutions and district school boards in accordance with a formula approved by the department under s. 1009.50(3).

Section 16. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(2)(a) Florida private student assistance grants from the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall
be awarded for the amount of demonstrated unmet need for tuition
and fees, after the expected family contribution and all other
aid available to the student is accounted for, but may not
exceed an amount equal to the average tuition and other
registration fees for 30 credit hours at state universities plus
$1,000 per academic year, or as specified in the General
Appropriations Act, to any applicant. A demonstrated unmet need
of less than $200, after the expected family contribution and
all other aid available to the student is accounted for, shall
render the applicant ineligible for a Florida private student
assistance grant. Recipients of such grants must have been
accepted at a baccalaureate-degree-granting independent
nonprofit college or university, which is accredited by the
Commission on Colleges of the Southern Association of Colleges
and Schools and which is located in and chartered as a domestic
corporation by the state. No student may receive an award for
more than the equivalent of 9 semesters or 14 quarters of full-
time enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida private student
assistance grant shall be required to apply for the Pell Grant.
The Pell Grant entitlement shall be considered when conducting
an assessment of the financial resources available to each
student.

(c) Institutions awarding grant moneys must conduct an
assessment of all of the financial resources available to each
student, including, but not limited to: 
1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.
3. Institutional awards for merit or need.
4. Prepaid tuition contracts.
5. Private awards for merit or need.
6. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.
(e)(4) Each participating institution shall report, to the department by the established date, the eligible students eligible for the program for whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.

Section 17. In order to implement Specific Appropriations 6 and 76 of the 2016-2017 General Appropriations Act, subsection (2) of section 1009.52, Florida Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(2)(a) Florida postsecondary student assistance grants through the State Student Financial Assistance Trust Fund may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees, after the expected family contribution and all other aid available to the student is accounted for, but and may not exceed an amount equal to the average prior academic year cost of tuition and other registration fees for 30 credit hours at state universities plus $1,000 per academic year, or as specified in the General Appropriations Act.
Appropriations Act, to any applicant. A demonstrated unmet need of less than $200, after the expected family contribution and all other aid available to the student is accounted for, shall render the applicant ineligible for a Florida postsecondary student assistance grant. Recipients of such grants must have been accepted at a postsecondary institution that is located in the state and that is:

1. A private nursing diploma school approved by the Florida Board of Nursing; or
2. A college or university licensed by the Commission for Independent Education, excluding those institutions the students of which are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51.

No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) A student applying for a Florida postsecondary student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(c) Institutions awarding grant moneys must conduct an assessment of all of the financial resources available to each student, including, but not limited to:

1. Pell Grants and other federal aid.
2. State grants and scholarships, including merit awards.

3. Institutional awards for merit or need.

4. Prepaid tuition contracts.

5. Private awards for merit or need.

6. Any other grant or scholarship available to the student for use toward the cost of education.

Institutions that provide preliminary award packages before receiving from the department the final student eligibility determinations for state grants and scholarships, including merit awards, shall reassess each student's award package after the allocation of funds and the final student eligibility determinations are received from the department.

(d) Priority in the distribution of grant moneys shall be given to students with the highest unmet need after the assessment of available financial resources is conducted pursuant to paragraph (c) lowest total family resources, in accordance with a nationally recognized system of need analysis. Using the system of need analysis, the department shall establish a maximum expected family contribution. An institution may not make a grant from this program to a student whose expected family contribution exceeds the level established by the department. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(e) Each participating institution shall report, to the
department by the established date, the eligible students eligible for the program for to whom grant moneys are disbursed each academic term. Each institution shall also report in a manner and by a date prescribed by to the department necessary demographic and eligibility data for such students, as well as the expected family contributions; other grant, scholarship, and aid awards; prepaid contracts; and student loans received by the students.

Section 18. In order to implement Specific Appropriation 18 of the 2016-2017 General Appropriations Act, subsections (1), (2), and (4) and paragraph (c) of subsection (5) of section 1009.701, Florida Statutes, are amended to read:

1009.701 First Generation Matching Grant Program.—

(1) The First Generation Matching Grant Program is created to enable each state university and Florida College System institution to provide donors with a matching grant incentive for contributions that will create grant-based student financial aid for undergraduate students who demonstrate financial need and whose parents, as defined in s. 1009.21(1), have not earned a baccalaureate degree. In the case of any individual who regularly resided with and received support from only one parent, an individual whose only such parent did not complete a baccalaureate degree would also be eligible.

(2) Funds appropriated by the Legislature for the program shall be allocated by the Office of Student Financial Assistance to match private contributions on a dollar-for-dollar basis of
$2 for each $1 contributed. Contributions made to a state university or Florida College System Institution and pledged for the purposes of this section are eligible for state matching funds appropriated for this program and are not eligible for any other state matching grant program. Pledged contributions are not eligible for matching prior to the actual collection of the total funds. The Office of Student Financial Assistance shall reserve a proportionate allocation of the total appropriated funds for each state university on the basis of full-time equivalent enrollment. Funds that remain unmatched as of December 1 shall be reallocated to state universities and Florida College System institutions that have remaining unmatched private contributions for the program on the basis of full-time equivalent enrollment.

(4) Each participating state university and Florida College System institution shall establish an application process, determine student eligibility for initial and renewal awards in conformance with subsection (5), identify the amount awarded to each recipient, and notify recipients of the amount of their awards.

(5) In order to be eligible to receive a grant pursuant to this section, an applicant must:

(c) Be accepted at a state university or Florida College System institution. 

Section 19. In order to implement Specific Appropriations 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act,
subsection (4) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e) shall be the sum of the calculations in paragraphs (a), (b), and (c) as calculated by the department.

(a) The sum of the student's full-time equivalent student membership value for the school year or the equivalent derived from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-subparagraph (1)(c)2.b. and c., subparagraph (1)(c)3., and subsection (2). If the sum is greater than 1.0, the full-time equivalent student membership value for each program or course shall be reduced by an equal proportion so that the student's total full-time equivalent student membership value is equal to 1.0.

(b) If the result in paragraph (a) is less than 1.0 full-time equivalent student and the student has full-time equivalent student enrollment pursuant to sub-sub-subparagraph (1)(c)1.b.(VIII), calculate an amount that is the lesser of the value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of 1.0 less the value in paragraph (a).

(c) The full-time equivalent student enrollment value in
A scholarship provided to a student enrolled in the John M. McKay Scholarships for Students with Disabilities Program pursuant to s. 1002.39 is not subject to the maximum value for funding a student as provided in this subsection.

