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HB 5003, Engrossed 1

2016 Legislature

1
2 An act implementing the 2016-2017 General
3 Appropriations Act; providing legislative intent;
4 incorporating by reference certain calculations of the
5 Florida Education Finance Program; providing that
6 funds for instructional materials must be released and
7 expended as required in specified proviso language;
8 specifying the required ad valorem tax millage
9 contribution by certain district school boards for
10 certain funded construction projects; amending s.
11 11.45, F.S.; requiring the Auditor General to conduct
12 audits of the Florida School for the Deaf and Blind;
13 creating s. 1001.66, F.S.; creating a Florida College
14 System Performance-Based Incentive for Florida College
15 System institutions; requiring the State Board of
16 Education to adopt certain metrics and benchmarks;
17 providing for funding and allocation of the
18 incentives; authorizing the state board to withhold an
19 institution's incentive under certain circumstances;
20 providing for reporting and rulemaking by the state
21 board; creating s. 1001.67, F.S.; establishing the
22 Distinguished Florida College System institution
23 program; specifying the excellence standards for
24 purposes of the program; prescribing minimum criteria
25 for an institution to receive a distinguished college
26 designation; specifying that designated institutions



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27 | are eligible for funding as provided in the General
28 | Appropriations Act; amending s. 1001.7065, F.S.;
29 | deleting obsolete provisions; revising the academic
30 | and research excellence standards for the preeminent
31 | state research universities program; creating the
32 | "emerging preeminent state research university"
33 | designation; requiring an emerging preeminent state
34 | research university to submit a certain plan to the
35 | board and meet certain expectations to receive certain
36 | funds; providing for the distribution of certain
37 | funding increases; deleting the preeminent state
38 | research university enhancement initiative;
39 | authorizing a preeminent state research university to
40 | consider certain courses as a part of the general
41 | education requirements; providing that such courses
42 | are in addition to certain required courses;
43 | authorizing a preeminent state research university to
44 | require that such courses be earned at the university;
45 | authorizing the board to identify and grant certain
46 | authority and flexibility to emerging preeminent state
47 | research universities; amending s. 1001.92, F.S.;
48 | requiring performance-based metrics to include
49 | thresholds for added value of certain degrees;
50 | requiring the Board of Governors to develop an
51 | implementation plan for specified metrics relating to
52 | the employment of students with specified degrees by a



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53 | specified fiscal year and provide the plan to the
54 | Governor and Legislature by a specified date;
55 | requiring the board to establish minimum performance
56 | funding eligibility thresholds; prohibiting a state
57 | university that fails to meet a certain threshold from
58 | eligibility for a share of the state's investment
59 | performance funding; requiring the board to adopt
60 | regulations; amending s. 1008.46, F.S.; revising the
61 | date by which the Board of Governors must submit a
62 | specific report; amending s. 1009.23, F.S.; revising
63 | provisions relating to the Florida College System
64 | institution distance learning course user fee;
65 | providing that the fee may not exceed a specified
66 | amount per credit hour; requiring that an increase in
67 | the current fee be approved by the State Board of
68 | Education; amending s. 1009.24, F.S.; revising
69 | provisions relating to the state university distance
70 | learning course fee; providing that the fee may not
71 | exceed a specified amount per credit hour; requiring
72 | each state university board of trustees to report
73 | specified information relating to the fee to the Board
74 | of Governors by a specified date; amending ss.
75 | 1009.50, 1009.505, 1009.51, and 1009.52, F.S.,
76 | relating to the Florida Public Student Assistance
77 | Grant Program, the Florida Public Postsecondary Career
78 | Education Student Assistance Grant Program, the



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79 Florida Private Student Assistance Grant Program, and
80 the Florida Postsecondary Student Assistance Grant
81 Program; requiring the expected family contribution
82 and all other aid available to a student be accounted
83 and considered when determining a student's unmet
84 need; requiring participating institutions to conduct
85 an assessment of the available financial resources for
86 each student; requiring certain funding mechanisms to
87 be included in the assessment; revising the priority
88 in the distribution of grant moneys; revising
89 reporting requirements for participating institutions;
90 amending s. 1011.62, F.S.; revising the method for
91 allocating funds for exceptional student education
92 programs; extending by 1 fiscal year the requirement
93 that specified school districts use certain funds
94 toward additional intensive reading instruction;
95 specifying the method for determining the 300 lowest-
96 performing elementary schools; requiring categorical
97 funds for supplemental academic instruction to be
98 provided in the Florida Education Finance Program as
99 set forth in the General Appropriations Act;
100 specifying the method of determining the allocation of
101 categorical funding; providing for the recalculation
102 of categorical funding; requiring an allocation to be
103 prorated if certain conditions exist; revising the
104 computation of the district sparsity index for



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105 | districts that meet certain criteria; deleting
106 | obsolete language; providing for funding of the
107 | district digital classrooms allocation; abrogating the
108 | scheduled expiration and reversion of specified
109 | amendments to s. 1011.62, F.S., relating to the
110 | federally connected student supplement; providing for
111 | expiration; prohibiting an under allocation in a prior
112 | year caused by a school district error from being the
113 | basis for certain allocation adjustments; amending s.
114 | 1011.71, F.S.; conforming a cross-reference; providing
115 | for the future expiration and reversion of specified
116 | statutory text; amending s. 1012.39, F.S.; providing
117 | requirements regarding liability insurance for
118 | students performing clinical field experience;
119 | creating s. 1012.731, F.S.; providing legislative
120 | intent; establishing the Florida Best and Brightest
121 | Teacher Scholarship Program; providing eligibility
122 | criteria; requiring a school district to annually
123 | submit the number of eligible classroom teachers to
124 | the Department of Education; providing for funding and
125 | the disbursement of funds; defining the term "school
126 | district"; amending s. 1012.75, F.S.; extending by 1
127 | year the expiration date for the educator liability
128 | insurance program; amending s. 1013.64, F.S.; revising
129 | capital outlay full-time equivalent membership;
130 | providing that certain prekindergarten exceptional



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131 students are included in the membership; revising the
132 calculation of capital outlay membership; amending s.
133 1004.935, F.S.; extending the date by which the Adults
134 with Disabilities Workforce Education Pilot Program
135 may operate; providing for the future expiration and
136 reversion of specified statutory text; amending s.
137 1004.345, F.S.; extending by 1 year the requirement
138 that the Florida Polytechnic University meet specified
139 criteria established by the Board of Governors;
140 creating s. 1004.344, F.S.; creating the Florida
141 Center for the Partnerships for Arts Integrated
142 Teaching within the University of South Florida
143 Sarasota/Manatee; providing goals of the center;
144 authorizing the Florida Fund for Minority Teachers,
145 Inc. to expend up to a specified percentage of
146 appropriated funds and up to a specified amount from
147 available funds for administration; amending s.
148 1009.986, F.S.; authorizing the extension of the date
149 by which the Florida ABLE, Inc., must establish and
150 administer the Florida ABLE program upon the
151 occurrence of specified events; revising provisions
152 regarding required elements of the participation
153 agreement; prohibiting the Office of Early Learning
154 from adopting a kindergarten readiness rate for
155 certain Voluntary Prekindergarten Education Program
156 years; specifying that certain prekindergarten



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157 providers and public schools shall remain on
158 probation; amending s 1011.62, F.S.; revising the
159 adjustment formula to the Prior Period Funding
160 Adjustment Millage for a specified year; providing for
161 the future expiration and reversion of specified
162 statutory text; incorporating by reference certain
163 calculations of the Medicaid Low-Income Pool,
164 Disproportionate Share Hospital, and Hospital
165 Reimbursement programs; amending s. 393.063, F.S.;
166 revising the definition of the term "developmental
167 disability" and defining the term "Phelan-McDermid
168 syndrome"; providing for the future expiration and
169 reversion of specified statutory text; amending s.
170 393.065, F.S.; requiring the Agency for Persons with
171 Disabilities to offer enrollment in the Medicaid home
172 and community-based waiver program to certain
173 individuals; specifying criteria for enrollment
174 prioritization; requiring the agency to allow an
175 individual who meets specified eligibility
176 requirements to receive home and community-based
177 services if a parent or legal guardian is an active-
178 duty servicemember who is transferred to this state;
179 requiring the agency to allow certain individuals with
180 Phelan-McDermid syndrome to receive home and
181 community-based services; providing that individuals
182 remaining on the wait list are not entitled to a



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183 hearing in accordance with federal law or an
184 administrative proceeding under state law; authorizing
185 the agency and the Agency for Health Care
186 Administration to adopt rules specifying tools for
187 prioritizing waiver enrollments within categories;
188 specifying the requirements that apply to the iBudgets
189 of clients in the home and community-based services
190 waiver program until the Agency for Persons with
191 Disabilities adopts a new allocation algorithm and
192 methodology by final rule; providing for application
193 of the new allocation algorithm and methodology after
194 adoption of the final rule; providing requirements for
195 an increase in iBudget funding allocations; reenacting
196 s. 393.067(15), F.S., relating to contracts between
197 the Agency for Persons with Disabilities and licensed
198 facilities; providing contingent abrogation of the
199 scheduled expiration and reversion of amendments to s.
200 393.067(15), F.S., pursuant to s. 24 of chapter 2015-
201 222, Laws of Florida; providing for the future
202 expiration and reversion of specified statutory text;
203 reenacting s. 393.18, F.S., relating to the
204 comprehensive transitional education program;
205 providing contingent abrogation of the scheduled
206 expiration and reversion of amendments to s. 393.18,
207 F.S., pursuant to s. 26 of chapter 2015-222, Laws of
208 Florida; providing for the future expiration and



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209 reversion of specified statutory text; amending s.
210 296.37, F.S.; extending for 1 fiscal year the
211 requirement that certain residents of a veterans'
212 nursing home contribute to their maintenance and
213 support; authorizing the Agency for Health Care
214 Administration, in consultation with the Department of
215 Health, to submit a budget amendment to realign
216 funding based upon a specified model, methodology, and
217 framework; specifying requirements for such
218 realignment; authorizing the agency to request
219 nonoperating budget authority for transferring certain
220 federal funds to the Department of Health; providing
221 that certain funds provided for training purposes
222 shall be allocated to community-based lead agencies
223 based on a training needs assessment conducted by the
224 Department of Children and Families; requiring the
225 Agency for Health Care Administration to ensure that
226 nursing facility residents who are eligible for funds
227 to transition to home and community-based services
228 waivers have resided in a skilled nursing facility for
229 a specified period; requiring the Agency for Health
230 Care Administration and the Department of Elderly
231 Affairs to prioritize individuals for enrollment in
232 the Medicaid Long-Term Care Waiver program using a
233 certain frailty-based screening; authorizing the
234 Agency for Health Care Administration to adopt rules



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235 | and enter into certain interagency agreements with
236 | respect to program enrollment; authorizing the agency
237 | to delegate certain responsibilities with respect to
238 | program enrollment to the Department of Elderly
239 | Affairs; authorizing the Department of Elderly Affairs
240 | to delegate certain functions to its contractors;
241 | amending s. 409.911, F.S.; requiring the Agency for
242 | Health Care Administration to distribute moneys to
243 | hospitals that provide a disproportionate share of
244 | Medicaid or charity services as set forth in the
245 | General Appropriations Act; amending s. 409.9113,
246 | F.S.; requiring the Agency for Health Care
247 | Administration to make disproportionate share payments
248 | to teaching hospitals as set forth in the General
249 | Appropriations Act; amending s. 409.9119, F.S.;
250 | requiring the Agency for Health Care Administration to
251 | make disproportionate share payments to specialty
252 | hospitals for children, as set forth in the General
253 | Appropriations Act; amending s. 893.055, F.S.;
254 | authorizing the Department of Health to use certain
255 | funds to administer the prescription drug monitoring
256 | program; prohibiting the use of funds received from a
257 | settlement agreement to administer the program;
258 | amending s. 216.262, F.S.; extending for 1 fiscal year
259 | the authority of the Department of Corrections to
260 | submit a budget amendment for additional positions and



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261 appropriations under certain circumstances;
262 authorizing the Department of Legal Affairs to expend
263 certain appropriated funds on programs that were
264 funded by the department from specific appropriations
265 in general appropriations acts in previous years;
266 amending s. 932.7055, F.S.; extending for 1 fiscal
267 year the authority for a municipality to expend funds
268 from its special law enforcement trust fund to
269 reimburse its general fund for certain moneys advanced
270 from the general fund; amending s. 215.18, F.S.;
271 extending for 1 fiscal year the authority and related
272 repayment requirements for temporary trust fund loans
273 to the state court system which are sufficient to meet
274 the system's appropriation; prohibiting the Department
275 of Corrections from transferring funds from a salaries
276 and benefits category to another category, other than
277 a salaries and benefits category, unless approved by
278 the Legislative Budget Commission; authorizing the
279 Department of Corrections to submit certain budget
280 amendments to transfer funds into the Inmate Health
281 Services category; providing that such transfers are
282 subject to notice, review and objection procedures;
283 requiring the Department of Juvenile Justice to review
284 county juvenile detention payments to determine if the
285 county has met specified financial responsibilities;
286 requiring amounts owed by the county for such



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287 financial responsibilities to be deducted from certain
288 county funds; requiring the Department of Revenue to
289 transfer funds withheld to specified trust funds;
290 requiring the Department of Revenue to ensure that
291 such reductions in amounts distributed do not reduce
292 distributions below amounts necessary for certain
293 payments due on bonds and comply with bond covenants;
294 requiring the Department of Revenue to notify the
295 Department of Juvenile Justice if bond payment
296 requirements require a reduction in deductions for
297 amounts owed by a county; amending s. 27.5304, F.S.;
298 revising certain limitations on compensation for
299 private court-appointed counsel; providing for the
300 future expiration and reversion of specified statutory
301 text; requiring the Department of Management Services
302 to organize a work group to develop a law enforcement
303 officers' career development plan; specifying the
304 representatives to be included in the work group;
305 providing issues to be addressed in the plan;
306 requiring the work group to conduct meetings and
307 develop a career development proposal to be submitted
308 to the Governor and Legislature by a specified date;
309 requiring the Justice Administrative Commission to
310 provide funds to the clerks of court for specified
311 uses related to juries; providing procedures for
312 clerks of court to receive such funds; providing an



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313 appportionment methodology if funds are estimated to be
314 insufficient to pay all amounts requested; requiring
315 the clerks of court to pay amounts in excess of
316 appropriated amounts; prohibiting the Department of
317 Juvenile Justice from providing to certain nonfiscally
318 constrained counties reimbursements or credits against
319 identified juvenile detention center costs under
320 specified circumstances; directing the Department of
321 Management Services to use tenant broker services to
322 renegotiate or reprocure certain private lease
323 agreements for office or storage space; requiring the
324 Department of Management Services to provide a report
325 to the Governor and Legislature by a specified date;
326 reenacting s. 624.502, F.S., relating to the deposit
327 of fees for service of process made upon the Chief
328 Financial Officer or the Director of the Office of
329 Insurance Regulation into the Administrative Trust
330 Fund; providing for the future expiration and
331 reversion of statutory text requiring the deposit of
332 certain fees into the Administrative Trust Fund;
333 reenacting s. 282.709(2)(a), F.S., relating to the
334 creation and membership of the Joint Task Force on
335 State Agency Law Enforcement Communications; providing
336 for the future expiration and reversion of specified
337 statutory text; specifying the amount of the
338 transaction fee to be collected for use of the online



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339 procurement system; authorizing the Executive Office
340 of the Governor to transfer funds appropriated for
341 certain data processing services between departments
342 for a specified purpose; prohibiting an agency from
343 transferring funds from a data processing category to
344 another category that is not a data processing
345 category; authorizing agencies to transfer certain
346 data processing funds to contract with a private
347 sector cloud service under certain circumstances;
348 specifying that such transfers are subject to certain
349 notice, review, and objection procedures; authorizing
350 the Executive Office of the Governor to transfer
351 certain funds between agencies in order to allocate a
352 reduction relating to SUNCOM Network services;
353 authorizing the Executive Office of the Governor to
354 transfer funds between departments for purposes of
355 aligning amounts paid for risk management insurance
356 and for human resource management services; providing
357 for replacement of Florida Accounting Information
358 Resource Subsystem; providing for project governance
359 structure; amending s. 216.292, F.S.; authorizing the
360 Executive Office of the Governor under specified
361 circumstances to transfer funds between appropriations
362 categories to provide for the relocation of certain
363 state agencies and departments currently located at a
364 specified location; specifying such transfers are



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365 subject to notice and objection; amending s. 161.143,
366 F.S.; extending by 1 fiscal year the directive that
367 the amount allocated for inlet management funding is
368 provided in the General Appropriations Act; amending
369 s. 259.105, F.S.; revising the distribution of certain
370 proceeds from cash payments or bonds issued pursuant
371 to the Florida Forever Act; amending s. 375.075, F.S.;
372 requiring that a minimum percentage of funds for the
373 Florida Recreation Development Assistance Program be
374 used toward projects providing recreational
375 enhancements and opportunities for people with unique
376 abilities; requiring the Department of Environmental
377 Protection to award grants by a specified date;
378 revising the limitation on the number of grant
379 applications a local government may submit under
380 certain circumstances; requiring the department to
381 prioritize projects that provide recreational
382 enhancement and opportunities to people with unique
383 abilities; defining the term "projects that provide
384 recreational enhancements and opportunities for
385 individuals with unique abilities"; amending s.
386 380.507, F.S.; revising the powers of the Florida
387 Communities Trust to authorize the undertaking,
388 coordination, and funding of projects that provide
389 accessibility, availability, or adaptability of
390 conservation or recreation lands for individuals with



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391 unique abilities; amending s. 216.181, F.S.; extending
392 by 1 fiscal year the authority for the Legislative
393 Budget Commission to increase amounts appropriated to
394 the Fish and Wildlife Conservation Commission or the
395 Department of Environmental Protection for certain
396 fixed capital outlay projects from specified sources;
397 amending s. 206.9935, F.S.; exempting specified
398 revenues from the calculation of the unobligated
399 balance of the Water Quality Assurance Trust Fund;
400 providing for the future expiration and reversion of
401 specified statutory text; amending s. 403.709, F.S.;
402 revising the conditions under which the Department of
403 Environmental Protection may use the solid waste
404 landfill closure account within the Solid Waste
405 Management Trust Fund to contract with a third party
406 to close and provide long-term care of certain solid
407 waste management facilities; authorizing the
408 Department of Environmental Protection to use the
409 Solid Waste Management Trust Fund under specified
410 circumstances if amounts paid under an insurance
411 policy or alternative financial assurance do not cover
412 the cost of the closing or providing long-term care of
413 a facility; reviving, reenacting, and amending s.
414 403.7095(5), F.S.; requiring the Department of
415 Environmental Protection to award a certain sum of
416 grant funds for specified solid waste management



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417 programs to counties that meet certain criteria;
418 amending s. 215.18, F.S.; authorizing the Governor, if
419 there is a specified deficiency in a land acquisition
420 trust fund in the Department of Agriculture and
421 Consumer Services, the Department of Environmental
422 Protection, the Department of State, or the Fish and
423 Wildlife Conservation Commission, to transfer funds
424 from other trust funds in the State Treasury as a
425 temporary loan to such trust fund; providing
426 procedures for the transfer and repayment of the loan;
427 providing a legislative determination that the
428 repayment of the temporary loan is a constitutionally
429 allowable use of such moneys; requiring the Department
430 of Environmental Protection to transfer designated
431 proportions of the revenues deposited in the Land
432 Acquisition Trust Fund within the department to land
433 acquisition trust funds in the Department of
434 Agriculture and Consumer Services, the Department of
435 State, and the Fish and Wildlife Conservation
436 Commission according to specified parameters and
437 calculations; defining the term "department";
438 requiring the department to retain a proportionate
439 share of revenues; specifying a limit on
440 distributions; amending s. 376.3071, F.S.; specifying
441 that earned interest may be transferred between the
442 Inland Protection Trust Fund and the Water Quality



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443 Assurance Trust Fund as authorized by the General
444 Appropriations Act; providing for the future
445 expiration and reversion of specified statutory text;
446 prohibiting the Department of Environmental Protection
447 from requiring payment of program copayments for the
448 cleanup of certain petroleum contamination sites;
449 prohibiting the department from requiring submission
450 of the limited contamination assessment report;
451 prohibiting the use of 2016-2017 funds from being be
452 applied towards certain funding limits; amending s
453 376.3071, F.S.; requiring the Department of
454 Environmental Protection under specified circumstances
455 to obligate moneys in the Inland Protection Trust Fund
456 for certain items that otherwise would be paid by
457 another state agency for state-funded petroleum
458 contamination site rehabilitation; requiring the
459 Department of Highway Safety and Motor Vehicles to
460 contract with a specified corporation to manufacture
461 current or newly redesigned license plates; providing
462 price specifications for such contract; specifying
463 requirements to be met by the corporation in
464 manufacturing such license plates; prohibiting the
465 name of a county from appearing on redesigned license
466 plates; amending s. 339.2818, F.S.; revising the
467 definition of the term "small county" for purposes of
468 the Small County Outreach Program; authorizing



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469 capacity improvements on county roads to be eligible
470 for funding from the Small County Road Assistance
471 Program under specified conditions; amending s.
472 339.135, F.S., and reviving, reenacting, and amending
473 s. 339.135(4)(j) and (5)(c), F.S.; extending by 1
474 fiscal year provisions requiring the Department of
475 Transportation to use appropriated funds for purposes
476 related to the establishment of a multiuse trail
477 system; authorizing the department to use up to a
478 certain amount of appropriated funds for strategic and
479 regionally significant transportation projects;
480 reenacting s. 341.302(10), F.S., relating to the
481 Department of Transportation's duties and
482 responsibilities for the rail program; providing for
483 the future expiration and reversion of specified
484 statutory text; amending s. 339.2816, F.S.; specifying
485 the amount of funding from the State Transportation
486 Trust Fund that may be used for the Small County Road
487 Assistance Program for the 2016-2017 fiscal year;
488 authorizing capacity improvements on county roads to
489 be eligible for funding from the Small County Road
490 Assistance Program under specified conditions;
491 providing for the future expiration and reversion of
492 specified statutory text; amending s. 420.9072, F.S.;
493 extending by 1 fiscal year provisions authorizing each
494 county and eligible municipality to use its portion of



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495 | the local housing distribution for certain purposes;
496 | amending s. 420.5087, F.S.; extending by 1 fiscal year
497 | provisions specifying the reservation of funds for the
498 | tenant groups within each notice of fund availability
499 | with respect to the State Apartment Incentive Loan
500 | Program; requiring the Florida Housing Finance
501 | Corporation to issue a notice of fund availability for
502 | loans to be used for certain purposes; amending s.
503 | 427.013, F.S.; requiring the Commission for the
504 | Transportation Disadvantaged to allocate and award
505 | appropriated funds for specified purposes;
506 | amending s. 216.292, F.S.; authorizing the Department
507 | of Highway Safety and Motor Vehicles, with approval of
508 | the Governor's Office, to transfer specified funds
509 | between appropriations categories to realign funds
510 | based on certain cost-benefit analysis; specifies that
511 | such transfers are subject to notice and objection
512 | provisions; providing for future expiration; amending
513 | s. 339.135, F.S.; providing for the adoption of
514 | certain Department of Transportation work program
515 | amendments estimated to cost more than a specified
516 | dollar amount; amending s. 321.04, F.S.; requiring the
517 | Department of Highway Safety and Motor Vehicles to
518 | assign a highway patrol officer, at the written
519 | request of a Cabinet member or the Lieutenant
520 | Governor, to that Cabinet member or the Lieutenant



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521 Governor, under specified circumstances; providing for
522 future expiration; reenacting s. 216.292(2)(a), F.S.,
523 relating to exceptions for nontransferable
524 appropriations; providing for the future expiration
525 and reversion of statutory text related to
526 nontransferable appropriations; prohibiting a state
527 agency from initiating a competitive solicitation for
528 a product or service under certain circumstances;
529 providing an exception; amending s. 112.24, F.S.;
530 extending by 1 fiscal year the authorization, subject
531 to specified requirements, for the assignment of an
532 employee of a state agency under an employee
533 interchange agreement; providing that the annual
534 salaries of the members of the Legislature shall be
535 maintained at a specified level; reenacting s.
536 215.32(2)(b), F.S., relating to the source and use of
537 certain trust funds; providing for the future
538 expiration and reversion of statutory text related to
539 the source and use of specified trust funds; providing
540 a legislative determination that the issuance of new
541 debt is in the best interests of the state; limiting
542 the use of travel funds to activities that are
543 critical to an agency's mission; providing exceptions;
544 requiring executive branch state agencies and the
545 judicial branch to collaborate with the Executive
546 Office of the Governor regarding the statewide travel



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547 management system and to use such system; placing a
548 monetary cap on the amount of money available for
549 state employee travel to certain meetings organized or
550 sponsored by a state agency or the judicial branch;
551 authorizing employees to expend their own funds for
552 lodging expenses in excess of the monetary caps;
553 reenacting s. 110.12315, F.S., relating to the state
554 employees' prescription drug program; providing for
555 the future expiration and reversion of statutory text
556 related to the state employees' prescription drug
557 program; prohibiting agencies from entering into
558 contracts containing certain nondisclosure agreements;
559 providing conditions under which the veto of certain
560 appropriations or proviso language in the General
561 Appropriations Act voids language that implements such
562 appropriation; providing for the continued operation
563 of certain provisions notwithstanding a future repeal
564 or expiration provided by the act; providing
565 severability; providing an effective date.