Section 20. In order to implement Specific Appropriations 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act, paragraph (g) is added to subsection (12) of section 1011.62, Florida Statutes, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

(g) For the 2016-2017 fiscal year, each district's digital classrooms allocation plan must give preference to funding the number of devices that comply with the requirements of s. 1001.20(4)(a)1.b. and that are needed to allow each school to administer the Florida Standards Assessments to an entire grade at the same time. If the district's digital classrooms allocation plan does not include the purchase of devices, the district must certify in the plan that the district currently has sufficient devices to allow each school to administer the
Florida Standards Assessments in the manner described in this paragraph. This paragraph expires July 1, 2017.

Section 21. In order to implement Specific Appropriations 7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act, and notwithstanding the expiration date in section 9 of chapter 2015-222, Laws of Florida, subsection (13) of section 1011.62, Florida Statutes, is reenacted and amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the amount provided in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.

(a) The student allocation shall be calculated based on
the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:

1. Resides with a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities shall also be reported separately for this condition.

2. Resides on eligible federally owned Indian lands. Students with disabilities shall also be reported separately for this condition.

3. Resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students shall be multiplied by a factor of 0.5.

(b) The total number of federally connected students calculated under paragraph (a) shall be multiplied by a percentage of the base student allocation as provided in the General Appropriations Act. The total of the number of students with disabilities as reported separately under subparagraphs (a)1. and (a)2. shall be multiplied by an additional percentage of the base student allocation as provided in the General Appropriations Act. The base amount and the amount for students with disabilities shall be summed to provide the student allocation.

(c) The exempt property allocation shall be equal to the tax-exempt value of federal impact aid lands reserved as
military installations, real property owned by NASA, or eligible
federally owned Indian lands located in the district, as of
January 1 of the previous year, multiplied by the millage
authorized and levied under s. 1011.71(2).

(d) This subsection expires July 1, 2017.

Section 22. In order to implement Specific Appropriations
7, 8, 9, 94 and 95 of the 2016-2017 General Appropriations Act,
paragraph (b) of subsection (15) of section 1011.62, Florida
Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual
allocation from the Florida Education Finance Program to each
district for operation of schools is not determined in the
annual appropriations act or the substantive bill implementing
the annual appropriations act, it shall be determined as
follows:

(15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
CURRENT OPERATION.—The total annual state allocation to each
district for current operation for the FEFP shall be distributed
periodically in the manner prescribed in the General
Appropriations Act.

(b) The amount thus obtained shall be the net annual
allocation to each school district. However, if it is determined
that any school district received an under allocation or over
allocation underallocation or overallocation for any prior year
because of an arithmetical error, assessment roll change
required by final judicial decision, full-time equivalent
student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. An under allocation in a prior year caused by a school district's error may not be the basis for a positive allocation adjustment for the current year. Beginning with the 2011-2012 fiscal year, if a special program cost factor is less than the basic program cost factor, an audit adjustment may not result in the reclassification of the special program FTE to the basic program FTE. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

Section 23. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, subsection (3) of section 1012.39, Florida Statutes, is amended to read:

1012.39 Employment of substitute teachers, teachers of adult education, nondegree teachers of career education, and career specialists; students performing clinical field experience.—

(3) A student who is enrolled in a state-approved teacher preparation program in a postsecondary educational institution that is approved by rules of the State Board of Education and who is jointly assigned by the postsecondary educational institution and a district school board to perform a clinical field experience under the direction of a regularly employed and
certified educator shall, while serving such supervised clinical field experience, be accorded the same protection of law as that accorded to the certified educator except for the right to bargain collectively as an employee of the district school board. The district school board providing the clinical field experience shall notify the student electronically or in writing of the availability of educator liability insurance under s. 1012.75. A postsecondary educational institution or district school board may not require a student enrolled in a state-approved teacher preparation program to purchase liability insurance as a condition of participation in any clinical field experience or related activity on the premises of an elementary or secondary school.

Section 24. In order to implement Specific Appropriation 103 of the 2016-2017 General Appropriations Act, section 1012.731, Florida Statutes, is created to read:

1012.731 The Florida Best and Brightest Teacher Scholarship Program.—

(1) The Legislature recognizes that, second only to parents, teachers play the most critical role within schools in preparing students to achieve a high level of academic performance. The Legislature further recognizes that research has linked student outcomes to a teacher's own academic achievement. Therefore, it is the intent of the Legislature to designate teachers who have achieved high academic standards during their own education as Florida's best and brightest.
teacher scholars.

(2) There is created the Florida Best and Brightest Teacher Scholarship Program to be administered by the Department of Education. The scholarship program shall provide categorical funding for scholarships to be awarded to classroom teachers, as defined in s. 1012.01(2)(a), who have demonstrated a high level of academic achievement.

(3)(a) To be eligible for a scholarship, a classroom teacher must have achieved a composite score at or above the 80th percentile on either the SAT or the ACT based on the National Percentile Ranks in effect when the classroom teacher took the assessment and have been evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded, unless the classroom teacher is newly hired by the district school board and has not been evaluated pursuant to s. 1012.34.

(b) In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her SAT or ACT score demonstrating that the classroom teacher scored at or above the 80th percentile based on the National Percentile Ranks in effect when the teacher took the assessment. Once a classroom teacher is deemed eligible by the school district, including teachers deemed eligible in the 2015-2016 fiscal year, the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the
time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34.

(4) Annually, by December 1, each school district shall submit to the department the number of eligible classroom teachers who qualify for the scholarship.

(5) Annually, by February 1, the department shall disburse scholarship funds to each school district for each eligible classroom teacher to receive a scholarship as provided in the General Appropriations Act. The amount disbursed shall include a scholarship award of $1,000, from the total amount of funds appropriated, for each eligible classroom teacher in a Title I eligible school. Of the remaining funds, a scholarship in the amount provided in the General Appropriations Act shall be awarded to every eligible classroom teacher, including those in Title I eligible schools. If the number of eligible classroom teachers exceeds the total appropriation authorized in the General Appropriations Act, the department shall prorate the per-teacher scholarship amount.

(6) Annually, by April 1, each school district shall award the scholarship to each eligible classroom teacher.

(7) For purposes of this section, the term "school district" includes the Florida School for the Deaf and the Blind and charter school governing boards.

(8) This section expires July 1, 2017.