566

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

568

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

572 Section 2. In order to implement Specific Appropriations



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573 7, 8, 9, 94, and 95 of the 2016-2017 General Appropriations Act,
574 the calculations of the Florida Education Finance Program for
575 the 2016-2017 fiscal year in the document titled "Public School
576 Funding: The Florida Education Finance Program," dated March 8,
577 2016, and filed with the Clerk of the House of Representatives,
578 are incorporated by reference for the purpose of displaying the
579 calculations used by the Legislature, consistent with the
580 requirements of state law, in making appropriations for the
581 Florida Education Finance Program. This section expires July 1,
582 2017.

583 Section 3. In order to implement Specific Appropriations 7
584 and 94 of the 2016-2017 General Appropriations Act and
585 notwithstanding ss. 1002.20, 1003.02, 1006.28-1006.42,
586 1011.62(6)(b)5., and 1011.67, Florida Statutes, relating to the
587 expenditure of funds provided for instructional materials, for
588 the 2016-2017 fiscal year, funds provided for instructional
589 materials shall be released and expended as required in the
590 proviso language for Specific Appropriation 94 of the 2016-2017
591 General Appropriations Act. This section expires July 1, 2017.

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



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599 Section 5. In order to implement Specific Appropriation
 600 113 of the 2016-2017 General Appropriations Act, paragraph (d)
 601 of subsection (2) of section 11.45, Florida Statutes, is amended
 602 to read:

603 11.45 Definitions; duties; authorities; reports; rules.—

604 (2) DUTIES.—The Auditor General shall:

605 (d) Annually conduct financial audits of the accounts and
 606 records of all district school boards in counties with
 607 populations of fewer than 150,000, according to the most recent
 608 federal decennial statewide census, and the Florida School for
 609 the Deaf and the Blind.

610
 611 The Auditor General shall perform his or her duties
 612 independently but under the general policies established by the
 613 Legislative Auditing Committee. This subsection does not limit
 614 the Auditor General's discretionary authority to conduct other
 615 audits or engagements of governmental entities as authorized in
 616 subsection (3).

617 Section 6. In order to implement Specific Appropriations
 618 12 and 126 of the 2016-2017 General Appropriations Act, section
 619 1001.66, Florida Statutes, is created to read:

620 1001.66 Florida College System Performance-Based
 621 Incentive.—

622 (1) A Florida College System Performance-Based Incentive
 623 shall be awarded to Florida College System institutions using
 624 performance-based metrics adopted by the State Board of



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625 Education. The performance-based metrics must include retention
626 rates; program completion and graduation rates; postgraduation
627 employment, salaries, and continuing education for workforce
628 education and baccalaureate programs, with wage thresholds that
629 reflect the added value of the certificate or degree; and
630 outcome measures appropriate for associate of arts degree
631 recipients. The state board shall adopt benchmarks to evaluate
632 each institution's performance on the metrics to measure the
633 institution's achievement of institutional excellence or need
634 for improvement and the minimum requirements for eligibility to
635 receive performance funding.

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



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651 investment under the performance-based funding model.

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

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

669 (c) The Commissioner of Education shall withhold
670 disbursement of the institutional investment until the
671 monitoring report is approved by the State Board of Education. A
672 Florida College System institution determined by the state board
673 to be making satisfactory progress on implementing the
674 improvement plan shall receive no more than one-half of the
675 withheld institutional investment in January and the balance of
676 the withheld institutional investment in June. An institution



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677 that fails to make satisfactory progress may not have its full
678 institutional investment restored. Any institutional investment
679 funds that are not restored shall be redistributed in accordance
680 with the state board's performance-based metrics.

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

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

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

692 (7) This section expires July 1, 2017.

693 Section 7. In order to implement Specific Appropriation
694 126 of the 2016-2017 General Appropriations Act, section
695 1001.67, Florida Statutes, is created to read:

696 1001.67 Distinguished Florida College System institution
697 program.—A collaborative partnership is established between the
698 State Board of Education and the Legislature to recognize the
699 excellence of Florida's highest-performing Florida College
700 System institutions.

701 (1) EXCELLENCE STANDARDS.—The following excellence
702 standards are established for the program:



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703 (a) A 150 percent-of-normal-time completion rate of 50
704 percent or higher, as calculated by the Division of Florida
705 Colleges.

706 (b) A 150 percent-of-normal-time completion rate for Pell
707 Grant recipients of 40 percent or higher, as calculated by the
708 Division of Florida Colleges.

709 (c) A retention rate of 70 percent or higher, as
710 calculated by the Division of Florida Colleges.

711 (d) A continuing education, or transfer, rate of 72
712 percent or higher for students graduating with an associate of
713 arts degree, as reported by the Florida Education and Training
714 Placement Information Program (FETPIP).

715 (e) A licensure passage rate on the National Council
716 Licensure Examination for Registered Nurses (NCLEX-RN) of 90
717 percent or higher for first-time exam takers, as reported by the
718 Board of Nursing.

719 (f) A job placement or continuing education rate of 88
720 percent or higher for workforce programs, as reported by FETPIP.

721 (g) A time-to-degree for students graduating with an
722 associate of arts degree of 2.25 years or less for first-time-
723 in-college students with accelerated college credits, as
724 reported by the Southern Regional Education Board.

725 (2) DISTINGUISHED COLLEGE DESIGNATION.—The State Board of
726 Education shall designate each Florida College System
727 institution that meets five of the seven standards identified in
728 subsection (1) as a distinguished college.



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729 (3) DISTINGUISHED COLLEGE SUPPORT.—A Florida College
 730 System institution designated as a distinguished college by the
 731 State Board of Education is eligible for funding as specified in
 732 the General Appropriations Act.

733 (4) EXPIRATION.—This section expires July 1, 2017.

734 Section 8. In order to implement Specific Appropriation
 735 142 of the 2016-2017 General Appropriations Act, subsections
 736 (1), (2), (3), and (5) through (8) of section 1001.7065, Florida
 737 Statutes, are amended, to read:

738 1001.7065 Preeminent state research universities program.—

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

753 (2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—~~Effective~~
 754 ~~July 1, 2013,~~ The following academic and research excellence



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755 standards are established for the preeminent state research
756 universities program:

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

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

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

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

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

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

779 (g) Total annual research expenditures in diversified
780 nonmedical sciences of \$150 million or more, based on data



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781 reported annually by the NSF.

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

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

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

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

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

796 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—

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

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

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



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

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

831 (c) The award of funds under this subsection is contingent
832 upon funding provided in the General Appropriations Act to



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833 support the preeminent state research universities program
834 created under this section. Funding increases appropriated
835 beyond the amounts funded in the prior fiscal year shall be
836 distributed as follows:

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

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

845 ~~(6) — PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT~~
846 ~~INITIATIVE.—A state research university that, as of July 1,~~
847 ~~2013, meets 11 of the 12 academic and research excellence~~
848 ~~standards identified in subsection (2), as verified by the Board~~
849 ~~of Governors, shall submit to the Board of Governors a 5-year~~
850 ~~benchmark plan with target rankings on key performance metrics~~
851 ~~for national excellence. Upon the university's meeting the~~
852 ~~benchmark plan goals annually, the Board of Governors shall~~
853 ~~award the university an amount specified in the General~~
854 ~~Appropriations Act to be provided annually throughout the 5-year~~
855 ~~period for the purpose of recruiting National Academy Members,~~
856 ~~expediting the provision of a master's degree in cloud~~
857 ~~virtualization, and instituting an entrepreneurs-in-residence~~
858 ~~program throughout its campus. Funding for this purpose is~~



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859 ~~contingent upon specific appropriation in the General~~
860 ~~Appropriations Act.~~

861 (6)~~(7)~~ PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE
862 REQUIREMENT AUTHORITY.—In order to provide a jointly shared
863 educational experience, a university that is designated a
864 preeminent state research university may require its incoming
865 first-time-in-college students to take a 6-credit ~~9-to-12-credit~~
866 set of unique courses specifically determined by the university
867 and published on the university's website. The university may
868 stipulate that credit for such courses may not be earned through
869 any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271
870 or any other transfer credit. All accelerated credits earned up
871 to the limits specified in ss. 1007.27 and 1007.271 shall be
872 applied toward graduation at the student's request.

873 (7)~~(8)~~ PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY
874 AUTHORITY.—The Board of Governors is encouraged to identify and
875 grant all reasonable, feasible authority and flexibility to
876 ensure that each a designated preeminent state research
877 university and each designated emerging preeminent state
878 research university is free from unnecessary restrictions.

879 Section 9. In order to implement Specific Appropriation
880 142 of the 2016-2017 General Appropriations Act, subsections
881 (1), (2), (3) and subsection (6) of section 1001.92, Florida
882 Statutes, are amended to read:

883 1001.92 State University System Performance-Based
884 Incentive.—



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

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

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

900 (2) Each fiscal year, the amount of funds available for
901 allocation to the state universities based on the performance-
902 based funding model ~~metrics~~ shall consist of the state's
903 investment in appropriation for performance funding, ~~including~~
904 ~~increases in base funding~~ plus institutional investments
905 consisting of funds deducted from the base funding of each state
906 university in the State University System, in an amount provided
907 in the General Appropriations Act. The Board of Governors shall
908 establish minimum performance funding eligibility thresholds for
909 the state's investment and the institutional investments. A
910 state university that meets the minimum institutional investment



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911 eligibility threshold, but fails to meet the minimum state
912 investment eligibility threshold, shall have its institutional
913 investment restored but is ineligible for a share of the state's
914 investment in performance funding. The institutional investment
915 shall be restored for each institution eligible for the state's
916 investment under the performance-based funding model ~~metrics~~.

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

931 (b) The Chancellor of the State University System shall
932 withhold disbursement of the institutional investment until the
933 monitoring report is approved by the Board of Governors. A state
934 university that is determined by the board to be making
935 satisfactory progress on implementing the improvement plan shall
936 receive no more than one-half of the withheld institutional



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937 investment in January and the balance of the withheld
938 institutional investment in June. A state university that fails
939 to make satisfactory progress may not have its full
940 institutional investment restored. Any institutional investment
941 funds that are not restored shall be redistributed in accordance
942 with the board's performance-based metrics.

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

945 (7)~~(6)~~ This section expires July 1, 2017 ~~2016~~.

946 Section 10. In order to implement Specific Appropriation
947 154 of the 2016-2017 General Appropriations Act, and
948 notwithstanding the expiration date in section 13 of chapter
949 2015-222, Laws of Florida, subsection (1) of section 1008.46,
950 Florida Statutes, is reenacted to read:

951 1008.46 State university accountability process.—It is the
952 intent of the Legislature that an accountability process be
953 implemented that provides for the systematic, ongoing evaluation
954 of quality and effectiveness of state universities. It is
955 further the intent of the Legislature that this accountability
956 process monitor performance at the system level in each of the
957 major areas of instruction, research, and public service, while
958 recognizing the differing missions of each of the state
959 universities. The accountability process shall provide for the
960 adoption of systemwide performance standards and performance
961 goals for each standard identified through a collaborative
962 effort involving state universities, the Board of Governors, the



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963 Legislature, and the Governor's Office, consistent with
964 requirements specified in s. 1001.706. These standards and goals
965 shall be consistent with s. 216.011(1) to maintain congruity
966 with the performance-based budgeting process. This process
967 requires that university accountability reports reflect measures
968 defined through performance-based budgeting. The performance-
969 based budgeting measures must also reflect the elements of
970 teaching, research, and service inherent in the missions of the
971 state universities.

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

981 Section 11. The text of s. 1008.46(1), Florida Statutes,
982 as carried forward from chapter 2015-222, Laws of Florida, in
983 this act, expires July 1, 2017, and the text of that section
984 shall revert to that in existence on June 30, 2015, except that
985 any amendments to such text enacted other than by this act shall
986 be preserved and continue to operate to the extent that such
987 amendments are not dependent upon the portions of text which
988 expire pursuant to this section.



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989 Section 12. In order to implement Specific Appropriations
990 12 and 126 of the 2016-2017 General Appropriations Act,
991 paragraphs (a) and (b) of subsection (16) of section 1009.23,
992 Florida Statutes, are amended to read:

993 1009.23 Florida College System institution student fees.—

994 (16) (a) Effective July 1, 2016, each Florida College
995 System institution may assess a student who enrolls in a course
996 listed in the distance learning catalog, established pursuant to
997 s. 1006.735, a ~~per-credit-hour~~ distance learning course user fee
998 not to exceed \$15 per credit hour. An increase in an
999 institution's current distance learning fee must be approved by
1000 the State Board of Education. For purposes of assessing this
1001 fee, a distance learning course is a course in which at least 80
1002 percent of the direct instruction of the course is delivered
1003 using some form of technology when the student and instructor
1004 are separated by time or space, or both.

1005 (b) ~~The amount of the distance learning course user fee~~
1006 ~~may not exceed the additional costs of the services provided~~
1007 ~~which are attributable to the development and delivery of the~~
1008 ~~distance learning course. If a Florida College System~~
1009 ~~institution assesses the distance learning course user fee, the~~
1010 ~~institution may not assess any other fees to cover the~~
1011 ~~additional costs.~~ By September 1 of each year, each board of
1012 trustees shall report to the Division of Florida Colleges the
1013 total amount of revenue generated by the distance learning
1014 course user fee for the prior fiscal year and how the revenue



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1015 was expended.

1016 Section 13. In order to implement Specific Appropriation
1017 142 of the 2016-2017 General Appropriations Act, subsection (17)
1018 of section 1009.24, Florida Statutes, is amended to read:

1019 1009.24 State university student fees.—

1020 (17) (a) A state university may assess a student who
1021 enrolls in a course listed in the distance learning catalog,
1022 established pursuant to s. 1006.735, a ~~per-credit-hour~~ distance
1023 learning course fee. The average distance learning fee amount
1024 assessed by a state university may not exceed \$30 per credit
1025 hour. For purposes of assessing this fee, a distance learning
1026 course is a course in which at least 80 percent of the direct
1027 instruction of the course is delivered using some form of
1028 technology when the student and instructor are separated by time
1029 or space, or both.

1030 (b) The amount of the distance learning course fee may not
1031 exceed the additional costs that ~~of the services provided which~~
1032 are attributable to the ~~development and delivery of the distance~~
1033 learning course. If the distance learning course fee is assessed
1034 by a state university, the institution may not assess
1035 duplicative fees to cover the additional costs.

1036 (c) By September 1 of each year, each board of trustees
1037 shall report to the Board of Governors the total amount of
1038 revenue generated by the distance learning course user fee for
1039 the prior fiscal year and how the total amount of revenue was
1040 expended.



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1041 ~~(d)(e)~~ If an institution assesses the distance learning
1042 fee, the institution must provide a link to the catalog within
1043 the advising and distance learning sections of the institution's
1044 website, using a graphic and description provided by the
1045 Complete Florida Plus Program, informing students of the
1046 catalog.

1047 Section 14. In order to implement Specific Appropriations
1048 6 and 76 of the 2016-2017 General Appropriations Act, subsection
1049 (2) of section 1009.50, Florida Statutes, is amended to read:

1050 1009.50 Florida Public Student Assistance Grant Program;
1051 eligibility for grants.—

1052 (2) (a) State student assistance grants through the program
1053 may be made only to degree-seeking students who enroll in at
1054 least 6 semester hours, or the equivalent per term, and who meet
1055 the general requirements for student eligibility as provided in
1056 s. 1009.40, except as otherwise provided in this section. The
1057 grants shall be awarded annually for the amount of demonstrated
1058 unmet need for the cost of education, after the expected family
1059 contribution and all other aid available to the student is
1060 accounted for, but ~~and~~ may not exceed an amount equal to the
1061 average prior academic year cost of tuition fees and other
1062 registration fees for 30 credit hours ~~at state universities~~ or
1063 such other amount as specified in the General Appropriations
1064 Act, to any recipient. A demonstrated unmet need of less than
1065 \$200, after the expected family contribution and all other aid
1066 available to the student is accounted for, shall render the



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1067 applicant ineligible for a state student assistance grant.
1068 Recipients of the grants must have been accepted at a state
1069 university or Florida College System institution authorized by
1070 Florida law. A student is eligible for the award for 110 percent
1071 of the number of credit hours required to complete the program
1072 in which enrolled, except as otherwise provided in s.
1073 1009.40(3).

1074 (b) A student applying for a Florida public student
1075 assistance grant shall be required to apply for the Pell Grant.
1076 ~~The Pell Grant entitlement shall be considered when conducting~~
1077 ~~an assessment of the financial resources available to each~~
1078 ~~student.~~

1079 (c) Institutions awarding grant moneys must conduct an
1080 assessment of all of the financial resources available to each
1081 student, including, but not limited to:

- 1082 1. Pell Grants and other federal aid.
- 1083 2. State grants and scholarships, including merit awards.
- 1084 3. Institutional awards for merit or need.
- 1085 4. Private awards for merit or need.
- 1086 5. Any other grant or scholarship available to the student
1087 for use toward the cost of education.

1088
1089 Institutions that provide preliminary award packages before
1090 receiving from the department the final student eligibility
1091 determinations for state grants and scholarships, including
1092 merit awards, shall reassess each student's award package after



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1093 the allocation of funds and the final student eligibility
 1094 determinations are received from the department.

1095 (d) Priority in the distribution of grant moneys shall be
 1096 given to students with the highest unmet need after the
 1097 assessment of available financial resources is conducted
 1098 pursuant to paragraph (c) ~~lowest total family resources,~~ in
 1099 accordance with a nationally recognized system of need analysis.
 1100 Using the system of need analysis, the department shall
 1101 establish a maximum expected family contribution. An institution
 1102 may not make a grant from this program to a student whose
 1103 expected family contribution exceeds the level established by
 1104 the department. An institution may not impose additional
 1105 criteria to determine a student's eligibility to receive a grant
 1106 award.

1107 (e)~~(d)~~ Each participating institution shall report, to the
 1108 department by the established date, the eligible students
 1109 eligible for the program for to whom grant moneys are disbursed
 1110 each academic term. Each institution shall also report in a
 1111 manner and by a date prescribed by ~~to~~ the department necessary
 1112 demographic and eligibility data for such students, as well as
 1113 the expected family contributions; other grant, scholarship, and
 1114 aid awards; prepaid contracts; and student loans received by the
 1115 students.

1116 Section 15. In order to implement Specific Appropriations
 1117 6 and 76 of the 2016-2017 General Appropriations Act, subsection
 1118 (3) and paragraph (a) of subsection (4) of section 1009.505,



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1119 Florida Statutes, are amended to read:

1120 1009.505 Florida Public Postsecondary Career Education
1121 Student Assistance Grant Program.—

1122 (3) (a) Student assistance grants through the program may
1123 be made only to certificate-seeking students enrolled at least
1124 half-time in a public postsecondary career certificate program
1125 who meet the general requirements for student eligibility as
1126 provided in s. 1009.40, except as otherwise provided in this
1127 section. The grants shall be awarded annually to any recipient
1128 for the amount of demonstrated unmet need for the cost of
1129 education, after the expected family contribution and all other
1130 aid available to the student is accounted for, but ~~and~~ may not
1131 exceed the average annual cost of tuition and registration fees
1132 or such other amount as specified in the General Appropriations
1133 Act. A demonstrated unmet need of less than \$200, after the
1134 expected family contribution and all other aid available to the
1135 student is accounted for, shall render the applicant ineligible
1136 for a grant under this section. Recipients of the grants must
1137 have been accepted at a Florida College System institution
1138 authorized by Florida law or a career center operated by a
1139 district school board under s. 1001.44. A student is eligible
1140 for the award for 110 percent of the number of clock hours
1141 required to complete the program in which enrolled.

1142 (b) A student applying for a Florida public postsecondary
1143 career education student assistance grant shall be required to
1144 apply for the Pell Grant. ~~A Pell Grant entitlement shall be~~



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1145 ~~considered when conducting an assessment of the financial~~
1146 ~~resources available to each student; however, a Pell Grant~~
1147 ~~entitlement shall not be required as a condition of receiving a~~
1148 ~~grant under this section.~~

1149 (c) Institutions awarding grant moneys must conduct an
1150 assessment of all of the financial resources available to each
1151 student, including, but not limited to:

- 1152 1. Pell Grants and other federal aid.
- 1153 2. State grants and scholarships, including merit awards.
- 1154 3. Institutional awards for merit or need.
- 1155 4. Private awards for merit or need.
- 1156 5. Any other grant or scholarship available to the student
1157 for use toward the cost of education.

1158
1159 Institutions that provide preliminary award packages before
1160 receiving from the department the final student eligibility
1161 determinations for state grants and scholarships, including
1162 merit awards, shall reassess each student's award package after
1163 the allocation of funds and the final student eligibility
1164 determinations are received from the department.

1165 (d) Priority in the distribution of grant moneys shall be
1166 given to students with the highest unmet need after the
1167 assessment of available financial resources is conducted
1168 pursuant to paragraph (c) in accordance with a nationally
1169 recognized system of need analysis. Using the system of need
1170 analysis, the department shall establish a maximum expected



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1171 family contribution. An institution may not make a grant from
1172 this program to a student whose expected family contribution
1173 exceeds the level established by the department. An institution
1174 may not impose additional criteria to determine a student's
1175 eligibility to receive a grant award.

1176 (e) Each participating institution shall report, to the
1177 department by the established date, the eligible students
1178 eligible for the program for to whom grant moneys are disbursed
1179 each academic term. Each institution shall also report in a
1180 manner and by a date prescribed by to the department necessary
1181 demographic and eligibility data for such students, as well as
1182 the expected family contributions; other grant, scholarship, and
1183 aid awards; prepaid contracts; and student loans received by the
1184 students.

1185 (4) (a) The funds appropriated for the Florida Public
1186 Postsecondary Career Education Student Assistance Grant Program
1187 shall be distributed to eligible Florida College System
1188 institutions and district school boards in accordance with a
1189 formula approved by the department under s. 1009.50(3).

1190 Section 16. In order to implement Specific Appropriations
1191 6 and 76 of the 2016-2017 General Appropriations Act, subsection
1192 (2) of section 1009.51, Florida Statutes, is amended to read:

1193 1009.51 Florida Private Student Assistance Grant Program;
1194 eligibility for grants.—

1195 (2) (a) Florida private student assistance grants from the
1196 State Student Financial Assistance Trust Fund may be made only



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1197 to full-time degree-seeking students who meet the general
1198 requirements for student eligibility as provided in s. 1009.40,
1199 except as otherwise provided in this section. Such grants shall
1200 be awarded for the amount of demonstrated unmet need for tuition
1201 and fees, after the expected family contribution and all other
1202 aid available to the student is accounted for, but ~~and~~ may not
1203 exceed an amount equal to the average tuition and other
1204 registration fees for 30 credit hours at state universities plus
1205 \$1,000 per academic year, or as specified in the General
1206 Appropriations Act, to any applicant. A demonstrated unmet need
1207 of less than \$200, after the expected family contribution and
1208 all other aid available to the student is accounted for, shall
1209 render the applicant ineligible for a Florida private student
1210 assistance grant. Recipients of such grants must have been
1211 accepted at a baccalaureate-degree-granting independent
1212 nonprofit college or university, which is accredited by the
1213 Commission on Colleges of the Southern Association of Colleges
1214 and Schools and which is located in and chartered as a domestic
1215 corporation by the state. No student may receive an award for
1216 more than the equivalent of 9 semesters or 14 quarters of full-
1217 time enrollment, except as otherwise provided in s. 1009.40(3).

1218 (b) A student applying for a Florida private student
1219 assistance grant shall be required to apply for the Pell Grant.
1220 ~~The Pell Grant entitlement shall be considered when conducting~~
1221 ~~an assessment of the financial resources available to each~~
1222 ~~student.~~



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1223 (c) Institutions awarding grant moneys must conduct an
 1224 assessment of all of the financial resources available to each
 1225 student, including, but not limited to:
 1226 1. Pell Grants and other federal aid.
 1227 2. State grants and scholarships, including merit awards.
 1228 3. Institutional awards for merit or need.
 1229 4. Private awards for merit or need.
 1230 5. Any other grant or scholarship available to the student
 1231 for use toward the cost of education.

1232
 1233 Institutions that provide preliminary award packages before
 1234 receiving from the department the final student eligibility
 1235 determinations for state grants and scholarships, including
 1236 merit awards, shall reassess each student's award package after
 1237 the allocation of funds and the final student eligibility
 1238 determinations are received from the department.

1239 (d) Priority in the distribution of grant moneys shall be
 1240 given to students with the highest unmet need after the
 1241 assessment of available financial resources is conducted
 1242 pursuant to paragraph (c) ~~lowest total family resources,~~ in
 1243 accordance with a nationally recognized system of need analysis.
 1244 Using the system of need analysis, the department shall
 1245 establish a maximum expected family contribution. An institution
 1246 may not make a grant from this program to a student whose
 1247 expected family contribution exceeds the level established by
 1248 the department. An institution may not impose additional



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1249 criteria to determine a student's eligibility to receive a grant
 1250 award.

1251 (e) ~~(d)~~ Each participating institution shall report, to the
 1252 department by the established date, the ~~eligible~~ students
 1253 eligible for the program for to whom grant moneys are disbursed
 1254 each academic term. Each institution shall also report in a
 1255 manner and by a date prescribed by ~~to~~ the department necessary
 1256 demographic and eligibility data for such students, as well as
 1257 the expected family contributions; other grant, scholarship, and
 1258 aid awards; prepaid contracts; and student loans received by the
 1259 students.

1260 Section 17. In order to implement Specific Appropriations
 1261 6 and 76 of the 2016-2017 General Appropriations Act, subsection
 1262 (2) of section 1009.52, Florida Statutes, is amended to read:

1263 1009.52 Florida Postsecondary Student Assistance Grant
 1264 Program; eligibility for grants.—

1265 (2) (a) Florida postsecondary student assistance grants
 1266 through the State Student Financial Assistance Trust Fund may be
 1267 made only to full-time degree-seeking students who meet the
 1268 general requirements for student eligibility as provided in s.
 1269 1009.40, except as otherwise provided in this section. Such
 1270 grants shall be awarded for the amount of demonstrated unmet
 1271 need for tuition and fees, after the expected family
 1272 contribution and all other aid available to the student is
 1273 accounted for, but ~~and~~ may not exceed an amount equal to the
 1274 average prior academic year cost of tuition and other



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1275 registration fees for 30 credit hours ~~at state universities~~ plus
1276 \$1,000 per academic year, or as specified in the General
1277 Appropriations Act, to any applicant. A demonstrated unmet need
1278 of less than \$200, after the expected family contribution and
1279 all other aid available to the student is accounted for, shall
1280 render the applicant ineligible for a Florida postsecondary
1281 student assistance grant. Recipients of such grants must have
1282 been accepted at a postsecondary institution that is located in
1283 the state and that is:

1284 1. A private nursing diploma school approved by the
1285 Florida Board of Nursing; or

1286 2. A college or university licensed by the Commission for
1287 Independent Education, excluding those institutions the students
1288 of which are eligible to receive a Florida private student
1289 assistance grant pursuant to s. 1009.51.

1290
1291 No student may receive an award for more than the equivalent of
1292 9 semesters or 14 quarters of full-time enrollment, except as
1293 otherwise provided in s. 1009.40(3).

1294 (b) A student applying for a Florida postsecondary student
1295 assistance grant shall be required to apply for the Pell Grant.
1296 ~~The Pell Grant entitlement shall be considered when conducting~~
1297 ~~an assessment of the financial resources available to each~~
1298 ~~student.~~

1299 (c) Institutions awarding grant moneys must conduct an
1300 assessment of all of the financial resources available to each



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1301 student, including, but not limited to:
1302 1. Pell Grants and other federal aid.
1303 2. State grants and scholarships, including merit awards.
1304 3. Institutional awards for merit or need.
1305 4. Private awards for merit or need.
1306 5. Any other grant or scholarship available to the student
1307 for use toward the cost of education.

1308
1309 Institutions that provide preliminary award packages before
1310 receiving from the department the final student eligibility
1311 determinations for state grants and scholarships, including
1312 merit awards, shall reassess each student's award package after
1313 the allocation of funds and the final student eligibility
1314 determinations are received from the department.

1315 (d) Priority in the distribution of grant moneys shall be
1316 given to students with the highest unmet need after the
1317 assessment of available financial resources is conducted
1318 pursuant to paragraph (c) ~~lowest total family resources,~~ in
1319 accordance with a nationally recognized system of need analysis.
1320 Using the system of need analysis, the department shall
1321 establish a maximum expected family contribution. An institution
1322 may not make a grant from this program to a student whose
1323 expected family contribution exceeds the level established by
1324 the department. An institution may not impose additional
1325 criteria to determine a student's eligibility to receive a grant
1326 award.



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1327 ~~(e)-(d)~~ Each participating institution shall report, to the
 1328 department by the established date, the ~~eligible~~ students
 1329 eligible for the program for to whom grant moneys are disbursed
 1330 each academic term. Each institution shall also report in a
 1331 manner and by a date prescribed by to the department necessary
 1332 demographic and eligibility data for such students, as well as
 1333 the expected family contributions; other grant, scholarship, and
 1334 aid awards; prepaid contracts; and student loans received by the
 1335 students.

1336 Section 18. In order to implement Specific Appropriations
 1337 7 and 94 of the 2016-2017 General Appropriations Act, and
 1338 notwithstanding the expiration date in section 9 of chapter
 1339 2015-222, Laws of Florida, paragraph (f) of subsection (1),
 1340 paragraph (a) of subsection (4), paragraph (b) of subsection
 1341 (7), and paragraph (a) of subsection (9) of section 1011.62,
 1342 Florida Statutes, are reenacted and amended, and paragraph (e)
 1343 of subsection (1) of that section is amended, to read:

1344 1011.62 Funds for operation of schools.—If the annual
 1345 allocation from the Florida Education Finance Program to each
 1346 district for operation of schools is not determined in the
 1347 annual appropriations act or the substantive bill implementing
 1348 the annual appropriations act, it shall be determined as
 1349 follows:

1350 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 1351 OPERATION.—The following procedure shall be followed in
 1352 determining the annual allocation to each district for



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1353 operation:

1354 (e) Funding model for exceptional student education
1355 programs.—

1356 1.a. The funding model uses basic, at-risk, support levels
1357 IV and V for exceptional students and career Florida Education
1358 Finance Program cost factors, and a guaranteed allocation for
1359 exceptional student education programs. Exceptional education
1360 cost factors are determined by using a matrix of services to
1361 document the services that each exceptional student will
1362 receive. The nature and intensity of the services indicated on
1363 the matrix shall be consistent with the services described in
1364 each exceptional student's individual educational plan. The
1365 Department of Education shall review and revise the descriptions
1366 of the services and supports included in the matrix of services
1367 for exceptional students and shall implement those revisions
1368 before the beginning of the 2012-2013 school year.

1369 b. In order to generate funds using one of the two
1370 weighted cost factors, a matrix of services must be completed at
1371 the time of the student's initial placement into an exceptional
1372 student education program and at least once every 3 years by
1373 personnel who have received approved training. Nothing listed in
1374 the matrix shall be construed as limiting the services a school
1375 district must provide in order to ensure that exceptional
1376 students are provided a free, appropriate public education.

1377 c. Students identified as exceptional, in accordance with
1378 chapter 6A-6, Florida Administrative Code, who do not have a



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1379 matrix of services as specified in sub-subparagraph b. shall
1380 generate funds on the basis of full-time-equivalent student
1381 membership in the Florida Education Finance Program at the same
1382 funding level per student as provided for basic students.
1383 Additional funds for these exceptional students will be provided
1384 through the guaranteed allocation designated in subparagraph 2.
1385 2. For students identified as exceptional who do not have
1386 a matrix of services and students who are gifted in grades K
1387 through 8, there is created a guaranteed allocation to provide
1388 these students with a free appropriate public education, in
1389 accordance with s. 1001.42(4)(1) and rules of the State Board of
1390 Education, which shall be allocated initially ~~annually~~ to each
1391 school district in the amount provided in the General
1392 Appropriations Act. These funds shall be supplemental ~~in~~
1393 ~~addition~~ to the funds appropriated for the basic funding level
1394 ~~on the basis of FTE student membership in the Florida Education~~
1395 ~~Finance Program~~, and the amount allocated for each school
1396 district shall ~~not~~ be recalculated once during the year, based
1397 on actual student membership from the October FTE survey. Upon
1398 recalculation, if the generated allocation is greater than the
1399 amount provided in the General Appropriations Act, the total
1400 shall be prorated to the level of the appropriation based on
1401 each district's share of the total recalculated amount. These
1402 funds shall be used to provide special education and related
1403 services for exceptional students and students who are gifted in
1404 grades K through 8. ~~Beginning with the 2007-2008 fiscal year, A~~



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1405 district's expenditure of funds from the guaranteed allocation
1406 for students in grades 9 through 12 who are gifted may not be
1407 greater than the amount expended during the 2006-2007 fiscal
1408 year for gifted students in grades 9 through 12.

1409 (f) Supplemental academic instruction; categorical fund.-

1410 1. There is created a categorical fund to provide
1411 supplemental academic instruction to students in kindergarten
1412 through grade 12. This paragraph may be cited as the
1413 "Supplemental Academic Instruction Categorical Fund."

1414 2. The categorical fund ~~funds~~ ~~for supplemental academic~~
1415 ~~instruction shall be allocated annually to each school district~~
1416 ~~in the amount provided in the General Appropriations Act. These~~
1417 ~~funds~~ shall be in addition to the funds appropriated on the
1418 basis of FTE student membership in the Florida Education Finance
1419 Program and shall be included in the total potential funds of
1420 each district. These funds shall be used to provide supplemental
1421 academic instruction to students enrolled in the K-12 program.
1422 For the 2016-2017 ~~2015-2016~~ fiscal year, each school district
1423 that has one or more of the 300 lowest-performing elementary
1424 schools based on the state reading assessment shall use these
1425 funds, together with the funds provided in the district's
1426 research-based reading instruction allocation and other
1427 available funds, to provide an additional hour of instruction
1428 beyond the normal school day for each day of the entire school
1429 year for intensive reading instruction for the students in each
1430 of these schools. This additional hour of instruction must be



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1431 provided by teachers or reading specialists who are effective in
1432 teaching reading or by a K-5 mentoring reading program that is
1433 supervised by a teacher who is effective in ~~at~~ teaching reading.
1434 Students enrolled in these schools who have level 5 assessment
1435 scores may participate in the additional hour of instruction on
1436 an optional basis. Exceptional student education centers may not
1437 be included in the 300 schools. For the 2016-2017 ~~2015-2016~~
1438 fiscal year, designation of the 300 lowest-performing elementary
1439 schools shall be based on the 2015-2016 state reading assessment
1440 ~~the same schools as identified for the 2014-2015 fiscal year.~~
1441 After this requirement has been met, supplemental instruction
1442 strategies may include, but are not limited to: use of a
1443 modified curriculum, reading instruction, after-school
1444 instruction, tutoring, mentoring, a reduction in class size
1445 ~~reduction~~, an extended school year, intensive skills development
1446 in summer school, and other methods of ~~for~~ improving student
1447 achievement. Supplemental instruction may be provided to a
1448 student in any manner and at any time during or beyond the
1449 regular 180-day term identified by the school as being the most
1450 effective and efficient way to best help that student progress
1451 from grade to grade and to graduate.

1452 3. Categorical funds for supplemental academic instruction
1453 shall be provided annually in the Florida Education Finance
1454 Program as specified in the General Appropriations Act. These
1455 funds shall be provided as a supplement to the funds
1456 appropriated for the basic funding level and shall be included



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1457 in the total funds of each district. The allocation shall
1458 consist of a base amount that shall have a workload adjustment
1459 based on changes in unweighted FTE. In addition, districts that
1460 have elementary schools included in the 300 lowest-performing
1461 schools designation shall be allocated additional funds to
1462 assist those districts in providing intensive reading
1463 instruction to students in those schools. The amount provided
1464 shall be based on each district's level of per-student funding
1465 in the reading instruction allocation and the supplemental
1466 academic instruction categorical fund and on the total FTE for
1467 each of the schools. The categorical funding shall be
1468 recalculated once during the fiscal year following an updated
1469 designation of the 300 lowest-performing elementary schools and
1470 shall be based on actual student membership from the October FTE
1471 survey. Upon recalculation of funding for the supplemental
1472 academic instruction categorical fund, if the total allocation
1473 is greater than the amount provided in the General
1474 Appropriations Act, the allocation shall be prorated to the
1475 level provided to support the appropriation, based on each
1476 district's share of the total.

1477 4.3. Effective with the 1999-2000 fiscal year, funding on
1478 the basis of FTE membership beyond the 180-day regular term
1479 shall be provided in the FEFP only for students enrolled in
1480 juvenile justice education programs or in education programs for
1481 juveniles placed in secure facilities or programs under s.
1482 985.19. Funding for instruction beyond the regular 180-day



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1483 school year for all other K-12 students shall be provided
1484 through the supplemental academic instruction categorical fund
1485 and other state, federal, and local fund sources with ample
1486 flexibility for schools to provide supplemental instruction to
1487 assist students in progressing from grade to grade and
1488 graduating.

1489 ~~5.4.~~ The Florida State University School, as a lab school,
1490 is authorized to expend from its FEFP or Lottery Enhancement
1491 Trust Fund allocation the cost to the student of remediation in
1492 reading, writing, or mathematics for any graduate who requires
1493 remediation at a postsecondary educational institution.

1494 ~~6.5.~~ Beginning in the 1999-2000 school year, dropout
1495 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
1496 (b), and (c), and 1003.54 shall be included in group 1 programs
1497 under subparagraph (d)3.

1498 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
1499 Legislature shall prescribe the aggregate required local effort
1500 for all school districts collectively as an item in the General
1501 Appropriations Act for each fiscal year. The amount that each
1502 district shall provide annually toward the cost of the Florida
1503 Education Finance Program for kindergarten through grade 12
1504 programs shall be calculated as follows:

1505 (a) Estimated taxable value calculations.—

1506 1.a. Not later than 2 working days prior to July 19, the
1507 Department of Revenue shall certify to the Commissioner of
1508 Education its most recent estimate of the taxable value for



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1509 school purposes in each school district and the total for all
1510 school districts in the state for the current calendar year
1511 based on the latest available data obtained from the local
1512 property appraisers. The value certified shall be the taxable
1513 value for school purposes for that year, and no further
1514 adjustments shall be made, except those made pursuant to
1515 paragraphs (c) and (d), or an assessment roll change required by
1516 final judicial decisions as specified in paragraph (15) (b). Not
1517 later than July 19, the Commissioner of Education shall compute
1518 a millage rate, rounded to the next highest one one-thousandth
1519 of a mill, which, when applied to 96 percent of the estimated
1520 state total taxable value for school purposes, would generate
1521 the prescribed aggregate required local effort for that year for
1522 all districts. The Commissioner of Education shall certify to
1523 each district school board the millage rate, computed as
1524 prescribed in this subparagraph, as the minimum millage rate
1525 necessary to provide the district required local effort for that
1526 year.

1527 b. The General Appropriations Act shall direct the
1528 computation of the statewide adjusted aggregate amount for
1529 required local effort for all school districts collectively from
1530 ad valorem taxes to ensure that no school district's revenue
1531 from required local effort millage will produce more than 90
1532 percent of the district's total Florida Education Finance
1533 Program calculation as calculated and adopted by the
1534 Legislature, and the adjustment of the required local effort



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1535 millage rate of each district that produces more than 90 percent
1536 of its total Florida Education Finance Program entitlement to a
1537 level that will produce only 90 percent of its total Florida
1538 Education Finance Program entitlement in the July calculation.

1539 2. On the same date as the certification in sub-
1540 subparagraph 1.a., the Department of Revenue shall certify to
1541 the Commissioner of Education for each district:

1542 a. Each year for which the property appraiser has
1543 certified the taxable value pursuant to s. 193.122(2) or (3), if
1544 applicable, since the prior certification under sub-subparagraph
1545 1.a.

1546 b. For each year identified in sub-subparagraph a., the
1547 taxable value certified by the appraiser pursuant to s.
1548 193.122(2) or (3), if applicable, since the prior certification
1549 under sub-subparagraph 1.a. This is the certification that
1550 reflects all final administrative actions of the value
1551 adjustment board.

1552 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

1553 (b) The district sparsity index shall be computed by
1554 dividing the total number of full-time equivalent students in
1555 all programs in the district by the number of senior high school
1556 centers in the district, not in excess of three, which centers
1557 are approved as permanent centers by a survey made by the
1558 Department of Education. For districts with a full-time
1559 equivalent student membership of at least 20,000, but no more
1560 than 24,000, the index shall be computed by dividing the total



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1561 number of full-time equivalent students in all programs by the
1562 number of permanent senior high school centers in the district,
1563 not in excess of ~~to exceed~~ four.

1564 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1565 (a) The research-based reading instruction allocation is
1566 created to provide comprehensive reading instruction to students
1567 in kindergarten through grade 12. For the 2016-2017 ~~2015-2016~~
1568 fiscal year, in each school district that has one or more of the
1569 300 lowest-performing elementary schools based on the state
1570 reading assessment, priority shall be given to providing an
1571 additional hour per day of intensive reading instruction beyond
1572 the normal school day for each day of the entire school year for
1573 the students in each school. For the 2016-2017 ~~2015-2016~~ fiscal
1574 year, designation of the 300 lowest-performing elementary
1575 schools shall be based on the 2015-2016 state reading assessment
1576 ~~the same schools as identified for the 2014-2015 fiscal year.~~
1577 Students enrolled in these schools who have level 5 assessment
1578 scores may participate in the additional hour of instruction on
1579 an optional basis. Exceptional student education centers may not
1580 be included in the 300 schools. The intensive reading
1581 instruction delivered in this additional hour and for other
1582 students shall include: research-based reading instruction that
1583 has been proven to accelerate progress of students exhibiting a
1584 reading deficiency; differentiated instruction based on student
1585 assessment data to meet students' specific reading needs;
1586 explicit and systematic reading development in phonemic



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1587 awareness, phonics, fluency, vocabulary, and comprehension, with
1588 more extensive opportunities for guided practice, error
1589 correction, and feedback; and the integration of social studies,
1590 science, and mathematics-text reading, text discussion, and
1591 writing in response to reading.

1592 Section 19. In order to implement Specific Appropriations
1593 7 and 94 of the 2016-2017 General Appropriations Act, paragraph
1594 (g) is added to subsection (12) of section 1011.62, Florida
1595 Statutes, to read:

1596 1011.62 Funds for operation of schools.—If the annual
1597 allocation from the Florida Education Finance Program to each
1598 district for operation of schools is not determined in the
1599 annual appropriations act or the substantive bill implementing
1600 the annual appropriations act, it shall be determined as
1601 follows:

1602 (12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

1603 (g) For the 2016-2017 fiscal year, notwithstanding
1604 paragraph (c), each school district shall be provided a minimum
1605 of \$500,000, with the remaining balance of the allocation to be
1606 distributed based on each district's proportion of the total K-
1607 12 full-time equivalent enrollment. Each district's digital
1608 classrooms allocation plan must give preference to funding the
1609 number of devices that comply with the requirements of s.
1610 1001.20(4)(a)1.b. and that are needed to allow each school to
1611 administer the Florida Standards Assessments to an entire grade
1612 at the same time. If the district's digital classrooms



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1613 allocation plan does not include the purchase of devices, the
 1614 district must certify in the plan that the district currently
 1615 has sufficient devices to allow each school to administer the
 1616 Florida Standards Assessments in the manner described in this
 1617 paragraph. This paragraph expires July 1, 2017.