Section 25. In order to implement Specific Appropriation 104 of the 2016-2017 General Appropriations Act, paragraph (d)
of subsection (3) of section 1012.75, Florida Statutes, is amended to read:

1012.75 Liability of teacher or principal; excessive force.—

(3) The Department of Education shall administer an educator liability insurance program, as provided in the General Appropriations Act, to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel arising out of occurrences in the course of activities within the instructional personnel's professional capacity. For purposes of this subsection, the terms "full-time," "part-time," and "administrative personnel" shall be defined by the individual district school board. For purposes of this subsection, the term "instructional personnel" has the same meaning as provided in s. 1012.01(2).

(d) This subsection expires July 1, 2017.

Section 26. In order to implement Specific Appropriation 19 of the 2016-2017 General Appropriations Act, subsection (3) of section 1013.64, Florida Statutes, is amended to read:

1013.64 Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects.—Allocations from the Public Education Capital Outlay and Debt Service Trust Fund to the various boards for capital outlay projects shall be determined as follows:

(3)(a) Each district school board shall receive an amount
from the Public Education Capital Outlay and Debt Service Trust Fund to be calculated by computing the capital outlay full-time equivalent membership as determined by the department. Such membership must include, but is not limited to:

1. K-12 students and prekindergarten exceptional students for whom the school district provides the educational facility, except hospital- and homebound part-time students; and

2. Students who are career education students, and adult disabled students and who are enrolled in school district career centers.

(b) The capital outlay full-time equivalent membership shall be determined for prekindergarten exceptional education students, kindergarten through the 12th grade, and for career centers by counting the averaging the unweighted full-time equivalent student membership for the second and third surveys and comparing the results on a school-by-school basis with the Florida Inventory of School Houses. If the prior academic year's third survey count is higher than the current year's second survey count when comparing the results on a school-by-school basis with the Florida Inventory of School Houses, the prior year's third survey count shall be used on a school-by-school basis for determining the current capital outlay membership. The Florida Inventory of School Houses shall be updated with the current capital outlay membership count as soon as practicable after verification of the capital outlay membership.
(c) The capital outlay full-time equivalent membership by grade level organization shall be used in making the following calculations. The capital outlay full-time equivalent membership by grade level organization for the 4th prior year must be used to compute the base-year allocation. The capital outlay full-time equivalent membership by grade-level organization for the prior year must be used to compute the growth over the highest of the 3 years preceding the prior year. From the total amount appropriated by the Legislature pursuant to this subsection, 40 percent shall be allocated among the base capital outlay full-time equivalent membership and 60 percent among the growth capital outlay full-time equivalent membership. The allocation within each of these groups shall be prorated to the districts based upon each district's percentage of base and growth capital outlay full-time membership. The most recent 4-year capital outlay full-time equivalent membership data shall be used in each subsequent year's calculation for the allocation of funds pursuant to this subsection. If a change, correction, or recomputation of data during any year results in a reduction or increase of the calculated amount previously allocated to a district, the allocation to that district shall be adjusted accordingly. If such recomputation results in an increase or decrease of the calculated amount, such additional or reduced amounts shall be added to or reduced from the district's future appropriations. However, no change, correction, or recomputation of data shall be made subsequent to
2 years following the initial annual allocation.

(d)(b) Funds accruing to a district school board from the provisions of this section shall be expended on needed projects as shown by survey or surveys under the rules of the State Board of Education.

(e)(c) A district school board may lease relocatable educational facilities for up to 3 years using nonbonded PECO funds and for any time period using local capital outlay millage.

(f)(d) Funds distributed to the district school boards shall be allocated solely based on the provisions of paragraphs (1)(a) and (2)(a) and paragraphs (a)-(c) of this subsection. No individual school district projects shall be funded off the top of funds allocated to district school boards.

Section 27. The amendments made by this act to ss. 11.45, 1001.7065, 1002.39, 1008.46, 1009.23, 1009.24, 1009.40, 1009.50, 1009.505, 1009.51, 1009.52, 1009.701, 1011.61, 1011.62(15)(b), 1012.39, and 1013.64, Florida Statutes, expire July 1, 2017, and the text of those sections shall revert to that in existence on June 30, 2106, 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 28. In order to implement Specific Appropriations 199, 206 through 208, and 211 of the 2016-2017 General Appropriations Act, the calculations for the Medicaid Low-Income
Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs, for the 2016-2017 fiscal year contained in the document titled "Medicaid Hospital Supplemental Funding Programs," dated January 28, 2016, and filed with the Clerk of the House of Representatives, are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of state law, in making appropriations for the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Reimbursement programs. This section expires July 1, 2017.

Section 29. In order to implement Specific Appropriations 569 through 580 of the 2016-2017 General Appropriations Act, subsection (3) of section 296.37, Florida Statutes, is amended to read:

296.37 Residents; contribution to support.—
(3) Notwithstanding subsection (1), each resident of the home who receives a pension, compensation, or gratuity from the United States Government, or income from any other source, of more than $105 per month shall contribute to his or her maintenance and support while a resident of the home in accordance with a payment schedule determined by the administrator and approved by the director. The total amount of such contributions shall be to the fullest extent possible, but, in no case, shall exceed the actual cost of operating and maintaining the home. This subsection expires July 1, 2017.

Section 30. In order to implement Specific Appropriations
193 through 226 and 541 of the 2016-2017 General Appropriations Act and notwithstanding ss. 216.181 and 216.292, Florida Statutes, the Agency for Health Care Administration, in consultation with the Department of Health, may submit a budget amendment, subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes, to realign funding within and between agencies based on implementation of the Managed Medical Assistance component of the Statewide Medicaid Managed Care program for the Children's Medical Services program of the Department of Health. The funding realignment shall reflect the actual enrollment changes due to the transfer of beneficiaries from fee-for-service to the capitated Children's Medical Services Network. The Agency for Health Care Administration may submit a request for nonoperating budget authority to transfer the federal funds to the Department of Health pursuant to s. 216.181(12), Florida Statutes. This section expires July 1, 2017.

Section 31. In order to implement Specific Appropriation 342 of the 2016-2017 General Appropriations Act, and notwithstanding s. 409.991, Florida Statutes, for the 2016-2017 fiscal year, funds provided for training purposes shall be allocated to community-based care lead agencies based on a training needs assessment conducted by the Department of Children and Families. This section expires July 1, 2017.

Section 32. In order to implement Specific Appropriations 515 through 536 of the 2016-2017 General Appropriations Act,
subsection (17) of section 893.055, Florida Statutes, is amended to read:

893.055 Prescription drug monitoring program.—

(17) Notwithstanding subsection (10), and for the 2016-2017 fiscal year only, the department may use state funds appropriated in the 2016-2017 General Appropriations Act to administer the prescription drug monitoring program. Neither the Attorney General nor the department may use funds received as part of a settlement agreement to administer the prescription drug monitoring program. This subsection expires July 1, 2017.

Section 33. In order to implement Specific Appropriations 598A through 701 and 721 through 755 of the 2016-2017 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter relating to increasing the number of authorized positions, and for the 2016-2017 fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the December 17, 2015, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible.
to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to this subsection are subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, 2017.

Section 34. In order to implement Specific Appropriations 1283 and 1284 of the 2016-2017 General Appropriations Act, the Department of Legal Affairs may expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in previous years. This section expires July 1, 2017.

Section 35. In order to implement Specific Appropriations 1219 and 1224 of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—
(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:
(d) Notwithstanding any other provision of this subsection, and for the 2016-2017 fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund before October 1, 2001. This paragraph expires July 1, 2017.

Section 36. In order to implement Specific Appropriations 3109 through 3179 of the 2016-2017 General Appropriations Act, subsection (2) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—
(2) The Chief Justice of the Supreme Court may receive one or more trust fund loans to ensure that the state court system has funds sufficient to meet its appropriations in the 2016-2017 General Appropriations Act. If the Chief Justice accesses the loan, he or she must notify the Governor and the chairs of the legislative appropriations committees in writing. The loan must come from other funds in the State Treasury which are for the time being or otherwise in excess of the amounts necessary to meet the just requirements of such last-mentioned funds. The Governor shall order the transfer of funds within 5 days after the written notification from the Chief Justice. If the Governor does not order the transfer, the Chief Financial Officer shall transfer the requested funds. The loan of funds...
from which any money is temporarily transferred must be repaid by the end of the 2016-2017 fiscal year. This subsection expires July 1, 2017.

Section 37. In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act for the Department of Corrections and notwithstanding s. 216.292, Florida Statutes, the Department of Corrections may not transfer funds from a salaries and benefits category to any other category within the department other than a salaries and benefits category without approval of the Legislative Budget Commission. This section expires July 1, 2017.

Section 38. (1) In order to implement Specific Appropriations 1093 through 1105 of the 2016-2017 General Appropriations Act, the Department of Juvenile Justice is required to review county juvenile detention payments to ensure that counties fulfill their financial responsibilities required in s. 985.686, Florida Statutes. If the Department of Juvenile Justice determines that a county has not met its obligations, the department shall direct the Department of Revenue to deduct the amount owed to the Department of Juvenile Justice from the funds provided to the county under s. 218.23, Florida Statutes. The Department of Revenue shall transfer the funds withheld to the Shared County/State Juvenile Detention Trust Fund.

(2) As an assurance to holders of bonds issued by counties before July 1, 2016, for which distributions made pursuant to s. 218.23, Florida Statutes, are pledged, or bonds issued to refund...
such bonds which mature no later than the bonds they refunded and which result in a reduction of debt service payable in each fiscal year, the amount available for distribution to a county shall remain as provided by law and continue to be subject to any lien or claim on behalf of the bondholders. The Department of Revenue must ensure, based on information provided by an affected county, that any reduction in amounts distributed pursuant to subsection (1) does not reduce the amount of distribution to a county below the amount necessary for the timely payment of principal and interest when due on the bonds and the amount necessary to comply with any covenant under the bond resolution or other documents relating to the issuance of the bonds. If a reduction to a county's monthly distribution must be decreased in order to comply with this subsection, the Department of Revenue must notify the Department of Juvenile Justice of the amount of the decrease, and the Department of Juvenile Justice must send a bill for payment of such amount to the affected county.

(3) This section expires July 1, 2017.

Section 39. In order to implement appropriations used to pay existing lease contracts for private lease space in excess of 2,000 square feet in the 2016-2017 General Appropriations Act, the Department of Management Services, with the cooperation of the agencies having the existing lease contracts for office or storage space, shall use tenant broker services to renegotiate or repurchase all private lease agreements for office space.
or storage space expiring between July 1, 2017, and June 30, 2019, in order to reduce costs in future years. The department shall incorporate this initiative into its 2016 master leasing report required under s. 255.249(7), Florida Statutes, and may use tenant broker services to explore the possibilities of collocating office or storage space, to review the space needs of each agency, and to review the length and terms of potential renewals or renegotiations. The department shall provide a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 1, 2016, which lists each lease contract for private office or storage space, the status of renegotiations, and the savings achieved. This section expires July 1, 2017.

Section 40. In order to implement Specific Appropriations 2257 through 2265 of the 2016-2017 General Appropriations Act, section 624.502, Florida Statutes, is reenacted to read:

624.502 Service of process fee.—In all instances as provided in any section of the insurance code and s. 48.151(3) in which service of process is authorized to be made upon the Chief Financial Officer or the director of the office, the plaintiff shall pay to the department or office a fee of $15 for such service of process, which fee shall be deposited into the Administrative Trust Fund.

Section 41. The amendment to s. 624.502, Florida Statutes, as carried forward by this act from chapter 2015-222, Laws of Florida, expires July 1, 2017, and the text of that section
shall revert to that in existence on June 30, 2013, 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 42. In order to implement Specific Appropriations 2740 through 2752 of the 2016-2017 General Appropriations Act and notwithstanding rule 60A-1.031, Florida Administrative Code, the transaction fee collected for use of the online procurement system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c), Florida Statutes, shall be seven-tenths of 1 percent for the 2016-2017 fiscal year only. This section expires July 1, 2017.

Section 43. In order to implement the appropriation of funds in the appropriation category "Data Processing Services-State Data Center-Agency for State Technology (AST)" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted based on the estimated billing cycle and methodology used by the Agency for State Technology for data processing services provided by the State Data Center. This section expires July 1, 2017.

Section 44. In order to implement appropriations authorized in the 2016-2017 General Appropriations Act for data center services, and notwithstanding s. 216.292(2)(a), Florida
Statutes, except as authorized in sections 43 and 45, an agency may not transfer funds from a data processing category to a category other than another data processing category. This section expires July 1, 2017.