1618 Section 20. In order to implement Specific Appropriations
 1619 7 and 94 of the 2016-2017 General Appropriations Act, and
 1620 notwithstanding the expiration date in section 9 of chapter
 1621 2015-222, Laws of Florida, subsection (13) of section 1011.62,
 1622 Florida Statutes, is reenacted and amended to read:

1623 1011.62 Funds for operation of schools.—If the annual
 1624 allocation from the Florida Education Finance Program to each
 1625 district for operation of schools is not determined in the
 1626 annual appropriations act or the substantive bill implementing
 1627 the annual appropriations act, it shall be determined as
 1628 follows:

1629 (13) **FEDERALLY CONNECTED STUDENT SUPPLEMENT.**—The federally
 1630 connected student supplement is created to provide supplemental
 1631 funding for school districts to support the education of
 1632 students connected with federally owned military installations,
 1633 National Aeronautics and Space Administration (NASA) property,
 1634 and Indian lands. To be eligible for this supplement, the
 1635 district must be eligible for federal Impact Aid Program funds
 1636 under s. 8003 of Title VIII of the Elementary and Secondary
 1637 Education Act of 1965. The supplement shall be allocated
 1638 annually to each eligible school district in the amount provided



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1639 | in the General Appropriations Act. The supplement shall be the
1640 | sum of the student allocation and an exempt property allocation.

1641 | (a) The student allocation shall be calculated based on
1642 | the number of students reported for federal Impact Aid Program
1643 | funds, including students with disabilities, who meet one of the
1644 | following criteria:

1645 | 1. The student has ~~Resides with~~ a parent who is on active
1646 | duty in the uniformed services or is an accredited foreign
1647 | government official and military officer. Students with
1648 | disabilities shall also be reported separately for this category
1649 | ~~condition~~.

1650 | 2. The student resides on eligible federally owned Indian
1651 | lands. Students with disabilities shall also be reported
1652 | separately for this category ~~condition~~.

1653 | 3. The student resides with a civilian parent who lives or
1654 | works on eligible federal property connected with a military
1655 | installation or NASA. The number of these students shall be
1656 | multiplied by a factor of 0.5.

1657 | (b) The total number of federally connected students
1658 | calculated under paragraph (a) shall be multiplied by a
1659 | percentage of the base student allocation as provided in the
1660 | General Appropriations Act. The total of the number of students
1661 | with disabilities as reported separately under subparagraphs
1662 | (a)1. and (a)2. shall be multiplied by an additional percentage
1663 | of the base student allocation as provided in the General
1664 | Appropriations Act. The base amount and the amount for students



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1665 with disabilities shall be summed to provide the student
1666 allocation.

1667 (c) The exempt property allocation shall be equal to the
1668 tax-exempt value of federal impact aid lands reserved as
1669 military installations, real property owned by NASA, or eligible
1670 federally owned Indian lands located in the district, as of
1671 January 1 of the previous year, multiplied by the millage
1672 authorized and levied under s. 1011.71(2).

1673 (d) This subsection expires July 1, 2017.

1674 Section 21. In order to implement Specific Appropriations
1675 7 and 94 of the 2016-2017 General Appropriations Act, paragraph
1676 (b) of subsection (15) of section 1011.62, Florida Statutes, is
1677 amended to read:

1678 1011.62 Funds for operation of schools.—If the annual
1679 allocation from the Florida Education Finance Program to each
1680 district for operation of schools is not determined in the
1681 annual appropriations act or the substantive bill implementing
1682 the annual appropriations act, it shall be determined as
1683 follows:

1684 (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
1685 CURRENT OPERATION.—The total annual state allocation to each
1686 district for current operation for the FEFP shall be distributed
1687 periodically in the manner prescribed in the General
1688 Appropriations Act.

1689 (b) The amount thus obtained shall be the net annual
1690 allocation to each school district. However, if it is determined



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1691 that any school district received an under allocation or over
1692 allocation ~~underallocation or overallocation~~ for any prior year
1693 because of an arithmetical error, assessment roll change
1694 required by final judicial decision, full-time equivalent
1695 student membership error, or any allocation error revealed in an
1696 audit report, the allocation to that district shall be
1697 appropriately adjusted. An under allocation in a prior year
1698 caused by a school district's error may not be the basis for a
1699 positive allocation adjustment for the current year. Beginning
1700 with the 2011-2012 fiscal year, if a special program cost factor
1701 is less than the basic program cost factor, an audit adjustment
1702 may not result in the reclassification of the special program
1703 FTE to the basic program FTE. If the Department of Education
1704 audit adjustment recommendation is based upon controverted
1705 findings of fact, the Commissioner of Education is authorized to
1706 establish the amount of the adjustment based on the best
1707 interests of the state.

1708 Section 22. In order to implement Specific Appropriations
1709 7 and 94 of the 2016-2017 General Appropriations Act, and
1710 notwithstanding the expiration date in section 9 of chapter
1711 2015-222, Laws of Florida, subsection (1) of section 1011.71,
1712 Florida Statutes, is reenacted to read:

1713 1011.71 District school tax.—

1714 (1) If the district school tax is not provided in the
1715 General Appropriations Act or the substantive bill implementing
1716 the General Appropriations Act, each district school board



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1717 desiring to participate in the state allocation of funds for
 1718 current operation as prescribed by s. 1011.62(15) shall levy on
 1719 the taxable value for school purposes of the district, exclusive
 1720 of millage voted under the provisions of s. 9(b) or s. 12, Art.
 1721 VII of the State Constitution, a millage rate not to exceed the
 1722 amount certified by the commissioner as the minimum millage rate
 1723 necessary to provide the district required local effort for the
 1724 current year, pursuant to s. 1011.62(4)(a)1. In addition to the
 1725 required local effort millage levy, each district school board
 1726 may levy a nonvoted current operating discretionary millage. The
 1727 Legislature shall prescribe annually in the appropriations act
 1728 the maximum amount of millage a district may levy.

1729 Section 23. The amendments made by this act to ss.
 1730 1011.62(1)(e) and (f), (4)(a) and (e), (7)(b), (9)(a), (12)(g),
 1731 and (13) and 1011.71, Florida Statutes, expire July 1, 2017, and
 1732 the text of those sections shall revert to that in existence on
 1733 June 30, 2015, except that any amendments to such text enacted
 1734 other than by this act shall be preserved and continue to
 1735 operate to the extent that such amendments are not dependent
 1736 upon the portions of text which expire pursuant to this section.

1737 Section 24. In order to implement Specific Appropriation
 1738 104 of the 2016-2017 General Appropriations Act, subsection (3)
 1739 of section 1012.39, Florida Statutes, is amended to read:

1740 1012.39 Employment of substitute teachers, teachers of
 1741 adult education, nondegreed teachers of career education, and
 1742 career specialists; students performing clinical field



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1743 | experience.-

1744 | (3) A student who is enrolled in a state-approved teacher
 1745 | preparation program in a postsecondary educational institution
 1746 | that is approved by rules of the State Board of Education and
 1747 | who is jointly assigned by the postsecondary educational
 1748 | institution and a district school board to perform a clinical
 1749 | field experience under the direction of a regularly employed and
 1750 | certified educator shall, while serving such supervised clinical
 1751 | field experience, be accorded the same protection of law as that
 1752 | accorded to the certified educator except for the right to
 1753 | bargain collectively as an employee of the district school
 1754 | board. The district school board providing the clinical field
 1755 | experience shall notify the student electronically or in writing
 1756 | of the availability of educator liability insurance under s.
 1757 | 1012.75. A postsecondary educational institution or district
 1758 | school board may not require a student enrolled in a state-
 1759 | approved teacher preparation program to purchase liability
 1760 | insurance as a condition of participation in any clinical field
 1761 | experience or related activity on the premises of an elementary
 1762 | or secondary school.

1763 | Section 25. In order to implement Specific Appropriation
 1764 | 103 of the 2016-2017 General Appropriations Act, section
 1765 | 1012.731, Florida Statutes, is created to read:

1766 | 1012.731 The Florida Best and Brightest Teacher
 1767 | Scholarship Program.-

1768 | (1) The Legislature recognizes that, second only to



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1769 parents, teachers play the most critical role within schools in
1770 preparing students to achieve a high level of academic
1771 performance. The Legislature further recognizes that research
1772 has linked student outcomes to a teacher's own academic
1773 achievement. Therefore, it is the intent of the Legislature to
1774 designate teachers who have achieved high academic standards
1775 during their own education as Florida's best and brightest
1776 teacher scholars.

1777 (2) There is created the Florida Best and Brightest
1778 Teacher Scholarship Program to be administered by the Department
1779 of Education. The scholarship program shall provide categorical
1780 funding for scholarships to be awarded to classroom teachers, as
1781 defined in s. 1012.01(2)(a), who have demonstrated a high level
1782 of academic achievement.

1783 (3)(a) To be eligible for a scholarship, a classroom
1784 teacher must have achieved a composite score at or above the
1785 80th percentile on either the SAT or the ACT based on the
1786 National Percentile Ranks in effect when the classroom teacher
1787 took the assessment and have been evaluated as highly effective
1788 pursuant to s. 1012.34 in the school year immediately preceding
1789 the year in which the scholarship will be awarded, unless the
1790 classroom teacher is newly hired by the district school board
1791 and has not been evaluated pursuant to s. 1012.34.

1792 (b) In order to demonstrate eligibility for an award, an
1793 eligible classroom teacher must submit to the school district,
1794 no later than November 1, an official record of his or her SAT



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1795 or ACT score demonstrating that the classroom teacher scored at
1796 or above the 80th percentile based on the National Percentile
1797 Ranks in effect when the teacher took the assessment. Once a
1798 classroom teacher is deemed eligible by the school district,
1799 including teachers deemed eligible in the 2015-2016 fiscal year,
1800 the teacher shall remain eligible as long as he or she remains
1801 employed by the school district as a classroom teacher at the
1802 time of the award and receives an annual performance evaluation
1803 rating of highly effective pursuant to s. 1012.34.

1804 (4) Annually, by December 1, each school district shall
1805 submit to the department the number of eligible classroom
1806 teachers who qualify for the scholarship.

1807 (5) Annually, by February 1, the department shall disburse
1808 scholarship funds to each school district for each eligible
1809 classroom teacher to receive a scholarship as provided in the
1810 General Appropriations Act. A scholarship in the amount provided
1811 in the General Appropriations Act shall be awarded to every
1812 eligible classroom teacher. If the number of eligible classroom
1813 teachers exceeds the total appropriation authorized in the
1814 General Appropriations Act, the department shall prorate the
1815 per-teacher scholarship amount.

1816 (6) Annually, by April 1, each school district shall award
1817 the scholarship to each eligible classroom teacher.

1818 (7) For purposes of this section, the term "school
1819 district" includes the Florida School for the Deaf and the Blind
1820 and charter school governing boards.



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1821 (8) This section expires July 1, 2017.
 1822 Section 26. In order to implement Specific Appropriation
 1823 104 of the 2016-2017 General Appropriations Act, paragraph (d)
 1824 of subsection (3) of section 1012.75, Florida Statutes, is
 1825 amended to read:
 1826 1012.75 Liability of teacher or principal; excessive
 1827 force.—
 1828 (3) The Department of Education shall administer an
 1829 educator liability insurance program, as provided in the General
 1830 Appropriations Act, to protect full-time instructional personnel
 1831 from liability for monetary damages and the costs of defending
 1832 actions resulting from claims made against the instructional
 1833 personnel arising out of occurrences in the course of activities
 1834 within the instructional personnel's professional capacity. For
 1835 purposes of this subsection, the terms "full-time," "part-time,"
 1836 and "administrative personnel" shall be defined by the
 1837 individual district school board. For purposes of this
 1838 subsection, the term "instructional personnel" has the same
 1839 meaning as provided in s. 1012.01(2).
 1840 (d) This subsection expires July 1, 2017 ~~2016~~.
 1841 Section 27. In order to implement Specific Appropriation
 1842 19 of the 2016-2017 General Appropriations Act, subsection (3)
 1843 of section 1013.64, Florida Statutes, is amended to read:
 1844 1013.64 Funds for comprehensive educational plant needs;
 1845 construction cost maximums for school district capital
 1846 projects.—Allocations from the Public Education Capital Outlay



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1847 and Debt Service Trust Fund to the various boards for capital
1848 outlay projects shall be determined as follows:

1849 (3) (a) Each district school board shall receive an amount
1850 from the Public Education Capital Outlay and Debt Service Trust
1851 Fund to be calculated by computing the capital outlay ~~full-time~~
1852 ~~equivalent~~ membership as determined by the department. Such
1853 membership must include, but is not limited to:

1854 1. K-12 students and prekindergarten exceptional students
1855 for whom the school district provides the educational facility,
1856 except hospital- and homebound part-time students; and

1857 2. Students who are career education students, and adult
1858 disabled students and who are enrolled in school district career
1859 centers.

1860 (b) The capital outlay ~~full-time equivalent~~ membership
1861 shall be determined for prekindergarten exceptional education
1862 students, kindergarten through the 12th grade, and for career
1863 centers by counting the ~~averaging the unweighted full-time~~
1864 ~~equivalent~~ student membership for the second and third surveys
1865 and comparing the results on a school-by-school basis with the
1866 Florida Inventory of ~~for~~ School Houses. If the prior academic
1867 year's third survey count is higher than the current year's
1868 second survey count when comparing the results on a school-by-
1869 school basis with the Florida Inventory of School Houses, the
1870 prior year's third survey count shall be used on a school-by-
1871 school basis for determining the current capital outlay
1872 membership. The Florida Inventory of School Houses shall be



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1873 updated with the current capital outlay membership count as soon
1874 as practicable after verification of the capital outlay
1875 membership.

1876 (c) The capital outlay ~~full-time equivalent~~ membership by
1877 grade level organization shall be used in making ~~the following~~
1878 calculations. ~~÷~~ The capital outlay ~~full-time equivalent~~
1879 membership by grade level organization for the 4th prior year
1880 must be used to compute the base-year allocation. The capital
1881 outlay ~~full-time equivalent~~ membership by grade-level
1882 organization for the prior year must be used to compute the
1883 growth over the highest of the 3 years preceding the prior year.
1884 From the total amount appropriated by the Legislature pursuant
1885 to this subsection, 40 percent shall be allocated among the base
1886 capital outlay ~~full-time equivalent~~ membership and 60 percent
1887 among the growth capital outlay ~~full-time equivalent~~ membership.
1888 The allocation within each of these groups shall be prorated to
1889 the districts based upon each district's percentage of base and
1890 growth capital outlay full-time membership. The most recent 4-
1891 year capital outlay ~~full-time equivalent~~ membership data shall
1892 be used in each subsequent year's calculation for the allocation
1893 of funds pursuant to this subsection. If a change, correction,
1894 or recomputation of data during any year results in a reduction
1895 or increase of the calculated amount previously allocated to a
1896 district, the allocation to that district shall be adjusted
1897 accordingly ~~correspondingly~~. If such recomputation results in an
1898 increase or decrease of the calculated amount, such additional



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1899 or reduced amounts shall be added to or reduced from the
 1900 district's future appropriations. However, no change,
 1901 correction, or recomputation of data shall be made subsequent to
 1902 2 years following the initial annual allocation.

1903 (d)~~(b)~~ Funds accruing to a district school board from the
 1904 provisions of this section shall be expended on needed projects
 1905 as shown by survey or surveys under the rules of the State Board
 1906 of Education.

1907 (e)~~(e)~~ A district school board may lease relocatable
 1908 educational facilities for up to 3 years using nonbonded PECO
 1909 funds and for any time period using local capital outlay
 1910 millage.

1911 (f)~~(d)~~ Funds distributed to the district school boards
 1912 shall be allocated solely based on the provisions of paragraphs
 1913 (1) (a) and (2) (a) and paragraphs (a)-(c) ~~paragraph (a)~~ of this
 1914 subsection. No individual school district projects shall be
 1915 funded off the top of funds allocated to district school boards.

1916 Section 28. In order to implement Specific Appropriations
 1917 10 and 122 of the 2016-2017 General Appropriations Act,
 1918 subsection (1) of section 1004.935, Florida Statutes, is amended
 1919 to read:

1920 1004.935 Adults with Disabilities Workforce Education
 1921 Pilot Program.—

1922 (1) The Adults with Disabilities Workforce Education Pilot
 1923 Program is established in the Department of Education through
 1924 June 30, 2017 ~~2016~~, in Hardee, DeSoto, Manatee, and Sarasota



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1925 Counties to provide the option of receiving a scholarship for
 1926 instruction at private schools for up to 30 students who:
 1927 (a) Have a disability;
 1928 (b) Are 22 years of age;
 1929 (c) Are receiving instruction from an instructor in a
 1930 private school to meet the high school graduation requirements
 1931 in s. 1002.3105(5) or s. 1003.4282;
 1932 (d) Do not have a standard high school diploma or a
 1933 special high school diploma; and
 1934 (e) Receive "supported employment services," which means
 1935 employment that is located or provided in an integrated work
 1936 setting with earnings paid on a commensurate wage basis and for
 1937 which continued support is needed for job maintenance.

1938
 1939 As used in this section, the term "student with a disability"
 1940 includes a student who is documented as having an intellectual
 1941 disability; a speech impairment; a language impairment; a
 1942 hearing impairment, including deafness; a visual impairment,
 1943 including blindness; a dual sensory impairment; an orthopedic
 1944 impairment; another health impairment; an emotional or
 1945 behavioral disability; a specific learning disability,
 1946 including, but not limited to, dyslexia, dyscalculia, or
 1947 developmental aphasia; a traumatic brain injury; a developmental
 1948 delay; or autism spectrum disorder.

1949 Section 29. The amendment made by this act to s.
 1950 1004.935(1), Florida Statutes, expires July 1, 2017, and the



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1951 text of that subsection shall revert to that in existence on
 1952 June 30, 2016, except that any amendments to such text enacted
 1953 other than by this act shall be preserved and continue to
 1954 operate to the extent that such amendments are not dependent
 1955 upon the portions of text which expire pursuant to this section.

1956 Section 30. In order to implement Specific Appropriation
 1957 142 of the 2016-2017 General Appropriations Act, subsection (1)
 1958 of section 1004.345, Florida Statutes, is amended to read:

1959 1004.345 The Florida Polytechnic University.—

1960 (1) By December 31, 2017 ~~2016~~, the Florida Polytechnic
 1961 University shall meet the following criteria as established by
 1962 the Board of Governors:

1963 (a) Achieve accreditation from the Commission on Colleges
 1964 of the Southern Association of Colleges and Schools;

1965 (b) Initiate the development of the new programs in the
 1966 fields of science, technology, engineering, and mathematics;

1967 (c) Seek discipline-specific accreditation for programs;

1968 (d) Attain a minimum FTE of 1,244, with a minimum 50
 1969 percent of that FTE in the fields of science, technology,
 1970 engineering, and mathematics and 20 percent in programs related
 1971 to those fields;

1972 (e) Complete facilities and infrastructure, including the
 1973 Science and Technology Building, Phase I of the Wellness Center,
 1974 and a residence hall or halls containing no fewer than 190 beds;
 1975 and

1976 (f) Have the ability to provide, either directly or where



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1977 | feasible through a shared services model, administration of
 1978 | financial aid, admissions, student support, information
 1979 | technology, and finance and accounting with an internal audit
 1980 | function.

1981 | Section 31. In order to implement Specific Appropriation
 1982 | 142 of the 2016-2017 General Appropriations Act, section
 1983 | 1004.344, Florida Statutes, is created to read:

1984 | 1004.344 The Florida Center for the Partnerships for Arts
 1985 | Integrated Teaching.—

1986 | (1) The Florida Center for the Partnerships for Arts
 1987 | Integrated Teaching is created within the University of South
 1988 | Florida Sarasota/Manatee.

1989 | (2) The goals of the center are to:

1990 | (a) Conduct basic and applied research on policies and
 1991 | practices related to arts integrated teaching.

1992 | (b) Partner with interested Florida College System
 1993 | institutions and private educational institutions to conduct
 1994 | arts integrated educational research.

1995 | (c) Seek out agreements to provide technical assistance
 1996 | and support, upon request, to the Florida Department of
 1997 | Education, Florida school districts, private schools, charter
 1998 | schools and educator preparation programs in the implementation
 1999 | of evidence-based arts integrated instruction, assessments,
 2000 | programs, and professional development.

2001 | (d) Collaborate with interested arts organizations and
 2002 | Florida school districts in the development of frameworks for



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2003 | arts integrated courses for use in schools.

2004 | (e) Collaborate with interested arts organizations and

2005 | Florida school districts in the development of frameworks for

2006 | professional development activities, using multiple delivery

2007 | methods for arts integrated teaching in different content areas.

2008 | (f) Disseminate information about outcome-based practices

2009 | related to arts integrated instruction, assessment, curricula

2010 | and programs.

2011 | (g) Position Florida as a national leader in arts

2012 | integrated teaching and research.

2013 | (h) Examine arts integrated teaching Science, Technology,

2014 | Engineering, and Math (STEM) educational courses.

2015 | (3) This section expires July 1, 2017.

2016 | Section 32. In order to implement Specific Appropriation

2017 | 73 of the 2016-2017 General Appropriations Act and

2018 | notwithstanding s. 1009.605(3)(g), Florida Statutes, the Florida

2019 | Fund for Minority Teachers, Inc., may expend no more than 5

2020 | percent of the funds appropriated and up to \$250,000 from

2021 | available funds for administration, including administration of

2022 | the required training program and purchase of an online

2023 | management and administration system. This section expires July

2024 | 1, 2017.

2025 | Section 33. In order to implement Specific Appropriation

2026 | 72 of the 2016-2017 General Appropriations Act, paragraphs (a)

2027 | and (b) of subsection (4) of section 1009.986, Florida Statutes,

2028 | are amended to read:



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2029 | 1009.986 Florida ABLE program.—

2030 | (4) FLORIDA ABLE PROGRAM.—

2031 | (a) On or before July 1, 2016, Florida ABLE, Inc., shall

2032 | establish and administer the Florida ABLE program. However, if

2033 | the United States Secretary of the Treasury issues final

2034 | regulations for s. 529A of the Internal Revenue Code before July

2035 | 1, 2016, or if the board of directors of Florida ABLE, Inc.,

2036 | determines that a superior or equivalent alternative to

2037 | implementation of a qualified ABLE program in Florida becomes

2038 | available through contracting with another state at a

2039 | significant savings to the state, then the implementation date

2040 | of the Florida ABLE Program may be extended to December 31,

2041 | 2016. Before implementing the program, Florida ABLE, Inc., must

2042 | obtain a written opinion from counsel specializing in:

2043 | 1. Federal tax matters which indicates that the Florida

2044 | ABLE program is designed to comply with s. 529A of the Internal

2045 | Revenue Code.

2046 | 2. Federal securities law which indicates that the Florida

2047 | ABLE program and the offering of participation in the program

2048 | are designed to comply with applicable federal securities law

2049 | and qualify for the available tax exemptions under such law.

2050 | (b) The participation agreement must include provisions

2051 | specifying ~~that~~:

2052 | 1. The participation agreement is only a debt or

2053 | obligation of the Florida ABLE program and the Florida ABLE

2054 | Program Trust Fund and, as provided under paragraph (f), is not



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2055 a debt or obligation of the Florida Prepaid College Board or the
2056 state.

2057 2. Participation in the Florida ABLE program does not
2058 guarantee that sufficient funds will be available to cover all
2059 qualified disability expenses for any designated beneficiary and
2060 does not guarantee the receipt or continuation of any product or
2061 service for the designated beneficiary.

2062 3. Whether the Florida ABLE program requires a ~~The~~
2063 designated beneficiary to ~~must~~ be a resident of this state or a
2064 resident of a contracting state at the time the ABLE account is
2065 established. In determining whether to require residency, the
2066 Florida Prepaid College Board shall consider, among other
2067 factors:

2068 a. Market research; and

2069 b. Estimated operating revenues and costs.

2070 4. The establishment of an ABLE account in violation of
2071 federal law is prohibited.

2072 5. Contributions in excess of the limitations set forth in
2073 s. 529A of the Internal Revenue Code are prohibited.

2074 6. The state is a creditor of ABLE accounts as, and to the
2075 extent, set forth in s. 529A of the Internal Revenue Code.

2076 7. Material misrepresentations by a party to the
2077 participation agreement, other than Florida ABLE, Inc., in the
2078 application for the participation agreement or in any
2079 communication with Florida ABLE, Inc., regarding the Florida
2080 ABLE program may result in the involuntary liquidation of the



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2081 ABLE account. If an account is involuntarily liquidated, the
2082 designated beneficiary is entitled to a refund, subject to any
2083 fees or penalties provided by the participation agreement and
2084 the Internal Revenue Code.

2085 Section 34. In order to implement Specific Appropriation
2086 90 of the 2016-2017 General Appropriations Act, and
2087 notwithstanding s. 1002.69(5), Florida Statutes, for the 2014-
2088 2015 and 2015-2016 Voluntary Prekindergarten Education program
2089 years, the Office of Early Learning may not adopt a kindergarten
2090 readiness rate. Any private prekindergarten provider or public
2091 school that was on probation pursuant to s. 1002.67(4)(c),
2092 Florida Statutes, for the 2013-2014 program year, shall remain
2093 on probation for the 2016-2017 fiscal year. This section expires
2094 July 1, 2017.

2095 Section 35. In order to implement Specific Appropriation 7
2096 and 94 of the 2016-2017 General Appropriations Act, paragraph
2097 (e) of subsection (4) of section 1011.62, Florida Statutes, is
2098 amended to read:

2099 1011.62 Funds for operation of schools.—If the annual
2100 allocation from the Florida Education Finance Program to each
2101 district for operation of schools is not determined in the
2102 annual appropriations act or the substantive bill implementing
2103 the annual appropriations act, it shall be determined as
2104 follows:

2105 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
2106 Legislature shall prescribe the aggregate required local effort



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2107 | for all school districts collectively as an item in the General
2108 | Appropriations Act for each fiscal year. The amount that each
2109 | district shall provide annually toward the cost of the Florida
2110 | Education Finance Program for kindergarten through grade 12
2111 | programs shall be calculated as follows:

2112 | (e) Prior period funding adjustment millage.—

2113 | 1. There shall be an additional millage to be known as the
2114 | Prior Period Funding Adjustment Millage levied by a school
2115 | district if the prior period unrealized required local effort
2116 | funds are greater than zero. The Commissioner of Education shall
2117 | calculate the amount of the prior period unrealized required
2118 | local effort funds as specified in subparagraph 2. and the
2119 | millage required to generate that amount as specified in this
2120 | subparagraph. The Prior Period Funding Adjustment Millage shall
2121 | be the quotient of the prior period unrealized required local
2122 | effort funds divided by the current year taxable value certified
2123 | to the Commissioner of Education pursuant to sub-subparagraph
2124 | (a)1.a. This levy shall be in addition to the required local
2125 | effort millage certified pursuant to this subsection. Such
2126 | millage shall not affect the calculation of the current year's
2127 | required local effort, and the funds generated by such levy
2128 | shall not be included in the district's Florida Education
2129 | Finance Program allocation for that fiscal year. For purposes of
2130 | the millage to be included on the Notice of Proposed Taxes, the
2131 | Commissioner of Education shall adjust the required local effort
2132 | millage computed pursuant to paragraph (a) as adjusted by



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2133 paragraph (b) for the current year for any district that levies
2134 a Prior Period Funding Adjustment Millage to include all Prior
2135 Period Funding Adjustment Millage. For the purpose of this
2136 paragraph, there shall be a Prior Period Funding Adjustment
2137 Millage levied for each year certified by the Department of
2138 Revenue pursuant to sub-subparagraph (a)2.a. since the previous
2139 year certification and for which the calculation in sub-
2140 subparagraph 2.b. is greater than zero.

2141 2.a. As used in this subparagraph, the term:

2142 (I) "Prior year" means a year certified under sub-
2143 subparagraph (a)2.a.

2144 (II) "Preliminary taxable value" means:

2145 (A) If the prior year is the 2009-2010 fiscal year or
2146 later, the taxable value certified to the Commissioner of
2147 Education pursuant to sub-subparagraph (a)1.a.

2148 (B) If the prior year is the 2008-2009 fiscal year or
2149 earlier, the taxable value certified pursuant to the final
2150 calculation as specified in former paragraph (b) as that
2151 paragraph existed in the prior year.

2152 (III) "Final taxable value" means the district's taxable
2153 value as certified by the property appraiser pursuant to s.
2154 193.122(2) or (3), if applicable. This is the certification that
2155 reflects all final administrative actions of the value
2156 adjustment board.

2157 b. For purposes of this subsection and with respect to
2158 each year certified pursuant to sub-subparagraph (a)2.a., if the



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2159 | district's prior year preliminary taxable value is greater than
 2160 | the district's prior year final taxable value, the prior period
 2161 | unrealized required local effort funds are the difference
 2162 | between the district's prior year preliminary taxable value and
 2163 | the district's prior year final taxable value, multiplied by the
 2164 | prior year district required local effort millage. If the
 2165 | district's prior year preliminary taxable value is less than the
 2166 | district's prior year final taxable value, the prior period
 2167 | unrealized required local effort funds are zero.

2168 | c. For the 2016-2017 ~~2015-2016~~ fiscal year only, if a
 2169 | district's prior period unrealized required local effort funds
 2170 | and prior period district required local effort millage cannot
 2171 | be determined because such district's final taxable value has
 2172 | not yet been certified pursuant to s. 193.122(2) or (3), for the
 2173 | 2016 ~~2015~~ tax levy, the Prior Period Funding Adjustment Millage
 2174 | for such fiscal year shall be levied, if not previously levied,
 2175 | in 2016 ~~2015~~ in an amount equal to 75 percent of such district's
 2176 | most recent unrealized required local effort for which a Prior
 2177 | Period Funding Adjustment Millage was determined as provided in
 2178 | this section. Upon certification of the final taxable value in
 2179 | accordance with s. 193.122(2) or (3), for a ~~for the 2012, 2013,~~
 2180 | ~~or 2014~~ tax roll for which a 75 percent Prior Period Funding
 2181 | Adjustment Millage was levied ~~rolls in accordance with s.~~
 2182 | ~~193.122(2) or (3),~~ the Prior Period Funding Adjustment Millage
 2183 | ~~levied in 2015 and 2016~~ shall be adjusted to include any
 2184 | shortfall or surplus in the prior period unrealized required



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2185 | local effort funds that would have been levied ~~in 2014 or 2015,~~
 2186 | had the district's final taxable value been certified pursuant
 2187 | to s. 193.122(2) or (3) ~~for the 2014 or 2015 tax levy.~~ If this
 2188 | adjustment is made for a surplus, the reduction in prior period
 2189 | millage may not exceed the prior period funding adjustment
 2190 | millage calculated pursuant to subparagraph 1. and sub-
 2191 | subparagraphs a. and b., or pursuant to this sub-subparagraph,
 2192 | whichever is applicable, and any additional reduction shall be
 2193 | carried forward to the subsequent fiscal year.

2194 | Section 36. The amendments made by this act to ss. 11.45,
 2195 | 1001.7065, 1004.345, 1009.23, 1009.24, 1009.50, 1009.505,
 2196 | 1009.51, 1009.52, 1009.986, 1011.62(15)(b), 1012.39, and
 2197 | 1013.64, Florida Statutes, expire July 1, 2017, and the text of
 2198 | those sections shall revert to that in existence on June 30,
 2199 | 2016, except that any amendments to such text enacted other than
 2200 | by this act shall be preserved and continue to operate to the
 2201 | extent that such amendments are not dependent upon the portions
 2202 | of text which expire pursuant to this section.

2203 | Section 37. In order to implement Specific Appropriations
 2204 | 199, 206 through 208, and 211 of the 2016-2017 General
 2205 | Appropriations Act, the calculations for the Medicaid Low-Income
 2206 | Pool, Disproportionate Share Hospital, and Hospital
 2207 | Reimbursement programs, for the 2016-2017 fiscal year contained
 2208 | in the document titled "Medicaid Hospital Funding Programs,"
 2209 | dated March 8, 2016, and filed with the Clerk of the House of
 2210 | Representatives, are incorporated by reference for the purpose



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2211 of displaying the calculations used by the Legislature,
2212 consistent with the requirements of state law, in making
2213 appropriations for the Medicaid Low-Income Pool,
2214 Disproportionate Share Hospital, and Hospital Reimbursement
2215 programs. This section expires July 1, 2017.

2216 Section 38. In order to implement Specific Appropriation
2217 259 of the 2016-2017 General Appropriations Act, subsection (9)
2218 of section 393.063, Florida Statutes, is amended, present
2219 subsections (25) through (41) are renumbered as subsections (26)
2220 through (42), respectively, and a new subsection (25) is added
2221 to that section, to read:

2222 393.063 Definitions.—For the purposes of this chapter, the
2223 term:

2224 (9) "Developmental disability" means a disorder or
2225 syndrome that is attributable to intellectual disability,
2226 cerebral palsy, autism, spina bifida, Down syndrome, Phelan-
2227 McDermid syndrome, or Prader-Willi syndrome; that manifests
2228 before the age of 18; and that constitutes a substantial
2229 handicap that can reasonably be expected to continue
2230 indefinitely.

2231 (25) "Phelan-McDermid syndrome" means a disorder caused by
2232 the loss of the terminal segment of the long arm of chromosome
2233 22, which occurs near the end of the chromosome at a location
2234 designated q13.3, typically leading to developmental delay,
2235 intellectual disability, dolicocephaly, hypotonia, or absent or
2236 delayed speech.



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2237 Section 39. The amendment made by this act to s. 393.063,
 2238 Florida Statutes, expires July 1, 2017, and the text of that
 2239 subsection shall revert to that in existence on June 30, 2016,
 2240 except that any amendments to such text enacted other than by
 2241 this act shall be preserved and continue to operate to the
 2242 extent that such amendments are not dependent upon the portions
 2243 of text which expire pursuant to this section.

2244 Section 40. In order to implement Specific Appropriation
 2245 259 of the 2016-2017 General Appropriations Act, paragraphs (a)
 2246 and (b) of subsection (5) of section 393.065, Florida Statutes,
 2247 are amended, subsections (6) and (7) are renumbered as
 2248 subsections (10) and (11), respectively, present subsection (7)
 2249 is amended, and new subsections (6) through (9) are added to
 2250 that section, to read:

2251 393.065 Application and eligibility determination.—

2252 (5) Except as otherwise directed by law, beginning July 1,
 2253 2010, The agency shall assign and provide priority to clients
 2254 waiting for waiver services in the following order:

2255 (a) Category 1, which includes clients deemed to be in
 2256 crisis as described in rule, shall be given first priority in
 2257 moving from the waiting list to the waiver.

2258 (b) Category 2, which includes individuals on the waiting
 2259 ~~children on the wait~~ list who are:

2260 1. From the child welfare system with an open case in the
 2261 Department of Children and Families' statewide automated child
 2262 welfare information system and who are either:



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2263 a. Transitioning out of the child welfare system at the
 2264 finalization of an adoption, a reunification with family
 2265 members, a permanent placement with a relative, or a
 2266 guardianship with a nonrelative; or
 2267 b. At least 18 years but not yet 22 years of age and who
 2268 need both waiver services and extended foster care services; or
 2269 2. At least 18 years but not yet 22 years of age and who
 2270 withdrew consent pursuant to s. 39.6251(5)(c) to remain in the
 2271 extended foster care system.
 2272
 2273 For individuals who are at least 18 years but not yet 22 years
 2274 of age and who are eligible under sub-subparagraph 1.b., the
 2275 agency shall provide waiver services, including residential
 2276 habilitation, and the community-based care lead agency shall
 2277 fund room and board at the rate established in s. 409.145(4) and
 2278 provide case management and related services as defined in s.
 2279 409.986(3)(e). Individuals may receive both waiver services and
 2280 services under s. 39.6251. Services may not duplicate services
 2281 available through the Medicaid state plan.
 2282
 2283 Within categories 3, 4, 5, 6, and 7, the agency shall maintain a
 2284 wait list of clients placed in the order of the date that the
 2285 client is determined eligible for waiver services.
 2286 (6) The agency shall allow an individual who meets the
 2287 eligibility requirements under subsection (1) to receive home
 2288 and community-based services in this state if the individual's



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2289 parent or legal guardian is an active-duty military
2290 servicemember and if, at the time of the servicemember's
2291 transfer to this state, the individual was receiving home and
2292 community-based services in another state.

2293 (7) The agency shall allow an individual with a diagnosis
2294 of Phelan-McDermid syndrome who meets the eligibility
2295 requirements under subsection (1) to receive home and community-
2296 based services.

2297 (8) Individuals in category 6 shall be moved to the waiver
2298 during the 2016-2017 fiscal year, to the extent funds are
2299 available, based on meeting the following criteria:

2300 1. The individual is 30 years of age or older;

2301 2. The individual resides in the family home;

2302 3. The individual has been on the waiting list for waiver
2303 services for at least 10 continuous years; and

2304 4. The individual is classified at a level of need equal
2305 to Level 3, Level 4, or Level 5 based on the Questionnaire for
2306 Situational Information.

2307 (9) Agency action that selects individuals to receive
2308 waiver services pursuant to this section does not establish a
2309 right to a hearing or an administrative proceeding under chapter
2310 120 for individuals remaining on the waiting list.

2311 (11)(7) The agency and the Agency for Health Care
2312 Administration may adopt rules specifying application
2313 procedures, criteria associated with the waiting list ~~wait-list~~
2314 categories, procedures for administering the waiting ~~wait~~ list,



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2315 including tools for prioritizing waiver enrollment within
2316 categories, and eligibility criteria as needed to administer
2317 this section.

2318 Section 41. The amendment made by this act to s. 393.065,
2319 Florida Statutes, expires July 1, 2017, and the text of that
2320 subsection shall revert to that in existence on June 30, 2016,
2321 except that any amendments to such text enacted other than by
2322 this act shall be preserved and continue to operate to the
2323 extent that such amendments are not dependent upon the portions
2324 of text which expire pursuant to this section.

2325 Section 42. In order to implement Specific Appropriation
2326 259 of the 2016-2017 General Appropriations Act:

2327 (1) If the Agency for Persons with Disabilities has not
2328 adopted a new algorithm and allocation methodology by final rule
2329 pursuant to s. 393.0662, Florida Statutes, by June 30, 2016, the
2330 agency shall use the following until it adopts a new algorithm
2331 and allocation methodology:

2332 (a) Each client's iBudget in effect on June 30, 2016,
2333 shall remain at its June 30, 2016, funding level.

2334 (b) The Agency for Persons with Disabilities shall
2335 determine the iBudget for a client newly enrolled in the home
2336 and community-based services waiver program on or after July 1,
2337 2016, using the same algorithm and allocation methodology used
2338 for the iBudgets in effect on June 30, 2016.

2339 (2) After a new algorithm and allocation methodology is
2340 adopted by final rule, a client's new iBudget shall be



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2341 determined based on the new algorithm and allocation methodology
2342 and shall take effect as of the client's next support plan
2343 update.

2344 (3) Funding allocated under subsections (1) and (2) may be
2345 increased pursuant to s. 393.0662(1)(b), Florida Statutes, or as
2346 necessary to comply with federal regulations. A funding
2347 allocation may also be increased if the client has a significant
2348 need for transportation services to a waiver-funded adult day
2349 training program or to a waiver-funded employment service when
2350 such need cannot be accommodated within a client's iBudget as
2351 determined by the algorithm without affecting the health and
2352 safety of the client, if public transportation is not an option
2353 due to the unique needs of the client or other transportation
2354 resources are not reasonably available.

2355 (4) This section expires July 1, 2017.

2356 Section 43. If CS/CS/HB 1083 or similar legislation
2357 adopted at the 2016 Regular Session of the Legislature or an
2358 extension thereof amending subsection (15) of section 393.067,
2359 Florida Statutes, fails to become law, in order to implement
2360 Specific Appropriation 259 of the 2016-2017 General
2361 Appropriations Act, and notwithstanding the expiration date in
2362 s. 24 of chapter 2015-222, Laws of Florida, subsection (15) of
2363 section 393.067, Florida Statutes, is reenacted to read:

2364 393.067 Facility licensure.—

2365 (15) The agency is not required to contract with ~~new~~
2366 facilities licensed pursuant to this chapter.



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2367 Section 44. The amendment made by this act to s. 393.067,
 2368 Florida Statutes, expires July 1, 2017, and the text of that
 2369 subsection shall revert to that in existence on June 30, 2015,
 2370 except that any amendments to such text enacted other than by
 2371 this act shall be preserved and continue to operate to the
 2372 extent that such amendments are not dependent upon the portions
 2373 of text which expire pursuant to this section.

2374 Section 45. If CS/CS/HB 1083 or similar legislation
 2375 adopted at the 2016 Regular Session of the Legislature or an
 2376 extension thereof amending section 393.18, Florida Statutes,
 2377 fails to become law, in order to implement Specific
 2378 Appropriation 259 of the 2016-2017 General Appropriations Act,
 2379 and notwithstanding the expiration date in s. 26 of chapter
 2380 2015-222, Laws of Florida, subsection (4) of section 393.18,
 2381 Florida Statutes, is reenacted, and subsections (5) and (6) of
 2382 that section are amended, to read:

2383 393.18 Comprehensive transitional education program.—A
 2384 comprehensive transitional education program is a group of
 2385 jointly operating centers or units, the collective purpose of
 2386 which is to provide a sequential series of educational care,
 2387 training, treatment, habilitation, and rehabilitation services
 2388 to persons who have developmental disabilities and who have
 2389 severe or moderate maladaptive behaviors. However, this section
 2390 does not require such programs to provide services only to
 2391 persons with developmental disabilities. All such services shall
 2392 be temporary in nature and delivered in a structured residential



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2393 setting, having the primary goal of incorporating the principle
 2394 of self-determination in establishing permanent residence for
 2395 persons with maladaptive behaviors in facilities that are not
 2396 associated with the comprehensive transitional education
 2397 program. The staff shall include behavior analysts and teachers,
 2398 as appropriate, who shall be available to provide services in
 2399 each component center or unit of the program. A behavior analyst
 2400 must be certified pursuant to s. 393.17.

2401 (4) For comprehensive transitional education programs, the
 2402 total number of residents who are being provided with services
 2403 may not in any instance exceed the licensed capacity of 120
 2404 residents and each residential unit within the component centers
 2405 of the program authorized under this section may not in any
 2406 instance exceed 15 residents. However, a program that was
 2407 authorized to operate residential units with more than 15
 2408 residents before July 1, 2015, may continue to operate such
 2409 units.

2410 ~~(5) Licensure is authorized for comprehensive transitional~~
 2411 ~~education programs which by July 1, 1989:~~

2412 ~~(a) Were in actual operation; or~~

2413 ~~(b) Owned a fee simple interest in real property for which~~
 2414 ~~a county or city government has approved zoning allowing for the~~
 2415 ~~placement of the facilities described in this subsection, and~~
 2416 ~~have registered an intent with the agency to operate a~~
 2417 ~~comprehensive transitional education program. However, nothing~~
 2418 ~~prohibits the assignment by such a registrant to another entity~~



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2419 ~~at a different site within the state, if there is compliance~~
2420 ~~with the criteria of this program and local zoning requirements~~
2421 ~~and each residential facility within the component centers or~~
2422 ~~units of the program authorized under this paragraph does not~~
2423 ~~exceed a capacity of 15 persons.~~

2424 ~~(6) Notwithstanding subsection (5), in order to maximize~~
2425 ~~federal revenues and provide for children needing special~~
2426 ~~behavioral services, the agency may authorize the licensure of a~~
2427 ~~facility that:~~

2428 ~~(a) Provides residential services for children who have~~
2429 ~~developmental disabilities along with intensive behavioral~~
2430 ~~problems as defined by the agency; and~~

2431 ~~(b) As of July 1, 2010, serve children who were served by~~
2432 ~~the child welfare system and who have an open case in the~~
2433 ~~automated child welfare system of the Department of Children and~~
2434 ~~Families.~~

2435
2436 ~~The facility must be in compliance with all program criteria and~~
2437 ~~local zoning requirements and may not exceed a capacity of 15~~
2438 ~~children~~

2439 Section 46. The amendment made by this act to s. 393.18,
2440 Florida Statutes, expires July 1, 2017, and the text of that
2441 subsection shall revert to that in existence on June 30, 2015,
2442 except that any amendments to such text enacted other than by
2443 this act shall be preserved and continue to operate to the
2444 extent that such amendments are not dependent upon the portions



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2445 of text which expire pursuant to this section.

2446 Section 47. In order to implement Specific Appropriations
 2447 569 through 580 of the 2016-2017 General Appropriations Act,
 2448 subsection (3) of section 296.37, Florida Statutes, is amended
 2449 to read:

2450 296.37 Residents; contribution to support.—

2451 (3) Notwithstanding subsection (1), each resident of the
 2452 home who receives a pension, compensation, or gratuity from the
 2453 United States Government, or income from any other source, of
 2454 more than \$105 per month shall contribute to his or her
 2455 maintenance and support while a resident of the home in
 2456 accordance with a payment schedule determined by the
 2457 administrator and approved by the director. The total amount of
 2458 such contributions shall be to the fullest extent possible, but,
 2459 in no case, shall exceed the actual cost of operating and
 2460 maintaining the home. This subsection expires July 1, 2017 ~~2016~~.

2461 Section 48. In order to implement Specific Appropriations
 2462 193 through 226 and 541 of the 2016-2017 General Appropriations
 2463 Act and notwithstanding ss. 216.181 and 216.292, Florida
 2464 Statutes, the Agency for Health Care Administration, in
 2465 consultation with the Department of Health, may submit a budget
 2466 amendment, subject to the notice, review, and objection
 2467 procedures of s. 216.177, Florida Statutes, to realign funding
 2468 within and between agencies based on implementation of the
 2469 Managed Medical Assistance component of the Statewide Medicaid
 2470 Managed Care program for the Children's Medical Services program



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2471 of the Department of Health. The funding realignment shall
2472 reflect the actual enrollment changes due to the transfer of
2473 beneficiaries from fee-for-service to the capitated Children's
2474 Medical Services Network. The Agency for Health Care
2475 Administration may submit a request for nonoperating budget
2476 authority to transfer the federal funds to the Department of
2477 Health pursuant to s. 216.181(12), Florida Statutes. This
2478 section expires July 1, 2017.

2479 Section 49. In order to implement Specific Appropriation
2480 342 of the 2016-2017 General Appropriations Act, and
2481 notwithstanding s. 409.991, Florida Statutes, for the 2016-2017
2482 fiscal year, funds provided for training purposes shall be
2483 allocated to community-based care lead agencies based on a
2484 training needs assessment conducted by the Department of
2485 Children and Families. This section expires July 1, 2017.