Section 45. In order to implement the appropriation of funds in the appropriation category "Data Processing Services-State Data Center-Agency for State Technology (AST)" in the 2016-2017 General Appropriations Act, and notwithstanding section 44 and s. 282.201(1) and (5), Florida Statutes, an agency may transfer funds appropriated to this category to a contracted services appropriation category in order to contract with a private sector cloud service if the service reduces the agency's data center costs while maintaining the same or improved levels of service and complies with all applicable federal and state security and privacy requirements. Such transfers are subject to the notice, review, and objection procedures of s. 216.177, Florida Statutes.

Section 46. In order to implement Specific Appropriation 2826 of the 2016-2017 General Appropriations Act, the Executive Office of the Governor may transfer funds appropriated in the appropriation category "Expenses" of the 2016-2017 General Appropriations Act between agencies in order to allocate a reduction relating to SUNCOM Network services. This section expires July 1, 2017.

Section 47. In order to implement the appropriation of funds in the appropriation category "Special Categories-Risk
Management Insurance" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2017.

Section 48. In order to implement the appropriation of funds in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased per Statewide Contract" in the 2016-2017 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor may transfer funds appropriated in that category between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2017.

Section 49. In order to implement Specific Appropriation 2317A of the 2016-2017 General Appropriations Act:

(1) The Department of Financial Services shall replace the four main components of the Florida Accounting Information Resource Subsystem (FLAIR), which include central FLAIR, departmental FLAIR, payroll, and information warehouse, and shall replace the three main components of the Cash Management
Subsystem (CMS), which include cash management, accounting
management, and investment management, with an integrated
enterprise system that allows the state to organize, define, and
standardize its financial management business processes and that
complies with ss. 215.90-215.96, Florida Statutes. The
department shall not include in the replacement of FLAIR and
CMS:

(a) Functionality that duplicates any of the other
information subsystems of the Florida Financial Management
Information System; or

(b) Agency business processes related to any of the
functions included in the Personnel Information System, the
Purchasing Subsystem, or the Legislative Appropriations
System/Planning and Budgeting Subsystem.

(2) For purposes of replacing FLAIR and CMS, the
Department of Financial Services shall:

(a) Take into consideration the cost and implementation of
data identified for Option 3 as recommended in the March 31,
2014, Florida Department of Financial Services FLAIR Study,
version 031.

(b) Ensure that all business requirements and technical
specifications have been provided to all state agencies for
their review and input and approved by the executive steering
committee established in paragraph (c).

(c) Implement a project governance structure that includes
an executive steering committee composed of:
1. The Chief Financial Officer or the executive sponsor of the project.

2. The director of the Division of Treasury of the Department of Financial Services.

3. The director of the Division of Information Systems of the Department of Financial Services.

4. Four employees from the Division of Accounting and Auditing of the Department of Financial Services appointed by the Chief Financial Officer. Each employee must have experience relating to at least one of the four main components that comprise FLAIR.

5. Two employees from the Executive Office of the Governor appointed by the Governor. One employee must have experience relating to the Legislative Appropriations System/Planning and Budgeting Subsystem.

6. One employee from the Department of Revenue appointed by the executive director of the department and has experience relating to the department's SUNTAX system.

7. Two employees from the Department of Management Services appointed by the Secretary of Management Services. One employee must have experience relating to the department's personnel information subsystem and one employee must have experience relating to the department's purchasing subsystem.

8. Three state agency administrative services directors appointed by the Governor. One director must represent a regulatory and licensing state agency and one director must
represent a health care-related state agency.

(3) The Chief Financial Officer or the executive sponsor of the project shall serve as chair of the executive steering committee, and the committee shall take action by a vote of at least eight affirmative votes with the Chief Financial Officer or the executive sponsor of the project voting on the prevailing side.

(4) The executive steering committee has the overall responsibility for ensuring that the project to replace FLAIR and CMS meets its primary business objectives and shall:

(a) Identify and recommend to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives any statutory changes needed to implement the replacement subsystem that will standardize to the fullest extent possible the state's financial management business processes.

(b) Review and approve any changes to the project's scope, schedule, and budget that do not conflict with the requirements of subsection (1).

(c) Ensure that adequate resources are provided throughout all phases of the project.

(d) Approve all major project deliverables.

(e) Approve all solicitation-related documents associated with the replacement of FLAIR and CMS.

(5) This section expires July 1, 2017.

Section 50. In order to implement Specific Appropriation
1630A of the 2016-2017 General Appropriations Act, paragraph (e) of subsection (5) of section 161.143, Florida Statutes, is amended to read:

161.143  Inlet management; planning, prioritizing, funding, approving, and implementing projects.—

(5) The department shall annually provide an inlet management project list, in priority order, to the Legislature as part of the department's budget request. The list must include studies, projects, or other activities that address the management of at least 10 separate inlets and that are ranked according to the criteria established under subsection (2).

(e) Notwithstanding paragraphs (a) and (b), and for the 2016-2017 fiscal year only, the amount allocated for inlet management funding is provided in the 2016-2017 General Appropriations Act. This paragraph expires July 1, 2017.

Section 51. In order to implement Specific Appropriation 1533 of the 2016-2017 General Appropriations Act, paragraph (m) of subsection (3) of section 259.105, Florida Statutes, is amended to read:

259.105  The Florida Forever Act.—

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of cash payments or bonds issued pursuant to this section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the
Department of Environmental Protection in the following manner:

(m) Notwithstanding paragraphs (a)-(j) and for the 2016-2017 fiscal year only: $17.4 million to only the Division of State Lands within the Department of Environmental Protection for the Board of Trustees Florida Forever Priority List land acquisition projects.

1. Thirty-five million dollars to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71.

2. Thirty million dollars to the Department of Environmental Protection to be distributed among the water management districts as provided in subsection (11) to fund water resource development projects intended to achieve the goal of ensuring that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state as specified in paragraph (4)(d).

3. The remaining moneys appropriated from the Florida Forever Trust Fund shall be distributed only to the Division of State Lands within the Department of Environmental Protection for the acquisition of lands through less-than-fee techniques, for partnerships in which the state's portion of the acquisition cost is no more than 50 percent, or for conservation lands needed for military buffering.
This paragraph expires July 1, 2017.