2486 Section 50. If CS/HB 1335 or similar legislation adopted
2487 at the 2016 Regular Session of the Legislature on an extension
2488 thereof fails to become law, in order to implement Specific
2489 Appropriation 231 of the 2016-2017 General Appropriations Act,
2490 the Agency for Health Care Administration shall ensure that
2491 nursing facility residents who are eligible for funds to
2492 transition to home and community-based services waivers must
2493 first have resided in a skilled nursing facility for at least 60
2494 consecutive days. This section expires July 1, 2017.

2495 Section 51. If CS/HB 1335 or similar legislation adopted
2496 at the 2016 Regular Session of the Legislature on an extension



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2497 thereof fails to become law, in order to implement Specific
 2498 Appropriation 232 of the 2016-2017 General Appropriations Act,
 2499 the Agency for Health Care Administration and the Department of
 2500 Elderly Affairs shall prioritize individuals for enrollment in
 2501 the Medicaid Long-Term Care Waiver program using a frailty-based
 2502 screening that provides a priority score (the "scoring process")
 2503 and shall enroll individuals in the program according to the
 2504 assigned priority score as funds are available. The agency may
 2505 adopt rules, pursuant to s. 409.919, Florida Statutes, and enter
 2506 into interagency agreements necessary to administer s.
 2507 409.979(3), Florida Statutes. Such rules or interagency
 2508 agreements adopted by the agency relating to the scoring process
 2509 may delegate to the Department of Elderly Affairs, pursuant to
 2510 s. 409.978, Florida Statutes, the responsibility for
 2511 implementing and administering the scoring process, providing
 2512 notice of Medicaid fair hearing rights, and the responsibility
 2513 for defending, as needed, the scores assigned to persons on the
 2514 program wait list in any resulting Medicaid fair hearings. The
 2515 Department of Elderly Affairs may delegate the provision of
 2516 notice of Medicaid fair hearing rights to its contractors. This
 2517 section expires July 1, 2017.

2518 Section 52. In order to implement Specific Appropriation
 2519 207 of the 2016-2017 General Appropriations Act, subsection (10)
 2520 is added to section 409.911, Florida Statutes, to read:

2521 409.911 Disproportionate share program.—Subject to
 2522 specific allocations established within the General



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2523 Appropriations Act and any limitations established pursuant to
2524 chapter 216, the agency shall distribute, pursuant to this
2525 section, moneys to hospitals providing a disproportionate share
2526 of Medicaid or charity care services by making quarterly
2527 Medicaid payments as required. Notwithstanding the provisions of
2528 s. 409.915, counties are exempt from contributing toward the
2529 cost of this special reimbursement for hospitals serving a
2530 disproportionate share of low-income patients.

2531 (10) Notwithstanding any provision of this section to the
2532 contrary, for the 2016-2017 state fiscal year, the agency shall
2533 distribute moneys to hospitals providing a disproportionate
2534 share of Medicaid or charity care services as provided in the
2535 2016-2017 General Appropriations Act. This subsection expires
2536 July 1, 2017.

2537 Section 53. In order to implement Specific Appropriation
2538 207 of the 2016-2017 General Appropriations Act, subsection (3)
2539 is added to section 409.9113, Florida Statutes, to read:

2540 409.9113 Disproportionate share program for teaching
2541 hospitals.—In addition to the payments made under s. 409.911,
2542 the agency shall make disproportionate share payments to
2543 teaching hospitals, as defined in s. 408.07, for their increased
2544 costs associated with medical education programs and for
2545 tertiary health care services provided to the indigent. This
2546 system of payments must conform to federal requirements and
2547 distribute funds in each fiscal year for which an appropriation
2548 is made by making quarterly Medicaid payments. Notwithstanding



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2549 s. 409.915, counties are exempt from contributing toward the
2550 cost of this special reimbursement for hospitals serving a
2551 disproportionate share of low-income patients. The agency shall
2552 distribute the moneys provided in the General Appropriations Act
2553 to statutorily defined teaching hospitals and family practice
2554 teaching hospitals, as defined in s. 395.805, pursuant to this
2555 section. The funds provided for statutorily defined teaching
2556 hospitals shall be distributed as provided in the General
2557 Appropriations Act. The funds provided for family practice
2558 teaching hospitals shall be distributed equally among family
2559 practice teaching hospitals.

2560 (3) Notwithstanding any provision of this section to the
2561 contrary, for the 2016-2017 state fiscal year, the agency shall
2562 make disproportionate share payments to teaching hospitals, as
2563 defined in s. 408.07, as provided in the 2016-2017 General
2564 Appropriations Act. This subsection expires July 1, 2017.

2565 Section 54. In order to implement Specific Appropriation
2566 207 of the 2016-2017 General Appropriations Act, subsection (4)
2567 is added to section 409.9119, Florida Statutes, to read:

2568 409.9119 Disproportionate share program for specialty
2569 hospitals for children.—In addition to the payments made under
2570 s. 409.911, the Agency for Health Care Administration shall
2571 develop and implement a system under which disproportionate
2572 share payments are made to those hospitals that are licensed by
2573 the state as specialty hospitals for children and were licensed
2574 on January 1, 2000, as specialty hospitals for children. This



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2575 | system of payments must conform to federal requirements and must
2576 | distribute funds in each fiscal year for which an appropriation
2577 | is made by making quarterly Medicaid payments. Notwithstanding
2578 | s. 409.915, counties are exempt from contributing toward the
2579 | cost of this special reimbursement for hospitals that serve a
2580 | disproportionate share of low-income patients. The agency may
2581 | make disproportionate share payments to specialty hospitals for
2582 | children as provided for in the General Appropriations Act.

2583 | (4) Notwithstanding any provision of this section to the
2584 | contrary, for the 2016-2017 state fiscal year, for hospitals
2585 | achieving full compliance under subsection (3), the agency shall
2586 | make disproportionate share payments to specialty hospitals for
2587 | children as provided in the 2016-2017 General Appropriations
2588 | Act. This subsection expires July 1, 2017.

2589 | Section 55. In order to implement Specific Appropriations
2590 | 515 through 536 of the 2016-2017 General Appropriations Act,
2591 | subsection (17) of section 893.055, Florida Statutes, is amended
2592 | to read:

2593 | 893.055 Prescription drug monitoring program.—

2594 | (17) Notwithstanding subsection (10), and for the 2016-
2595 | 2017 ~~2015-2016~~ fiscal year only, the department may use state
2596 | funds appropriated in the 2016-2017 ~~2015-2016~~ General
2597 | Appropriations Act to administer the prescription drug
2598 | monitoring program. Neither the Attorney General nor the
2599 | department may use funds received as part of a settlement
2600 | agreement to administer the prescription drug monitoring



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2601 program. This subsection expires July 1, 2017 ~~2016~~.

2602 Section 56. In order to implement Specific Appropriations

2603 598A through 701 and 721 through 755 of the 2016-2017 General

2604 Appropriations Act, subsection (4) of section 216.262, Florida

2605 Statutes, is amended to read:

2606 216.262 Authorized positions.—

2607 (4) Notwithstanding the provisions of this chapter

2608 relating to increasing the number of authorized positions, and

2609 for the 2016-2017 ~~2015-2016~~ fiscal year only, if the actual

2610 inmate population of the Department of Corrections exceeds the

2611 inmate population projections of the December 17 ~~February 27~~,

2612 2015, Criminal Justice Estimating Conference by 1 percent for 2

2613 consecutive months or 2 percent for any month, the Executive

2614 Office of the Governor, with the approval of the Legislative

2615 Budget Commission, shall immediately notify the Criminal Justice

2616 Estimating Conference, which shall convene as soon as possible

2617 to revise the estimates. The Department of Corrections may then

2618 submit a budget amendment requesting the establishment of

2619 positions in excess of the number authorized by the Legislature

2620 and additional appropriations from unallocated general revenue

2621 sufficient to provide for essential staff, fixed capital

2622 improvements, and other resources to provide classification,

2623 security, food services, health services, and other variable

2624 expenses within the institutions to accommodate the estimated

2625 increase in the inmate population. All actions taken pursuant to

2626 this subsection are subject to review and approval by the



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2627 Legislative Budget Commission. This subsection expires July 1,
 2628 2017 ~~2016~~.

2629 Section 57. In order to implement Specific Appropriations
 2630 1283 and 1284 of the 2016-2017 General Appropriations Act, the
 2631 Department of Legal Affairs may expend appropriated funds in
 2632 those specific appropriations on the same programs that were
 2633 funded by the department pursuant to specific appropriations
 2634 made in general appropriations acts in previous years. This
 2635 section expires July 1, 2017.

2636 Section 58. In order to implement Specific Appropriations
 2637 1219 and 1224 of the 2016-2017 General Appropriations Act,
 2638 paragraph (d) of subsection (4) of section 932.7055, Florida
 2639 Statutes, is amended to read:

2640 932.7055 Disposition of liens and forfeited property.—

2641 (4) The proceeds from the sale of forfeited property shall
 2642 be disbursed in the following priority:

2643 (d) Notwithstanding any other provision of this
 2644 subsection, and for the 2016-2017 ~~2015-2016~~ fiscal year only,
 2645 the funds in a special law enforcement trust fund established by
 2646 the governing body of a municipality may be expended to
 2647 reimburse the general fund of the municipality for moneys
 2648 advanced from the general fund to the special law enforcement
 2649 trust fund before October 1, 2001. This paragraph expires July
 2650 1, 2017 ~~2016~~.

2651 Section 59. In order to implement Specific Appropriations
 2652 3109 through 3179 of the 2016-2017 General Appropriations Act,



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2653 subsection (2) of section 215.18, Florida Statutes, is amended
 2654 to read:

2655 215.18 Transfers between funds; limitation.—

2656 (2) The Chief Justice of the Supreme Court may receive one
 2657 or more trust fund loans to ensure that the state court system
 2658 has funds sufficient to meet its appropriations in the 2016-2017
 2659 ~~2015-2016~~ General Appropriations Act. If the Chief Justice
 2660 accesses the loan, he or she must notify the Governor and the
 2661 chairs of the legislative appropriations committees in writing.
 2662 The loan must come from other funds in the State Treasury which
 2663 are for the time being or otherwise in excess of the amounts
 2664 necessary to meet the just requirements of such last-mentioned
 2665 funds. The Governor shall order the transfer of funds within 5
 2666 days after the written notification from the Chief Justice. If
 2667 the Governor does not order the transfer, the Chief Financial
 2668 Officer shall transfer the requested funds. The loan of funds
 2669 from which any money is temporarily transferred must be repaid
 2670 by the end of the 2016-2017 ~~2015-2016~~ fiscal year. This
 2671 subsection expires July 1, 2017 ~~2016~~.

2672 Section 60. In order to implement appropriations for
 2673 salaries and benefits in the 2016-2017 General Appropriations
 2674 Act for the Department of Corrections and notwithstanding s.
 2675 216.292, Florida Statutes, except as otherwise provided in this
 2676 act, the Department of Corrections may not transfer funds from a
 2677 salaries and benefits category to any other category within the
 2678 department other than a salaries and benefits category without



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2679 approval of the Legislative Budget Commission. This section
2680 expires July 1, 2017.

2681 Section 61. In order to implement Specific Appropriation
2682 726 and notwithstanding s. 216.292, Florida Statutes, the
2683 Department of Corrections is authorized to submit budget
2684 amendments to transfer funds from categories within the
2685 department other than fixed capital outlay categories into the
2686 Inmate Health Services category in order to continue the current
2687 level of care in the provision of health services. Such
2688 transfers are subject to the notice, review and objection
2689 procedures of s. 216.177, Florida Statutes. This section expires
2690 July 1, 2017.

2691 Section 62. (1) In order to implement Specific
2692 Appropriations 1093 through 1105 of the 2016-2017 General
2693 Appropriations Act, the Department of Juvenile Justice is
2694 required to review county juvenile detention payments to ensure
2695 that counties fulfill their financial responsibilities required
2696 in s. 985.686, Florida Statutes. If the Department of Juvenile
2697 Justice determines that a county has not met its obligations,
2698 the department shall direct the Department of Revenue to deduct
2699 the amount owed to the Department of Juvenile Justice from the
2700 funds provided to the county under s. 218.23, Florida Statutes.
2701 The Department of Revenue shall transfer the funds withheld to
2702 the Shared County/State Juvenile Detention Trust Fund.

2703 (2) As an assurance to holders of bonds issued by counties
2704 before July 1, 2016, for which distributions made pursuant to s.



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2705 | 218.23, Florida Statutes, are pledged, or bonds issued to refund
 2706 | such bonds which mature no later than the bonds they refunded
 2707 | and which result in a reduction of debt service payable in each
 2708 | fiscal year, the amount available for distribution to a county
 2709 | shall remain as provided by law and continue to be subject to
 2710 | any lien or claim on behalf of the bondholders. The Department
 2711 | of Revenue must ensure, based on information provided by an
 2712 | affected county, that any reduction in amounts distributed
 2713 | pursuant to subsection (1) does not reduce the amount of
 2714 | distribution to a county below the amount necessary for the
 2715 | timely payment of principal and interest when due on the bonds
 2716 | and the amount necessary to comply with any covenant under the
 2717 | bond resolution or other documents relating to the issuance of
 2718 | the bonds. If a reduction to a county's monthly distribution
 2719 | must be decreased in order to comply with this subsection, the
 2720 | Department of Revenue must notify the Department of Juvenile
 2721 | Justice of the amount of the decrease, and the Department of
 2722 | Juvenile Justice must send a bill for payment of such amount to
 2723 | the affected county.

2724 | (3) This section expires July 1, 2017.

2725 | Section 63. In order to implement Specific Appropriation
 2726 | 780 of the 2016-2017 General Appropriations Act, subsection (5)
 2727 | of section 27.5304, Florida Statutes, is amended to read:

2728 | 27.5304 Private court-appointed counsel; compensation;
 2729 | notice.-

2730 | (5) The compensation for representation in a criminal



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2731 proceeding may ~~shall~~ not exceed the following:

2732 (a) For misdemeanors and juveniles represented at the
2733 trial level: \$1,000.

2734 (b) For noncapital, nonlife felonies represented at the
2735 trial level: \$15,000 ~~\$6,000~~.

2736 (c) For life felonies represented at the trial level:
2737 \$15,000 ~~\$9,000~~.

2738 (d) For capital cases represented at the trial level:
2739 \$25,000. For purposes of this paragraph, a "capital case" is any
2740 offense for which the potential sentence is death and the state
2741 has not waived seeking the death penalty.

2742 (e) For representation on appeal: \$9,000.

2743 Section 64. The amendment made by this act to s.
2744 27.5304(5), Florida Statutes, expires July 1, 2017, and the text
2745 of that subsection shall revert to that in existence on June 30,
2746 2016, except that any amendments to such text enacted other than
2747 by this act shall be preserved and continue to operate to the
2748 extent that such amendments are not dependent upon the portions
2749 of text which expire pursuant to this section.

2750 Section 65. In order to implement Specific Appropriation
2751 1217 of the 2016-2017 General Appropriation Act:

2752 (1) The Florida Department of Management Services (DMS)
2753 shall organize a work group to develop a sworn law enforcement
2754 officers' career development plan for the Highway Patrol, Law
2755 Enforcement Officer, Lottery, and Florida Department of Law
2756 Enforcement Special Agent bargaining units represented by the



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2757 Florida Police Benevolent Association (PBA). The work group is
2758 directed to create a law enforcement officers' career
2759 development plan to attract and retain quality employees. The
2760 work group must create a work plan for all represented agencies
2761 that emphasizes job training, job skills, educational
2762 attainment, experience, and retention.

2763 (2) The work group shall consist of the following
2764 representatives:

2765 (a) At least one agency management representative from
2766 each law enforcement agency;

2767 (b) At least three representatives from DMS, one of whom
2768 shall serve as the work group's chair;

2769 (c) At least one active law enforcement officer, as
2770 designated by the PBA from each agency represented by a
2771 bargaining unit, one of whom shall serve as the work group's
2772 vice chair; and

2773 (d) At least three representatives from the PBA.

2774 (3) The work group shall meet on or after July 1, 2016,
2775 and conduct meetings as necessary to complete a career
2776 development plan proposal by November 30, 2016. The proposal
2777 shall be presented to the Governor, the President of the Senate,
2778 and the Speaker of the House of Representatives by December 1,
2779 2016.

2780 (4) This section expires July 1, 2017.

2781 Section 66. In order to implement Specific Appropriation
2782 772A of the 2016-2017 General Appropriations Act, and



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2783 notwithstanding ss. 28.35 and 40.24, Florida Statutes, the
2784 Justice Administrative Commission shall provide funds to the
2785 clerks of court to pay compensation to jurors, for meals or
2786 lodging provided to jurors, and for jury-related personnel costs
2787 as provided in this section. Each clerk of the circuit court
2788 shall forward to the Justice Administrative Commission a
2789 quarterly estimate of funds necessary to pay compensation to
2790 jurors and for meals or lodging provided to jurors. The Florida
2791 Clerks of Court Operations Corporation shall forward to the
2792 Justice Administrative Commission a quarterly estimate of jury-
2793 related personnel costs necessary to pay each clerk of the
2794 circuit court personnel costs related to jury management. Upon
2795 receipt of such estimates, the Justice Administrative Commission
2796 shall endorse the amount deemed necessary for payment to the
2797 clerks of the court during the quarter and shall submit a
2798 request for payment to the Chief Financial Officer. If the
2799 Justice Administrative Commission believes that the amount
2800 appropriated by the Legislature is insufficient to meet such
2801 costs during the remaining part of the state fiscal year, the
2802 commission may apportion the funds appropriated in the General
2803 Appropriations Act for those purposes among the several
2804 counties, basing the apportionment upon the amount expended for
2805 such purposes in each county during the prior fiscal year. In
2806 that case, the Chief Financial Officer shall only issue the
2807 appropriate apportioned amount by warrant to each county. The
2808 clerks of court are responsible for any costs of compensation to



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2809 jurors, for meals or lodging provided to jurors, and for jury
2810 related personnel costs that exceed the funding provided in the
2811 General Appropriations Act for these purposes. This section
2812 expires July 1, 2017.

2813 Section 67. In order to implement Specific Appropriations
2814 1093 through 1105 of the 2016-2017 General Appropriations Act,
2815 the Department of Juvenile Justice may not provide, make, pay,
2816 or deduct and a nonfiscally constrained county may not apply,
2817 deduct, or receive any reimbursement or any credit for any
2818 previous overpayment of juvenile detention care costs related to
2819 or for any previous state fiscal year against the juvenile
2820 detention care costs due from the nonfiscally constrained county
2821 in the 2016-2017 fiscal year pursuant to s. 985.686, Florida
2822 Statutes, or any other law. The section is contingent upon CS/SB
2823 1322 becoming law. This section expires July 1, 2017.

2824 Section 68. In order to implement appropriations used to
2825 pay existing lease contracts for private lease space in excess
2826 of 2,000 square feet in the 2016-2017 General Appropriations
2827 Act, the Department of Management Services, with the cooperation
2828 of the agencies having the existing lease contracts for office
2829 or storage space, shall use tenant broker services to
2830 renegotiate or reprocure all private lease agreements for office
2831 or storage space expiring between July 1, 2017, and June 30,
2832 2019, in order to reduce costs in future years. The department
2833 shall incorporate this initiative into its 2016 master leasing
2834 report required under s. 255.249(7), Florida Statutes, and may



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2835 | use tenant broker services to explore the possibilities of
2836 | collocating office or storage space, to review the space needs
2837 | of each agency, and to review the length and terms of potential
2838 | renewals or renegotiations. The department shall provide a
2839 | report to the Executive Office of the Governor, the President of
2840 | the Senate, and the Speaker of the House of Representatives by
2841 | November 1, 2016, which lists each lease contract for private
2842 | office or storage space, the status of renegotiations, and the
2843 | savings achieved. This section expires July 1, 2017.

2844 | Section 69. In order to implement Specific Appropriations
2845 | 2257 through 2265 of the 2016-2017 General Appropriations Act,
2846 | section 624.502, Florida Statutes, is reenacted to read:

2847 | 624.502 Service of process fee.—In all instances as
2848 | provided in any section of the insurance code and s. 48.151(3)
2849 | in which service of process is authorized to be made upon the
2850 | Chief Financial Officer or the director of the office, the
2851 | plaintiff shall pay to the department or office a fee of \$15 for
2852 | such service of process, which fee shall be deposited into the
2853 | Administrative Trust Fund.

2854 | Section 70. The amendment to s. 624.502, Florida Statutes,
2855 | as carried forward by this act from chapter 2015-222, Laws of
2856 | Florida, expires July 1, 2017, and the text of that section
2857 | shall revert to that in existence on June 30, 2013, except that
2858 | any amendments to such text enacted other than by this act shall
2859 | be preserved and continue to operate to the extent that such
2860 | amendments are not dependent upon the portions of text which



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2861 | expire pursuant to this section.

2862 | Section 71. In order to implement Specific Appropriations
 2863 | 2834 through 2845 of the 2016-2017 General Appropriations Act,
 2864 | paragraph (a) of subsection (2) of section 282.709, Florida
 2865 | Statutes, is reenacted to read:

2866 | 282.709 State agency law enforcement radio system and
 2867 | interoperability network.—

2868 | (2) The Joint Task Force on State Agency Law Enforcement
 2869 | Communications is created adjunct to the department to advise
 2870 | the department of member-agency needs relating to the planning,
 2871 | designing, and establishment of the statewide communication
 2872 | system.

2873 | (a) The Joint Task Force on State Agency Law Enforcement
 2874 | Communications shall consist of the following members:

2875 | 1. A representative of the Division of Alcoholic Beverages
 2876 | and Tobacco of the Department of Business and Professional
 2877 | Regulation who shall be appointed by the secretary of the
 2878 | department.

2879 | 2. A representative of the Division of Florida Highway
 2880 | Patrol of the Department of Highway Safety and Motor Vehicles
 2881 | who shall be appointed by the executive director of the
 2882 | department.

2883 | 3. A representative of the Department of Law Enforcement
 2884 | who shall be appointed by the executive director of the
 2885 | department.

2886 | 4. A representative of the Fish and Wildlife Conservation



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2887 Commission who shall be appointed by the executive director of
2888 the commission.

2889 5. A representative of the Department of Corrections who
2890 shall be appointed by the secretary of the department.

2891 6. A representative of the Division of State Fire Marshal
2892 of the Department of Financial Services who shall be appointed
2893 by the State Fire Marshal.

2894 7. A representative of the Department of Agriculture and
2895 Consumer Services who shall be appointed by the Commissioner of
2896 Agriculture.

2897 Section 72. The amendment to s. 282.709(2)(a), Florida
2898 Statutes, as carried forward by this act from chapter 2014-53,
2899 Laws of Florida, expires July 1, 2017, and the text of that
2900 paragraph shall revert to that in existence on June 30, 2014,
2901 except that any amendments to such text enacted other than by
2902 this act shall be preserved and continue to operate to the
2903 extent that such amendments are not dependent upon the portions
2904 of text which expire pursuant to this section.

2905 Section 73. In order to implement Specific Appropriations
2906 2740 through 2752 of the 2016-2017 General Appropriations Act
2907 and notwithstanding rule 60A-1.031, Florida Administrative Code,
2908 the transaction fee collected for use of the online procurement
2909 system, authorized in ss. 287.042(1)(h)1. and 287.057(22)(c),
2910 Florida Statutes, shall be seven-tenths of 1 percent for the
2911 2016-2017 fiscal year only. This section expires July 1, 2017.

2912 Section 74. In order to implement the appropriation of



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2913 funds in the appropriation category "Data Processing Services-
2914 State Data Center-Agency for State Technology (AST)" in the
2915 2016-2017 General Appropriations Act, and pursuant to the
2916 notice, review, and objection procedures of s. 216.177, Florida
2917 Statutes, the Executive Office of the Governor may transfer
2918 funds appropriated in that category between departments in order
2919 to align the budget authority granted based on the estimated
2920 billing cycle and methodology used by the Agency for State
2921 Technology for data processing services provided by the State
2922 Data Center. This section expires July 1, 2017.

2923 Section 75. In order to implement appropriations
2924 authorized in the 2016-2017 General Appropriations Act for data
2925 center services, and notwithstanding s. 216.292(2)(a), Florida
2926 Statutes, except as authorized in section 74, an agency may not
2927 transfer funds from a data processing category to a category
2928 other than another data processing category. This section
2929 expires July 1, 2017.

2930 Section 76. In order to implement Specific Appropriation
2931 2826 of the 2016-2017 General Appropriations Act, the Executive
2932 Office of the Governor may transfer funds appropriated in the
2933 appropriation category "Expenses" of the 2016-2017 General
2934 Appropriations Act between agencies in order to allocate a
2935 reduction relating to SUNCOM Network services. This section
2936 expires July 1, 2017.

2937 Section 77. In order to implement the appropriation of
2938 funds in the appropriation category "Special Categories-Risk



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2939 Management Insurance" in the 2016-2017 General Appropriations
 2940 Act, and pursuant to the notice, review, and objection
 2941 procedures of s. 216.177, Florida Statutes, the Executive Office
 2942 of the Governor may transfer funds appropriated in that category
 2943 between departments in order to align the budget authority
 2944 granted with the premiums paid by each department for risk
 2945 management insurance. This section expires July 1, 2017.

2946 Section 78. In order to implement the appropriation of
 2947 funds in the appropriation category "Special Categories-Transfer
 2948 to Department of Management Services-Human Resources Services
 2949 Purchased per Statewide Contract" in the 2016-2017 General
 2950 Appropriations Act, and pursuant to the notice, review, and
 2951 objection procedures of s. 216.177, Florida Statutes, the
 2952 Executive Office of the Governor may transfer funds appropriated
 2953 in that category between departments in order to align the
 2954 budget authority granted with the assessments that must be paid
 2955 by each agency to the Department of Management Services for
 2956 human resource management services. This section expires July 1,
 2957 2017.

2958 Section 79. In order to implement Specific Appropriation
 2959 2317A of the 2016-2017 General Appropriations Act:

2960 (1) The Department of Financial Services shall replace the
 2961 four main components of the Florida Accounting Information
 2962 Resource Subsystem (FLAIR), which include central FLAIR,
 2963 departmental FLAIR, payroll, and information warehouse, and
 2964 shall replace the cash management and accounting management



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2965 components of the Cash Management Subsystem (CMS) with an
2966 integrated enterprise system that allows the state to organize,
2967 define, and standardize its financial management business
2968 processes and that complies with ss. 215.90-215.96, Florida
2969 Statutes. The department shall not include in the replacement of
2970 FLAIR and CMS:

2971 (a) Functionality that duplicates any of the other
2972 information subsystems of the Florida Financial Management
2973 Information System; or

2974 (b) Agency business processes related to any of the
2975 functions included in the Personnel Information System, the
2976 Purchasing Subsystem, or the Legislative Appropriations
2977 System/Planning and Budgeting Subsystem.

2978 (2) For purposes of replacing FLAIR and CMS, the
2979 Department of Financial Services shall:

2980 (a) Take into consideration the cost and implementation
2981 data identified for Option 3 as recommended in the March 31,
2982 2014, Florida Department of Financial Services FLAIR Study,
2983 version 031.

2984 (b) Ensure that all business requirements and technical
2985 specifications have been provided to all state agencies for
2986 their review and input and approved by the executive steering
2987 committee established in paragraph (c).

2988 (c) Implement a project governance structure that includes
2989 an executive steering committee composed of:

2990 1. The Chief Financial Officer or the executive sponsor of



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2991 the project.

2992 2. A representative of the Division of Treasury of the

2993 Department of Financial Services appointed by the Chief

2994 Financial Officer.

2995 3. A representative of the Division of Information Systems

2996 of the Department of Financial Services appointed by the Chief

2997 Financial Officer.

2998 4. Four employees from the Division of Accounting and

2999 Auditing of the Department of Financial Services appointed by

3000 the Chief Financial Officer. Each employee must have experience

3001 relating to at least one of the four main components that

3002 comprise FLAIR.

3003 5. Two employees from the Executive Office of the Governor

3004 appointed by the Governor. One employee must have experience

3005 relating to the Legislative Appropriations System/Planning and

3006 Budgeting Subsystem.

3007 6. One employee from the Department of Revenue appointed

3008 by the executive director of the department who has experience

3009 relating to the department's SUNTAX system.

3010 7. Two employees from the Department of Management

3011 Services appointed by the Secretary of Management Services. One

3012 employee must have experience relating to the department's

3013 personnel information subsystem and one employee must have

3014 experience relating to the department's purchasing subsystem.

3015 8. Three state agency administrative services directors

3016 appointed by the Governor. One director must represent a



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3017 regulatory and licensing state agency and one director must
3018 represent a health care-related state agency.

3019 (3) The Chief Financial Officer or the executive sponsor
3020 of the project shall serve as chair of the executive steering
3021 committee, and the committee shall take action by a vote of at
3022 least eight affirmative votes with the Chief Financial Officer
3023 or the executive sponsor of the project voting on the prevailing
3024 side. A quorum of the executive steering committee consists of
3025 no fewer than 10 members.

3026 (4) The executive steering committee has the overall
3027 responsibility for ensuring that the project to replace FLAIR
3028 and CMS meets its primary business objectives and shall:

3029 (a) Identify and recommend to the Executive Office of the
3030 Governor, the President of the Senate, and the Speaker of the
3031 House of Representatives any statutory changes needed to
3032 implement the replacement subsystem that will standardize to the
3033 fullest extent possible the state's financial management
3034 business processes.

3035 (b) Review and approve any changes to the project's scope,
3036 schedule, and budget that do not conflict with the requirements
3037 of subsection (1).

3038 (c) Ensure that adequate resources are provided throughout
3039 all phases of the project.

3040 (d) Approve all major project deliverables.

3041 (e) Approve all solicitation-related documents associated
3042 with the replacement of FLAIR and CMS.



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3043 | (5) This section expires July 1, 2017.

3044 | Section 80. Effective upon this act becoming law and in
3045 | order to implement section 90 of the 2016-2017 General
3046 | Appropriations Act, subsection (9) is added to section 216.292,
3047 | Florida Statutes, to read:

3048 | 216.292 Appropriations nontransferable; exceptions.—

3049 | (9) Notwithstanding subsections (2), (3), and (4), and for
3050 | the 2015-2016 fiscal year only, the Executive Office of the
3051 | Governor, after 14 days' prior notice, may transfer funds
3052 | between appropriations categories, as needed, to realign funds,
3053 | to provide for the relocation of state agencies and departments
3054 | currently located at the Northwood Centre, 1940 North Monroe
3055 | Street, Tallahassee, Florida. Such transfers are subject to the
3056 | notice and objection provisions of s. 216.177. This subsection
3057 | expires July 1, 2016.

3058 | Section 81. In order to implement Specific Appropriation
3059 | 1602 of the 2016-2017 General Appropriations Act, paragraph (e)
3060 | of subsection (5) of section 161.143, Florida Statutes, is
3061 | amended to read:

3062 | 161.143 Inlet management; planning, prioritizing, funding,
3063 | approving, and implementing projects.—

3064 | (5) The department shall annually provide an inlet
3065 | management project list, in priority order, to the Legislature
3066 | as part of the department's budget request. The list must
3067 | include studies, projects, or other activities that address the
3068 | management of at least 10 separate inlets and that are ranked



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3069 according to the criteria established under subsection (2).

3070 (e) Notwithstanding paragraphs (a) and (b), and for the
 3071 2016-2017 ~~2015-2016~~ fiscal year only, the amount allocated for
 3072 inlet management funding is provided in the 2016-2017 ~~2015-2016~~
 3073 General Appropriations Act. This paragraph expires July 1, 2017
 3074 ~~2016~~.

3075 Section 82. In order to implement Specific Appropriations
 3076 1533 and 1534 of the 2016-2017 General Appropriations Act,
 3077 paragraph (m) of subsection (3) of section 259.105, Florida
 3078 Statutes, is amended to read:

3079 259.105 The Florida Forever Act.—

3080 (3) Less the costs of issuing and the costs of funding
 3081 reserve accounts and other costs associated with bonds, the
 3082 proceeds of cash payments or bonds issued pursuant to this
 3083 section shall be deposited into the Florida Forever Trust Fund
 3084 created by s. 259.1051. The proceeds shall be distributed by the
 3085 Department of Environmental Protection in the following manner:

3086 (m) Notwithstanding paragraphs (a)-(j) and for the 2016-
 3087 2017 ~~2015-2016~~ fiscal year only: ~~7~~

3088 1. The amount of \$15,156,206 ~~\$17.4 million~~ to only the
 3089 Division of State Lands within the Department of Environmental
 3090 Protection for the Board of Trustees Florida Forever Priority
 3091 List land acquisition projects.

3092 2. Thirty-five million dollars to the Department of
 3093 Agriculture and Consumer Services for the acquisition of
 3094 agricultural lands through perpetual conservation easements and



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3095 other perpetual less-than-fee techniques, which will achieve the
3096 objectives of Florida Forever and s. 570.71.

3097 3.a. Notwithstanding any allocation required pursuant to
3098 paragraph (c), \$10 million shall be allocated to the Florida
3099 Communities Trust for projects acquiring conservation or
3100 recreation lands to enhance recreational opportunities for
3101 individuals with unique abilities.

3102 b. The Department of Environmental Protection may waive
3103 the local government matching fund requirement of paragraph (c)
3104 for projects acquiring conservation or recreation lands to
3105 enhance recreational opportunities for individuals with unique
3106 abilities.

3107 c. Notwithstanding sub-subparagraphs a. and b., any funds
3108 required to be used to acquire conservation or recreation lands
3109 to enhance recreational opportunities for individuals with
3110 unique abilities which have not been awarded for those purposes
3111 by May 1, 2017, may be awarded to redevelop or renew outdoor
3112 recreational facilities on public lands, including recreational
3113 trails, parks, and urban open spaces, together with improvements
3114 required to enhance recreational enjoyment and public access to
3115 public lands, if such redevelopment and renewal is primarily
3116 geared toward enhancing recreational opportunities for
3117 individuals with unique abilities. The department may waive the
3118 local matching requirement of paragraph (c) for such
3119 redevelopment and renewal projects.

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3121 This paragraph expires July 1, 2017 ~~2016~~.

3122 Section 83. In order to implement Specific Appropriation
3123 1698A of the 2016-2017 General Appropriations Act, subsection
3124 (4) is added to section 375.075, Florida Statutes, to read:

3125 375.075 Outdoor recreation; financial assistance to local
3126 governments.—

3127 (4) (a) For the 2016-2017 fiscal year:

3128 1. Notwithstanding any other provision of this section, at
3129 least \$3 million of the program funds for projects must be used
3130 exclusively for projects that provide recreational enhancements
3131 and opportunities for individuals with unique abilities. The
3132 department shall conduct a separate grant application process
3133 exclusively for such projects. The department shall make the
3134 schedule for the grant application process for projects that
3135 provide recreational enhancements and opportunities for
3136 individuals with unique abilities publicly available and shall
3137 award the grants for such projects by December 31, 2016.

3138 2. Notwithstanding subsection (3), a local government may
3139 submit up to three grant applications for projects, if at least
3140 one of those projects provides recreational enhancements and
3141 opportunities for individuals with unique abilities. The maximum
3142 project grant for each project application that provides
3143 recreational enhancements and opportunities for individuals with
3144 unique abilities may not exceed \$500,000 in state funds.

3145 (b) The selection criteria used by the department for
3146 grant applications submitted pursuant to this subsection shall



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3147 prioritize projects that allocate the greatest share of state
3148 funds to provide recreational enhancements and opportunities for
3149 individuals with unique abilities.

3150 (c) The term "projects that provide recreational
3151 enhancements and opportunities for individuals with unique
3152 abilities" means those projects that incorporate adaptations or
3153 modifications to the design and development of recreational
3154 resources or equipment to meet the needs of all potential
3155 participants including those with physical or developmental
3156 disabilities.

3157 (d) This subsection expires July 1, 2017.

3158 Section 84. In order to implement Specific Appropriation
3159 1534 of the 2016-2017 General Appropriations Act, paragraph (h)
3160 is added to subsection (2) of section 380.507, Florida Statutes,
3161 to read:

3162 380.507 Powers of the trust.—The trust shall have all the
3163 powers necessary or convenient to carry out the purposes and
3164 provisions of this part, including:

3165 (2) To undertake, coordinate, or fund activities and
3166 projects which will help bring local comprehensive plans into
3167 compliance and help implement the goals, objectives, and
3168 policies of the conservation, recreation and open space, and
3169 coastal elements of local comprehensive plans, or which will
3170 otherwise serve to conserve natural resources and resolve land
3171 use conflicts, including, but not limited to:

3172 (h) Projects that provide accessibility, availability, or



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3173 adaptability of conservation or recreation lands for individuals
3174 with unique abilities. The term "projects that provide
3175 recreational enhancements and opportunities for individuals with
3176 unique abilities" means those projects that incorporate
3177 adaptations or modifications to the design and development of
3178 recreational resources or equipment to meet the needs of all
3179 potential participants including those with physical or
3180 developmental disabilities. This paragraph expires July 1, 2017.

3181 Section 85. In order to implement Specific Appropriations
3182 1599, 1599A, 1599B, and 1740A of the 2016-2017 General
3183 Appropriations Act, paragraph (d) of subsection (11) of section
3184 216.181, Florida Statutes, is amended to read:

3185 216.181 Approved budgets for operations and fixed capital
3186 outlay.—

3187 (11)

3188 (d) Notwithstanding paragraph (b) and paragraph (2) (b),
3189 and for the 2016-2017 ~~2015-2016~~ fiscal year only, the
3190 Legislative Budget Commission may increase the amounts
3191 appropriated to the Fish and Wildlife Conservation Commission or
3192 the Department of Environmental Protection for fixed capital
3193 outlay projects, including additional fixed capital outlay
3194 projects, using funds provided to the state from the Gulf
3195 Environmental Benefit Fund administered by the National Fish and
3196 Wildlife Foundation; funds provided to the state from the Gulf
3197 Coast Restoration Trust Fund related to the Resources and
3198 Ecosystems Sustainability, Tourist Opportunities, and Revived



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3199 Economies of the Gulf Coast Act of 2012 (RESTORE Act); or funds
 3200 provided by the British Petroleum Corporation (BP) for natural
 3201 resource damage assessment ~~early~~ restoration projects.
 3202 Concurrent with submission of an amendment to the Legislative
 3203 Budget Commission pursuant to this paragraph, any project that
 3204 carries a continuing commitment for future appropriations by the
 3205 Legislature must be specifically identified, together with the
 3206 projected amount of the future commitment associated with the
 3207 project and the fiscal years in which the commitment is expected
 3208 to commence. This paragraph expires July 1, 2017 ~~2016~~.

3209
 3210 The provisions of this subsection are subject to the notice and
 3211 objection procedures set forth in s. 216.177.

3212 Section 86. In order to implement specific appropriations
 3213 from the Water Quality Assurance Trust Fund within the
 3214 Department of Environmental Protection contained in the 2016-
 3215 2017 General Appropriations Act, paragraph (b) of subsection (2)
 3216 of section 206.9935, Florida Statutes, is amended to read:

3217 206.9935 Taxes imposed.—

3218 (2) TAX FOR WATER QUALITY.—

3219 (b) The excise tax shall be the applicable rate as
 3220 specified in subparagraph 1. per barrel or per unit of
 3221 pollutant, or equivalent measure as established by the
 3222 department, produced in or imported into the state. If the
 3223 unobligated balance of the Water Quality Assurance Trust Fund is
 3224 or falls below \$3 million, the tax shall be increased to the



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3225 applicable rates specified in subparagraph 2. and shall remain
3226 at said rates until the unobligated balance in the fund exceeds
3227 \$5 million, at which time the tax shall be imposed at the rates
3228 specified in subparagraph 1. If the unobligated balance of the
3229 fund exceeds \$12 million, the levy of the tax shall be
3230 discontinued until the unobligated balance of the fund falls
3231 below \$5 million, at which time the tax shall be imposed at the
3232 rates specified in subparagraph 1. Changes in the tax rates
3233 pursuant to this paragraph shall take effect on the first day of
3234 the month after 30 days' notification to the Department of
3235 Revenue when the unobligated balance of the fund falls below or
3236 exceeds a limit set pursuant to this paragraph. The unobligated
3237 balance of the Water Quality Assurance Trust Fund as it relates
3238 to determination of the applicable excise tax rate shall exclude
3239 the unobligated balances of funds of the Dry Cleaning, Operator
3240 Certification, and nonagricultural nonpoint source programs, and
3241 other required reservations of fund balance. The unobligated
3242 balance in the Water Quality Assurance Trust Fund is based upon
3243 the current unreserved fund balance, projected revenues,
3244 authorized legislative appropriations, and funding for the
3245 department's base budget for the subsequent fiscal year.
3246 Revenues for penalties collected pursuant to s. 403.121(11) and
3247 all moneys recovered under s. 373.430(7) are exempt from the
3248 calculation of the unobligated balance of the Water Quality
3249 Assurance Trust Fund. Determination of the unobligated balance
3250 of the Water Quality Assurance Trust Fund shall be performed



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3251 annually subsequent to the annual legislative appropriations
 3252 becoming law.

3253 1. As provided in this paragraph, the tax shall be 2.36
 3254 cents per gallon of solvents, 1 cent per gallon of motor oil or
 3255 other lubricants, and 2 cents per barrel of petroleum products,
 3256 pesticides, ammonia, and chlorine.

3257 2. As provided in this paragraph, the tax shall be 5.9
 3258 cents per gallon of solvents, 2.5 cents per gallon of motor oil
 3259 or other lubricants, 2 cents per barrel of ammonia, and 5 cents
 3260 per barrel of petroleum products, pesticides, and chlorine.

3261 Section 87. The amendment made by this act to s.
 3262 206.9935(2)(b), Florida Statutes, expires July 1, 2017, and the
 3263 text of that paragraph shall revert to that in existence on June
 3264 30, 2016, except that any amendments to such text enacted other
 3265 than by this act shall be preserved and continue to operate to
 3266 the extent that such amendments are not dependent upon the
 3267 portions of text which expire pursuant to this section.

3268 Section 88. In order to implement Specific Appropriation
 3269 1670 of the 2016-2017 General Appropriations Act, subsection (5)
 3270 of section 403.709, Florida Statutes, is amended to read:

3271 403.709 Solid Waste Management Trust Fund; use of waste
 3272 tire fees.—There is created the Solid Waste Management Trust
 3273 Fund, to be administered by the department.

3274 (5)(a) Notwithstanding subsection (1), a solid waste
 3275 landfill closure account is established within the Solid Waste
 3276 Management Trust Fund to provide funding for the closing and



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3277 long-term care of solid waste management facilities. The
 3278 department may use funds from the account to contract with a
 3279 third party for the closing and long-term care of a solid waste
 3280 management facility if:

- 3281 1. The facility has, ~~or had,~~ or was not required to obtain
 3282 a department permit to operate the facility;
- 3283 2. The permittee, where required by permit or rule,
 3284 provided proof of financial assurance for closure in the form of
 3285 an insurance certificate or an alternative form of financial
 3286 assurance mechanism established pursuant to s. 403.7125;
- 3287 3. The department has ordered the facility closed or has
 3288 deemed the facility abandoned. ~~The facility is deemed to be~~
 3289 ~~abandoned or was ordered to close by the department;~~
- 3290 4. The closure of the facility is accomplished in
 3291 substantial accordance with a closure plan approved by the
 3292 department; and
- 3293 5. The department has sufficient ~~written~~ documentation to
 3294 confirm that the issuer of the ~~that the~~ insurance company
 3295 ~~issuing the closure insurance policy~~ or alternative form of
 3296 financial insurance will provide or reimburse the funds required
 3297 to complete the closing and long-term care of the facility.

3298 (b) The department shall deposit all ~~the~~ funds received
 3299 from the insurer or other parties for reimbursing ~~insurance~~
 3300 ~~company as reimbursement for~~ the costs of closing or long-term
 3301 care of the facility under this subsection into the solid waste
 3302 landfill closure account.



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3303 (c) If the amount available under the insurance policy or
 3304 alternative form of financial assurance is insufficient, or is
 3305 otherwise unavailable, to perform or complete the facility
 3306 closing or long-term care under this subsection, and the
 3307 department has used all such funds from the insurance policy or
 3308 alternative form of financial assurance, the department may use
 3309 funds from the Solid Waste Management Trust Fund to pay for or
 3310 reimburse additional expenses needed for performing or
 3311 completing the approved facility closure or long-term care
 3312 activities.

3313 (d)~~(e)~~ This subsection expires July 1, 2017 ~~2016~~.

3314 Section 89. Effective upon this becoming a law and in
 3315 order to implement Specific Appropriation 1674 of the 2016-2017
 3316 General Appropriations Act, and notwithstanding the expiration
 3317 of subsection (5) of section 403.7095, Florida Statutes, which
 3318 occurred on July 1, 2015, that subsection is revived, reenacted,
 3319 and amended, and subsection (6) is added to that section, to
 3320 read:

3321 403.7095 Solid waste management grant program.—

3322 (5) Notwithstanding any other provision of this section,
 3323 and for the 2015-2016 ~~2014-2015~~ fiscal year only, the Department
 3324 of Environmental Protection shall award the sum of \$3 million in
 3325 grants in the 2015-2016 fiscal year equally to counties having
 3326 populations of fewer than 100,000 for waste tire and litter
 3327 prevention, recycling education, and general solid waste
 3328 programs. This subsection expires July 1, 2016 ~~2015~~.



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3329 (6) Notwithstanding any other provision of this section,
3330 and for the 2016-2017 fiscal year only, the Department of
3331 Environmental Protection shall award the sum of \$3 million in
3332 grants in the 2016-2017 fiscal year equally to counties having
3333 populations of fewer than 110,000 for waste tire and litter
3334 prevention, recycling education, and general solid waste
3335 programs. This subsection expires July 1, 2017.