Section 52. In order to implement Specific Appropriations 1712A, 1712B, 1712C, and 1740A of the 2016-2017 General Appropriations Act, paragraph (d) of subsection (11) of section 216.181, Florida Statutes, is amended to read:

216.181 Approved budgets for operations and fixed capital outlay.—

(11)

(d) Notwithstanding paragraph (b) and paragraph (2)(b), and for the 2016-2017 fiscal year only, the Legislative Budget Commission may increase the amounts appropriated to the Fish and Wildlife Conservation Commission or the Department of Environmental Protection for fixed capital outlay projects, including additional fixed capital outlay projects, using funds provided to the state from the Gulf Environmental Benefit Fund administered by the National Fish and Wildlife Foundation; funds provided to the state from the Gulf Coast Restoration Trust Fund related to the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds provided by the British Petroleum Corporation (BP) for natural resource damage assessment early restoration projects.

Concurrent with submission of an amendment to the Legislative Budget Commission pursuant to this paragraph, any project that carries a continuing commitment for future appropriations by the Legislature must be specifically identified, together with the...
projected amount of the future commitment associated with the project and the fiscal years in which the commitment is expected to commence. This paragraph expires July 1, 2017.

The provisions of this subsection are subject to the notice and objection procedures set forth in s. 216.177.

Section 53. In order to implement Specific Appropriation 1670 of the 2016-2017 General Appropriations Act, subsection (5) of section 403.709, Florida Statutes, is amended to read:

403.709 Solid Waste Management Trust Fund; use of waste tire fees.—There is created the Solid Waste Management Trust Fund, to be administered by the department.

(5)(a) Notwithstanding subsection (1), a solid waste landfill closure account is established within the Solid Waste Management Trust Fund to provide funding for the closing and long-term care of solid waste management facilities. The department may use funds from the account to contract with a third party for the closing and long-term care of a solid waste management facility if:

1. The facility has, or had, or was not required to obtain a department permit to operate the facility;

2. The permittee, where required by permit or rule, provided proof of financial assurance for closure in the form of an insurance certificate or an alternative form of financial assurance mechanism established pursuant to s. 403.7125;

3. The department has ordered the facility closed or has
deemed the facility abandoned. The facility is deemed to be abandoned or was ordered to close by the department;

4. The closure of the facility is accomplished in substantial accordance with a closure plan approved by the department; and

5. The department has sufficient written documentation to confirm that the issuer of the insurance company issuing the closure insurance policy or alternative form of financial insurance will provide or reimburse the funds required to complete the closing and long-term care of the facility.

(b) The department shall deposit all the funds received from the insurer or other parties for reimbursing insurance company as reimbursement for the costs of closing or long-term care of the facility under this subsection into the solid waste landfill closure account.

(c) If the amount available under the insurance policy or alternative form of financial assurance is insufficient, or is otherwise unavailable, to perform or complete the facility closing or long-term care under this subsection, and the department has used all such funds from the insurance policy or alternative form of financial assurance, the department may use funds from the Solid Waste Management Trust Fund to pay for or reimburse additional expenses needed for performing or completing the approved facility closure or long-term care activities.

(d) This subsection expires July 1, 2017.
Section 54. In order to implement specific appropriations from the land acquisition trust funds within the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, and the Fish and Wildlife Conservation Commission which are contained in the 2016-2017 General Appropriations Act, subsection (3) of section 215.18, Florida Statutes, is amended to read:

215.18 Transfers between funds; limitation.—

(3) Notwithstanding subsection (1) and only with respect to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission, whenever there is a deficiency in a land acquisition trust fund which would render that trust fund temporarily insufficient to meet its just requirements, including the timely payment of appropriations from that trust fund, and other trust funds in the State Treasury have moneys that are for the time being or otherwise in excess of the amounts necessary to meet the just requirements, including appropriated obligations, of those other trust funds, the Governor may orde

order a temporary transfer of moneys from one or more of the other trust funds to a land acquisition trust fund in the Department of Agriculture and Consumer Services, the Department of Environmental Protection, the Department of State, or the Fish and Wildlife Conservation Commission. Any action proposed pursuant to this subsection is subject to the notice,
review, and objection procedures of s. 216.177, and the Governor
shall provide notice of such action at least 7 days before the
effective date of the transfer of trust funds, except that
during July 2016, notice of such action shall be provided
at least 3 days before the effective date of a transfer unless
such 3-day notice is waived by the chair and vice-chair of the
Legislative Budget Commission. Any transfer of trust funds to a
land acquisition trust fund in the Department of Agriculture and
Consumer Services, the Department of Environmental Protection,
the Department of State, or the Fish and Wildlife Conservation
Commission must be repaid to the trust funds from which the
moneys were loaned by the end of the 2016-2017 fiscal
year. The Legislature has determined that the repayment of the
other trust fund moneys temporarily loaned to a land acquisition
trust fund in the Department of Agriculture and Consumer
Services, the Department of Environmental Protection, the
Department of State, or the Fish and Wildlife Conservation
Commission pursuant to this subsection is an allowable use of
the moneys in a land acquisition trust fund because the moneys
from other trust funds temporarily loaned to a land acquisition
trust fund shall be expended solely and exclusively in
accordance with s. 28, Art. X of the State Constitution. This
subsection expires July 1, 2017.

Section 55. (1) In order to implement specific
appropriations from the land acquisition trust funds within the
Department of Agriculture and Consumer Services, the Department
FLORIDA HOUSE OF REPRESENTATIVES

HB 5003
2016

2081 of Environmental Protection, the Department of State, and the
2082 Fish and Wildlife Conservation Commission which are contained in
2083 the 2016-2017 General Appropriations Act, the Department of
2084 Environmental Protection shall transfer revenues from the Land
2085 Acquisition Trust Fund within the department to the land
2086 acquisition trust funds within the Department of Agriculture and
2087 Consumer Services, the Department of State, and the Fish and
2088 Wildlife Conservation Commission, as provided in this section.
2089 As used in this section, the term "department" means the
2090 Department of Environmental Protection.
2091
2092 (2) After subtracting any required debt service payments,
2093 the proportionate share of revenues to be transferred to each
2094 land acquisition trust fund shall be calculated by dividing the
2095 appropriations from each of the land acquisition trust funds for
2096 the fiscal year by the total appropriations from the Land
2097 Acquisition Trust Fund within the department and the land
2098 acquisition trust funds within the Department of Agriculture and
2099 Consumer Services, the Department of State, and the Fish and
2099 Wildlife Commission for the fiscal year. The department shall
2100 transfer the proportionate share of the revenues in the Land
2101 Acquisition Trust Fund within the department on a monthly basis
2102 to the appropriate land acquisition trust funds within the
2103 Department of Agriculture and Consumer Services, the Department
2104 of State, and the Fish and Wildlife Commission and shall retain
2105 its proportionate share of the revenues in the Land Acquisition
2106 Trust Fund within the department. Total distributions to a land

CODING: Words stricken are deletions; words underlined are additions.
acquisition trust fund within the Department of Agriculture and Consumer Services, the Department of State, and the Fish and Wildlife Commission may not exceed the total appropriations from such trust fund for the fiscal year.

(3) This section expires July 1, 2017.

Section 56. In order to implement Specific Appropriation 1591A of the 2016-2017 General Appropriations Act, subsection (5) is added to section 403.890, Florida Statutes, to read:

403.890 Water Protection and Sustainability Program.—
Revenues deposited into or appropriated to the Water Protection and Sustainability Program Trust Fund shall be distributed by the Department of Environmental Protection in the following manner:

(5) Notwithstanding subsections (1)-(3), and for the 2016-2017 fiscal year only, 100 percent of the funds deposited into or appropriated to the Water Protection and Sustainability Program Trust Fund shall be used for the development of alternative water supplies as provided in s. 373.707. This subsection expires July 1, 2017.

Section 57. In order to implement Specific Appropriation 2632 of the 2016-2017 General Appropriations Act, the Department of Highway Safety and Motor Vehicles shall contract with the corporation organized pursuant to part II of chapter 946, Florida Statutes, to manufacture the current or newly redesigned license plates, such contract being in the same manner and for the same price as that paid by the department during the 2013-
2014 fiscal year. The corporation shall seek sealed bids for the reflectorized sheeting used in the manufacture of such license plates, and in the event the sealed bids result in any savings in the sheeting costs, the corporation shall credit to the department an amount equal to 70 percent of the savings. The name of the county may not appear on any redesigned license plate. This section expires July 1, 2017.

Section 58. In order to implement Specific Appropriation 1890 of the 2016-2017 General Appropriations Act, subsection (2) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—
(2)(a) For the purposes of this section, the term "small county" means any county that has a population of 150,000 or less as determined by the most recent official estimate pursuant to s. 186.901.

(b) Notwithstanding paragraph (a), for the 2016-2017 fiscal year, for purposes of this section, the term "small county" means any county that has a population of 165,000 or less as determined by the most recent official estimate pursuant to s. 186.901. This paragraph expires July 1, 2017.

Section 59. In order to implement the salaries and benefits, expenses, other personal services, contracted services, special categories, and operating capital outlay categories of the 2016-2017 General Appropriations Act, paragraph (a) of subsection (2) of section 216.292, Florida Statutes, is reenacted to read:
216.292 Appropriations nontransferable; exceptions.—

(2) The following transfers are authorized to be made by the head of each department or the Chief Justice of the Supreme Court whenever it is deemed necessary by reason of changed conditions:

(a) The transfer of appropriations funded from identical funding sources, except appropriations for fixed capital outlay, and the transfer of amounts included within the total original approved budget and plans of releases of appropriations as furnished pursuant to ss. 216.181 and 216.192, as follows:

1. Between categories of appropriations within a budget entity, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or $250,000, whichever is greater, by all action taken under this subsection.

2. Between budget entities within identical categories of appropriations, if no category of appropriation is increased or decreased by more than 5 percent of the original approved budget or $250,000, whichever is greater, by all action taken under this subsection.

3. Any agency exceeding salary rate established pursuant to s. 216.181(8) on June 30th of any fiscal year shall not be authorized to make transfers pursuant to subparagraphs 1. and 2. in the subsequent fiscal year.

4. Notice of proposed transfers under subparagraphs 1. and 2. shall be provided to the Executive Office of the Governor and...
the chairs of the legislative appropriations committees at least 3 days prior to agency implementation in order to provide an opportunity for review.

Section 60. The amendment to s. 216.292(2)(a), Florida Statutes, as carried forward by this act from chapter 2015-222, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2014, 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 61. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not initiate a competitive solicitation for a product or service if the completion of such competitive solicitation would:

(1) Require a change in law; or

(2) Require a change to the agency's budget other than a transfer authorized in s. 216.292(2) or (3), Florida Statutes, unless the initiation of such competitive solicitation is specifically authorized in law, in the General Appropriations Act, or by the Legislative Budget Commission.

This section does not apply to a competitive solicitation for which the agency head certifies that a valid emergency exists.
This section expires July 1, 2017.

Section 62. In order to implement appropriations for salaries and benefits in the 2016-2017 General Appropriations Act, subsection (6) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—

To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within
the executive branch of government and which are filled by
appointment by the Governor or the Governor and Cabinet. Under
no circumstances shall employee interchange agreements be
utilized for the purpose of assigning individuals to participate
in political campaigns. Duties and responsibilities of
interchange employees shall be limited to the mission and goals
of the agencies of government.

(6) For the 2016-2017 fiscal year only, the
assignment of an employee of a state agency as provided in this
section may be made if recommended by the Governor or Chief
Justice, as appropriate, and approved by the chairs of the
legislative appropriations committees. Such actions shall be
deemed approved if neither chair provides written notice of
objection within 14 days after receiving notice of the action
pursuant to s. 216.177. This subsection expires July 1, 2016.

Section 63. In order to implement Specific Appropriations
and 2652 and 2653 of the 2016-2017 General Appropriations Act and
notwithstanding s. 11.13(1), Florida Statutes, the authorized
salaries for members of the Legislature for the 2016-2017 fiscal
year shall be set at the same level in effect on July 1, 2010.
This section expires July 1, 2017.

Section 64. In order to implement the transfer of funds to
the General Revenue Fund from trust funds in the 2016-2017
General Appropriations Act, paragraph (b) of subsection (2) of
section 215.32, Florida Statutes, is reenacted to read:
215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b) 1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys is responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.
c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.
3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the Division of Licensing Trust Fund in the Department of Agriculture and Consumer Services; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or
accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a
trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other
trust funds authorized by the State Constitution.

Section 65. The amendment to s. 215.32(2)(b), Florida Statutes, as carried forward by this act from chapter 2011-47, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2011, 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 66. In order to implement the issuance of new debt authorized in the 2016-2017 General Appropriations Act, and pursuant to s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2016-2017 fiscal year should be implemented and is in the best interest of the state. This section expires July 1, 2017.

Section 67. In order to implement appropriations in the 2016-2017 General Appropriations Act for state employee travel, the funds appropriated to each state agency which may be used for travel by state employees shall be limited during the 2016-2017 fiscal year to travel for activities that are critical to each state agency's mission. Funds may not be used for travel by state employees to foreign countries, other states, conferences,
staff training activities, or other administrative functions
unless the agency head has approved, in writing, that such
activities are critical to the agency's mission. The agency head
shall consider using teleconferencing and other forms of
electronic communication to meet the needs of the proposed
activity before approving mission-critical travel. This section
does not apply to travel for law enforcement purposes, military
purposes, emergency management activities, or public health
activities. This section expires July 1, 2017.

Section 68. In order to implement section 8 of the 2016-
2017 General Appropriations Act, section 110.12315, Florida
Statutes, is reenacted to read:

110.12315 Prescription drug program.—The state employees'
prescription drug program is established. This program shall be
administered by the Department of Management Services, according
to the terms and conditions of the plan as established by the
relevant provisions of the annual General Appropriations Act and
implementing legislation, subject to the following conditions:
(1) The department shall allow prescriptions written by
health care providers under the plan to be filled by any
licensed pharmacy pursuant to contractual claims-processing
provisions. Nothing in this section may be construed as
prohibiting a mail order prescription drug program distinct from
the service provided by retail pharmacies.
(2) In providing for reimbursement of pharmacies for
prescription medicines dispensed to members of the state group
health insurance plan and their dependents under the state employees' prescription drug program:

(a) Retail pharmacies participating in the program must be reimbursed at a uniform rate and subject to uniform conditions, according to the terms and conditions of the plan.

(b) There shall be a 30-day supply limit for prescription card purchases, a 90-day supply limit for maintenance prescription drug purchases, and a 90-day supply limit for mail order or mail order prescription drug purchases.

(c) The pharmacy dispensing fee shall be negotiated by the department.

(3) Pharmacy reimbursement rates shall be as follows:

(a) For mail order and specialty pharmacies contracting with the department, reimbursement rates shall be as established in the contract.

(b) For retail pharmacies, the reimbursement rate shall be at the same rate as mail order pharmacies under contract with the department.

(4) The department shall maintain the preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

(5) The department shall maintain a list of maintenance drugs.

(a) Preferred provider organization health plan members may have prescriptions for maintenance drugs filled up to three times as a 30-day supply through a retail pharmacy; thereafter,
prescriptions for the same maintenance drug must be filled as a 90-day supply either through the department's contracted mail order pharmacy or through a retail pharmacy.

(b) Health maintenance organization health plan members may have prescriptions for maintenance drugs filled as a 90-day supply either through a mail order pharmacy or through a retail pharmacy.

(6) Copayments made by health plan members for a 90-day supply through a retail pharmacy shall be the same as copayments made for a 90-day supply through the department's contracted mail order pharmacy.

(7) The department shall establish the reimbursement schedule for prescription pharmaceuticals dispensed under the program. Reimbursement rates for a prescription pharmaceutical must be based on the cost of the generic equivalent drug if a generic equivalent exists, unless the physician prescribing the pharmaceutical clearly states on the prescription that the brand name drug is medically necessary or that the drug product is included on the formulary of drug products that may not be interchanged as provided in chapter 465, in which case reimbursement must be based on the cost of the brand name drug as specified in the reimbursement schedule adopted by the department.

(8) The department shall conduct a prescription utilization review program. In order to participate in the state employees' prescription drug program, retail pharmacies
dispensing prescription medicines to members of the state group
health insurance plan or their covered dependents, or to
subscribers or covered dependents of a health maintenance
organization plan under the state group insurance program, shall
make their records available for this review.

(9) The department shall implement such additional cost-
saving measures and adjustments as may be required to balance
program funding within appropriations provided, including a
trial or starter dose program and dispensing of long-term-
maintenance medication in lieu of acute therapy medication.

(10) Participating pharmacies must use a point-of-sale
device or an online computer system to verify a participant's eligibility for coverage. The state is not liable for
reimbursement of a participating pharmacy for dispensing
prescription drugs to any person whose current eligibility for
coverage has not been verified by the state's contracted
administrator or by the department.

(11) Under the state employees' prescription drug program
copayments must be made as follows:

(a) Effective January 1, 2013, for the State Group Health
Insurance Standard Plan:

1. For generic drug with card..........................$7.
2. For preferred brand name drug with card.............$30.
3. For nonpreferred brand name drug with card.........$50.
4. For generic mail order drug..........................$14.
5. For preferred brand name mail order drug...........$60.
6. For nonpreferred brand name mail order drug........$100.

(b) Effective January 1, 2006, for the State Group Health Insurance High Deductible Plan:

1. Retail coinsurance for generic drug with card........30%.
2. Retail coinsurance for preferred brand name drug with card 30%.
3. Retail coinsurance for nonpreferred brand name drug with card.................................50%.
4. Mail order coinsurance for generic drug............30%.
5. Mail order coinsurance for preferred brand name drug 30%.
6. Mail order coinsurance for nonpreferred brand name drug 50%.

(c) The department shall create a preferred brand name drug list to be used in the administration of the state employees' prescription drug program.

Section 69. (1) The amendment to s. 110.12315(2)(b), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and the text of that paragraph shall revert to that in existence on June 30, 2012, 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.

(2) The amendments to s. 110.12315(2)(c) and (3)-(6), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expire July 1, 2016, and the text and numbering of those provisions shall revert to that in existence.
on June 30, 2014, 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 that expire pursuant to this section.

(3) The amendment to s. 110.12315(7), Florida Statutes, as carried forward by this act from chapter 2014-53, Laws of Florida, expires July 1, 2017, and shall revert to the text of that subsection in existence on December 31, 2010, 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 70. In order to implement the appropriation of funds in the special categories, contracted services, and expenses categories of the 2016-2017 General Appropriations Act, a state agency may not enter into a contract containing a nondisclosure clause that prohibits the contractor from disclosing information relevant to the performance of the contract to members or staff of the Senate or the House of Representatives.

Section 71. Any section of this act which implements a specific appropriation or specifically identified proviso language in the 2016-2017 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of
specifically identified proviso language in the 2016-2017 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.

Section 72. If any other act passed during the 2016 Regular Session of the Legislature contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act takes precedence and continues to operate, notwithstanding the future repeal provided by this act.

Section 73. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 74. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2016; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2016.