3336 Section 90. In order to implement specific appropriations
3337 from the land acquisition trust funds within the Department of
3338 Agriculture and Consumer Services, the Department of
3339 Environmental Protection, the Department of State, and the Fish
3340 and Wildlife Conservation Commission which are contained in the
3341 2016-2017 General Appropriations Act, subsection (3) of section
3342 215.18, Florida Statutes, is amended to read:

3343 215.18 Transfers between funds; limitation.—

3344 (3) Notwithstanding subsection (1) and only with respect
3345 to a land acquisition trust fund in the Department of
3346 Agriculture and Consumer Services, the Department of
3347 Environmental Protection, the Department of State, or the Fish
3348 and Wildlife Conservation Commission, whenever there is a
3349 deficiency in a land acquisition trust fund which would render
3350 that trust fund temporarily insufficient to meet its just
3351 requirements, including the timely payment of appropriations
3352 from that trust fund, and other trust funds in the State
3353 Treasury have moneys that are for the time being or otherwise in
3354 excess of the amounts necessary to meet the just requirements,



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3355 including appropriated obligations, of those other trust funds,
3356 the Governor may order a temporary transfer of moneys from one
3357 or more of the other trust funds to a land acquisition trust
3358 fund in the Department of Agriculture and Consumer Services, the
3359 Department of Environmental Protection, the Department of State,
3360 or the Fish and Wildlife Conservation Commission. Any action
3361 proposed pursuant to this subsection is subject to the notice,
3362 review, and objection procedures of s. 216.177, and the Governor
3363 shall provide notice of such action at least 7 days before the
3364 effective date of the transfer of trust funds, except that
3365 during July 2016 ~~2015~~, notice of such action shall be provided
3366 at least 3 days before the effective date of a transfer unless
3367 such 3-day notice is waived by the chair and vice-chair of the
3368 Legislative Budget Commission. Any transfer of trust funds to a
3369 land acquisition trust fund in the Department of Agriculture and
3370 Consumer Services, the Department of Environmental Protection,
3371 the Department of State, or the Fish and Wildlife Conservation
3372 Commission must be repaid to the trust funds from which the
3373 moneys were loaned by the end of the 2016-2017 ~~2015-2016~~ fiscal
3374 year. The Legislature has determined that the repayment of the
3375 other trust fund moneys temporarily loaned to a land acquisition
3376 trust fund in the Department of Agriculture and Consumer
3377 Services, the Department of Environmental Protection, the
3378 Department of State, or the Fish and Wildlife Conservation
3379 Commission pursuant to this subsection is an allowable use of
3380 the moneys in a land acquisition trust fund because the moneys



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3381 from other trust funds temporarily loaned to a land acquisition
3382 trust fund shall be expended solely and exclusively in
3383 accordance with s. 28, Art. X of the State Constitution. This
3384 subsection expires July 1, 2017 ~~2016~~.

3385 Section 91. (1) In order to implement specific
3386 appropriations from the land acquisition trust funds within the
3387 Department of Agriculture and Consumer Services, the Department
3388 of Environmental Protection, the Department of State, and the
3389 Fish and Wildlife Conservation Commission which are contained in
3390 the 2016-2017 General Appropriations Act, the Department of
3391 Environmental Protection shall transfer revenues from the Land
3392 Acquisition Trust Fund within the department to the land
3393 acquisition trust funds within the Department of Agriculture and
3394 Consumer Services, the Department of State, and the Fish and
3395 Wildlife Conservation Commission, as provided in this section.
3396 As used in this section, the term "department" means the
3397 Department of Environmental Protection.

3398 (2) After subtracting any required debt service payments,
3399 the proportionate share of revenues to be transferred to each
3400 land acquisition trust fund shall be calculated by dividing the
3401 appropriations from each of the land acquisition trust funds for
3402 the fiscal year by the total appropriations from the Land
3403 Acquisition Trust Fund within the department and the land
3404 acquisition trust funds within the Department of Agriculture and
3405 Consumer Services, the Department of State, and the Fish and
3406 Wildlife Commission for the fiscal year. The department shall



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3407 transfer the proportionate share of the revenues in the Land
 3408 Acquisition Trust Fund within the department on a monthly basis
 3409 to the appropriate land acquisition trust funds within the
 3410 Department of Agriculture and Consumer Services, the Department
 3411 of State, and the Fish and Wildlife Commission and shall retain
 3412 its proportionate share of the revenues in the Land Acquisition
 3413 Trust Fund within the department. Total distributions to a land
 3414 acquisition trust fund within the Department of Agriculture and
 3415 Consumer Services, the Department of State, and the Fish and
 3416 Wildlife Commission may not exceed the total appropriations from
 3417 such trust fund for the fiscal year.

3418 (3) This section expires July 1, 2017.

3419 Section 92. In order to implement Specific Appropriation
 3420 1597A of the 2016-2017 General Appropriations Act, subsection
 3421 (9) of section 376.3071, Florida Statutes, is amended to read:
 3422 376.3071 Inland Protection Trust Fund; creation; purposes;
 3423 funding.—

3424 (9) INVESTMENTS; INTEREST.—Moneys in the fund which are
 3425 not needed currently to meet the obligations of the department
 3426 in the exercise of its responsibilities under this section and
 3427 s. 376.3073 shall be deposited with the Chief Financial Officer
 3428 to the credit of the fund and may be invested in such manner as
 3429 provided by law. The interest received on such investment shall
 3430 be credited to the fund. Any provisions of law to the contrary
 3431 notwithstanding, such interest may be freely transferred between
 3432 the trust fund and the Water Quality Assurance Trust Fund in the



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3433 discretion of the department or as authorized in the General
3434 Appropriations Act.

3435 Section 93. The amendment made by this act to s.
3436 376.3071(9), Florida Statutes, expires July 1, 2017, and the
3437 text of that subsection shall revert to that in existence on
3438 June 30, 2016, except that any amendments to such text enacted
3439 other than by this act shall be preserved and continue to
3440 operate to the extent that such amendments are not dependent
3441 upon the portions of text which expire pursuant to this section.

3442 Section 94. In order to implement the proviso language
3443 associated with Specific Appropriation 1671 of the 2016-2017
3444 General Appropriations Act relating to the cleanup of petroleum
3445 contamination sites, the Department of Environmental Protection
3446 may not require payment of program copayments and may not
3447 require submission of the limited contamination assessment
3448 report as provided in s. 376.3071(13)(c), Florida Statutes. The
3449 use of funds appropriated in the 2016-2017 fiscal year may not
3450 be applied towards the funding limits provided in sections
3451 376.3071(13) and 376.3072(2), Florida Statutes. This section
3452 expires July 1, 2017.

3453 Section 95. In order to implement Specific Appropriation
3454 1671 of the 2016-2017 General Appropriations Act, paragraph (q)
3455 of subsection (4) of section 376.3071, Florida Statutes, is
3456 amended to read:

3457 376.3071 Inland Protection Trust Fund; creation; purposes;
3458 funding.—



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3459 (4) USES.—Whenever, in its determination, incidents of
 3460 inland contamination related to the storage of petroleum or
 3461 petroleum products may pose a threat to the public health,
 3462 safety, or welfare, water resources, or the environment, the
 3463 department shall obligate moneys available in the fund to
 3464 provide for:

3465 (q) Payments for program deductibles, copayments, and
 3466 limited contamination assessment reports that otherwise would be
 3467 paid by another state agency for state-funded petroleum
 3468 contamination site rehabilitation. This paragraph expires July
 3469 1, 2017 ~~2016~~.

3470
 3471 The Inland Protection Trust Fund may only be used to fund the
 3472 activities in ss. 376.30-376.317 except ss. 376.3078 and
 3473 376.3079. Amounts on deposit in the fund in each fiscal year
 3474 shall first be applied or allocated for the payment of amounts
 3475 payable by the department pursuant to paragraph (n) under a
 3476 service contract entered into by the department pursuant to s.
 3477 376.3075 and appropriated in each year by the Legislature before
 3478 making or providing for other disbursements from the fund. This
 3479 subsection does not authorize the use of the fund for cleanup of
 3480 contamination caused primarily by a discharge of solvents as
 3481 defined in s. 206.9925(6), or polychlorinated biphenyls when
 3482 their presence causes them to be hazardous wastes, except
 3483 solvent contamination which is the result of chemical or
 3484 physical breakdown of petroleum products and is otherwise



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3485 eligible. Facilities used primarily for the storage of motor or
3486 diesel fuels as defined in ss. 206.01 and 206.86 are not
3487 excluded from eligibility pursuant to this section.

3488 Section 96. In order to implement Specific Appropriation
3489 2632 of the 2016-2017 General Appropriations Act, the Department
3490 of Highway Safety and Motor Vehicles shall contract with the
3491 corporation organized pursuant to part II of chapter 946,
3492 Florida Statutes, to manufacture the current or newly redesigned
3493 license plates, such contract being in the same manner and for
3494 the same price as that paid by the department during the 2013-
3495 2014 fiscal year. The corporation shall seek sealed bids for the
3496 reflectorized sheeting used in the manufacture of such license
3497 plates, and in the event the sealed bids result in any savings
3498 in the sheeting costs, the corporation shall credit to the
3499 department an amount equal to 70 percent of the savings. The
3500 name of the county may not appear on any redesigned license
3501 plate. This section expires July 1, 2017.

3502 Section 97. In order to implement Specific Appropriation
3503 1890 of the 2016-2017 General Appropriations Act, paragraph (b)
3504 of subsection (2) of section 339.2818, Florida Statutes, is
3505 amended to read:

3506 339.2818 Small County Outreach Program.—

3507 (2) (b) Notwithstanding paragraph (a), for the 2016-2017
3508 2015-2016 fiscal year, for purposes of this section, the term
3509 "small county" means any county that has a population of 170,000
3510 ~~165,000~~ or less as determined by the most recent official



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3511 estimate pursuant to s. 186.901. This paragraph expires July 1,
 3512 2017 ~~2016~~.

3513 Section 98. In order to implement Specific Appropriation
 3514 1895 of the 2016-2017 General Appropriations Act, paragraph (i)
 3515 of subsection (4) and paragraph (b) of subsection (5) of section
 3516 339.135, Florida Statutes, are amended, and notwithstanding the
 3517 expiration of paragraph (j) of subsection (4) and paragraph (c)
 3518 of subsection (5) of that section, which occurred on July 1,
 3519 2015, those paragraphs are revived, reenacted, and amended, to
 3520 read:

3521 339.135 Work program; legislative budget request;
 3522 definitions; preparation, adoption, execution, and amendment.—

3523 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

3524 (i) Notwithstanding paragraph (a), and for the 2016-2017
 3525 ~~2015-2016~~ fiscal year only, the Department of Transportation
 3526 shall use appropriated funds to support the establishment of a
 3527 statewide system of interconnected multiuse trails and to pay
 3528 the costs of planning, land acquisition, design, and
 3529 construction of such trails and related facilities. Funds
 3530 specifically appropriated for this purpose may not reduce,
 3531 delete, or defer any existing projects funded as of July 1, 2016
 3532 ~~2015~~, in the department's 5-year work program. This paragraph
 3533 expires July 1, 2017 ~~2016~~.

3534 (j) Notwithstanding paragraph (a) and for the 2016-2017
 3535 ~~2014-2015~~ fiscal year only, the department may use up to \$15
 3536 million of appropriated funds to pay the costs of strategic and



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3537 regionally significant transportation projects. Funds may be
3538 used to provide up to 75 percent of project costs for
3539 production-ready eligible projects. Preference shall be given to
3540 projects that support the state's economic regions, or that have
3541 been identified as regionally significant in accordance with s.
3542 339.155(4)(c), (d), and (e), and that have an increased level of
3543 nonstate match. This paragraph expires July 1, 2017 ~~2015~~.

3544 (5) ADOPTION OF THE WORK PROGRAM.—

3545 (b) Notwithstanding paragraph (a), and for the 2016-2017
3546 ~~2015-2016~~ fiscal year only, the department shall use
3547 appropriated funds to support the establishment of a statewide
3548 system of interconnected multiuse trails and to pay the costs of
3549 planning, land acquisition, design, and construction of such
3550 trails and related facilities. Funds specifically appropriated
3551 for this purpose may not reduce, delete, or defer any existing
3552 projects funded as of July 1, 2016 ~~2015~~, in the department's 5-
3553 year work program. This paragraph expires July 1, 2017 ~~2016~~.

3554 (c) Notwithstanding paragraph (a), and for the 2016-2017
3555 ~~2014-2015~~ fiscal year only, the department may use appropriated
3556 funds to pay the costs of strategic and regionally significant
3557 transportation projects as provided in paragraph (4)(j). Funds
3558 specifically appropriated for this purpose may not reduce,
3559 delete, or defer any existing projects funded as of July 1, 2016
3560 ~~2014~~, in the department's 5-year work program. This paragraph
3561 expires July 1, 2017 ~~2015~~.

3562 Section 99. In order to implement Specific Appropriation



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3563 1874 of the 2016-2017 General Appropriations Act, subsection
3564 (10) of section 341.302, Florida Statutes, is reenacted to read:
3565 341.302 Rail program; duties and responsibilities of the
3566 department.—The department, in conjunction with other
3567 governmental entities, including the rail enterprise and the
3568 private sector, shall develop and implement a rail program of
3569 statewide application designed to ensure the proper maintenance,
3570 safety, revitalization, and expansion of the rail system to
3571 assure its continued and increased availability to respond to
3572 statewide mobility needs. Within the resources provided pursuant
3573 to chapter 216, and as authorized under federal law, the
3574 department shall:

3575 (10) (a) Administer rail operating and construction
3576 programs, which programs shall include the regulation of maximum
3577 train operating speeds, the opening and closing of public grade
3578 crossings, the construction and rehabilitation of public grade
3579 crossings, the installation of traffic control devices at public
3580 grade crossings, the approval and implementation of quiet zones,
3581 and administration of the programs by the department, including
3582 participation in the cost of the programs.

3583 (b) Provide grant funding to assist with the
3584 implementation of quiet zones that have been approved by the
3585 department, which funding may not exceed 50 percent of the
3586 nonfederal and nonprivate share of the total costs of any quiet
3587 zone capital improvement project.

3588 (c) Coordinate and work closely with local, state, and



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3589 federal agencies to provide technical support to local agencies
3590 for the development of quiet zone plans.

3591 (d) Monitor crossing incidents at approved quiet zone
3592 locations and suspend the operation of a quiet zone at any time
3593 the department determines that a significant deterioration in
3594 safety is resulting from quiet zone implementation.

3595 Section 100. The amendment to s. 341.302(10), Florida
3596 Statutes, as carried forward by this act from chapter 2014-53,
3597 Laws of Florida, expires July 1, 2017, and the text of that
3598 subsection shall revert to that in existence on June 30, 2014,
3599 except that any amendments to such text enacted other than by
3600 this act shall be preserved and continue to operate to the
3601 extent that such amendments are not dependent upon the portions
3602 of text which expire pursuant to this section.

3603 Section 101. In order to implement Specific Appropriation
3604 1889 of the 2016-2017 General Appropriations Act, and
3605 notwithstanding the expiration date in section 66 of chapter
3606 2015-222, Laws of Florida, subsection (3) of section 339.2816,
3607 Florida Statutes, is reenacted and amended, and paragraph (a) of
3608 subsection (4) of that section is amended, to read:

3609 339.2816 Small County Road Assistance Program.—

3610 (3) In the 2016-2017 ~~2015-2016~~ fiscal year, up to \$50
3611 million from the State Transportation Trust Fund may be used for
3612 the purposes of funding the Small County Road Assistance Program
3613 as described in this section.

3614 (4) (a) Small counties shall be eligible to compete for



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3615 funds that have been designated for the Small County Road
 3616 Assistance Program for resurfacing or reconstruction projects on
 3617 county roads that were part of the county road system on June
 3618 10, 1995. Capacity improvements on county roads shall not be
 3619 eligible for funding under the program, except where the
 3620 department determines that widening of existing lanes as part of
 3621 a resurfacing or reconstruction project is necessary to address
 3622 safety concerns.

3623 Section 102. The amendment made by this act to s.
 3624 339.2816(3) and (4), Florida Statutes, expires July 1, 2017, and
 3625 the text of that subsection shall revert to that in existence on
 3626 June 30, 2015, except that any amendments to such text enacted
 3627 other than by this act shall be preserved and continue to
 3628 operate to the extent that such amendments are not dependent
 3629 upon the portions of text which expire pursuant to this section.

3630 Section 103. In order to implement Specific Appropriation
 3631 2224 of the 2016-2017 General Appropriations Act, subsection
 3632 (10) of section 420.9072, Florida Statutes, is amended to read:
 3633 420.9072 State Housing Initiatives Partnership Program.—
 3634 The State Housing Initiatives Partnership Program is created for
 3635 the purpose of providing funds to counties and eligible
 3636 municipalities as an incentive for the creation of local housing
 3637 partnerships, to expand production of and preserve affordable
 3638 housing, to further the housing element of the local government
 3639 comprehensive plan specific to affordable housing, and to
 3640 increase housing-related employment.



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3641 (10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and
3642 subsection (7), for the 2016-2017 ~~2015-2016~~ fiscal year:

3643 (a) The term "rent subsidies" means ongoing monthly rental
3644 assistance.

3645 (b) Up to 25 percent of the funds made available in each
3646 county and each eligible municipality from the local housing
3647 distribution may be used for rental assistance and rent
3648 subsidies as provided in paragraph (c).

3649 (c) A county or an eligible municipality may expend its
3650 portion of the local housing distribution to provide the
3651 following types of rental assistance and rent subsidies:

- 3652 1. Security and utility deposit assistance.
- 3653 2. Eviction prevention subsidies not to exceed 6 months'
3654 rent.
- 3655 3. Rent subsidies for very-low-income households with at
3656 least one adult who is a person with special needs as defined in
3657 s. 420.0004 or a person who is homeless as defined in s. 420.621
3658 when the person initially qualified for a rent subsidy. The
3659 period of rental subsidy may not exceed 12 months for any
3660 eligible household or person.

3661 (d) This subsection expires July 1, 2017 ~~2016~~.

3662 Section 104. In order to implement Specific Appropriation
3663 2223 of the 2016-2017 General Appropriations Act, subsection
3664 (10) of section 420.5087, Florida Statutes, is amended to read:
3665 420.5087 State Apartment Incentive Loan Program.—There is
3666 hereby created the State Apartment Incentive Loan Program for



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3667 the purpose of providing first, second, or other subordinated
3668 mortgage loans or loan guarantees to sponsors, including for-
3669 profit, nonprofit, and public entities, to provide housing
3670 affordable to very-low-income persons.

3671 (10) (a) Notwithstanding subsection (3), for the 2016-2017
3672 ~~2015-2016~~ fiscal year, the reservation of funds for the tenant
3673 groups within each notice of fund availability shall be:

3674 1. Not less than 10 percent of the funds available at that
3675 time for the following tenant groups:

- 3676 a. Families;
3677 b. Persons who are homeless;
3678 c. Persons with special needs; and
3679 d. Elderly persons.

3680 2. Not less than 5 percent of the funds available at that
3681 time for the commercial fishing workers and farmworkers tenant
3682 group.

3683 (b) Notwithstanding any other provision of this section
3684 for the 2016-2017 fiscal year, the corporation shall issue a
3685 notice of funds availability of \$20 million for loans to
3686 construct workforce housing to serve primarily low-income
3687 persons, as defined in s. 420.0004, and, in the Florida Keys
3688 Area of Critical State Concern, to serve households with incomes
3689 not to exceed 140 percent of area median income when strategies
3690 are included in the local housing assistance plan to serve these
3691 households.

3692 (c) This subsection expires July 1, 2017 ~~2016~~.



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3693 Section 105. In order to implement Specific Appropriation
3694 1856 of the 2016-2017 General Appropriations Act, subsection
3695 (30) is added to section 427.013, Florida Statutes, to read:
3696 427.013 The Commission for the Transportation
3697 Disadvantaged; purpose and responsibilities.—The purpose of the
3698 commission is to accomplish the coordination of transportation
3699 services provided to the transportation disadvantaged. The goal
3700 of this coordination is to assure the cost-effective provision
3701 of transportation by qualified community transportation
3702 coordinators or transportation operators for the transportation
3703 disadvantaged without any bias or presumption in favor of
3704 multioperator systems or not-for-profit transportation operators
3705 over single operator systems or for-profit transportation
3706 operators. In carrying out this purpose, the commission shall:
3707 (30) For the 2016-2017 fiscal year and notwithstanding any
3708 other provision of this section:
3709 (a) Allocate, from funds provided in the General
3710 Appropriations Act, to community transportation coordinators who
3711 do not receive Urbanized Area Formula funds pursuant to 49
3712 U.S.C. s. 5307 to provide transportation services for persons
3713 with disabilities, older adults, and low-income persons so they
3714 may access health care, employment, education, and other life-
3715 sustaining activities. Funds allocated for this purpose shall be
3716 distributed among community transportation coordinators based
3717 upon the Transportation Disadvantaged Trip and Equipment
3718 allocation methodology established by the commission.



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3719 (b) Award, from funds provided in the General
3720 Appropriations Act, competitive grants to community
3721 transportation coordinators to support transportation projects
3722 to:

3723 1. Enhance access to health care, shopping, education,
3724 employment, public services, and recreation;

3725 2. Assist in the development, improvement, and use of
3726 transportation systems in nonurbanized areas;

3727 3. Promote the efficient coordination of services;

3728 4. Support inner-city bus transportation; and

3729 5. Encourage private transportation providers to
3730 participate.

3731 (c) This subsection expires July 1, 2017.

3732 Section 106. In order to implement Specific Appropriation
3733 2644 of the 2016-2017 General Appropriations Act, subsection (9)
3734 is added to section 216.292, Florida Statutes to read:

3735 216.292 Appropriations nontransferable; exceptions.—

3736 (9) Notwithstanding subsections (2), (3), and (4), and for
3737 the 2016-2017 fiscal year only, the Department of Highway Safety
3738 and Motor Vehicles, with the approval of the Executive Office of
3739 the Governor, and after 14 days' notice, may transfer up to
3740 \$6,563,775 of nonrecurring funds from the Highway Safety
3741 Operating Trust Fund between appropriations categories as needed
3742 to realign funds based upon the cost-benefit analysis that
3743 analyzes the different options, including cloud computing
3744 services, for securing the hardware and software necessary to



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3745 upgrade the department's existing database environment,
3746 implement a platform for data synchronization, establish a
3747 staging environment, implement a test data management toolset,
3748 and acquire a managed disaster recovery service. Such transfers
3749 are subject to the notice and objection provisions of s.
3750 216.177. This subsection expires July 1, 2017.

3751 Section 107. In order to implement Specific Appropriations
3752 1857 through 1870, 1871 through 1875, 1888 through 1896, 1899
3753 through 1908, and 1947 through 1958 of the 2016-2017 General
3754 Appropriations Act, paragraph (g) of subsection (7) of section
3755 339.135, Florida Statutes, is amended, and subsection (h) is
3756 added to that subsection, to read:

3757 339.135 Work program; legislative budget request;
3758 definitions; preparation, adoption, execution, and amendment.—

3759 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

3760 (g) Any work program amendment, except an amendment
3761 subject to paragraph (h), which also requires the transfer of
3762 fixed capital outlay appropriations between categories within
3763 the department or the increase of an appropriation category is
3764 subject to the approval of the Legislative Budget Commission. If
3765 a meeting of the Legislative Budget Commission cannot be held
3766 within 30 days of the department submitting an amendment to the
3767 Legislative Budget Commission, then the chair and vice chair of
3768 the Legislative Budget Commission may authorize such amendment
3769 to be approved pursuant to the provisions of s. 216.177.

3770 (h) Any work program amendment that adds a new project,



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3771 construction phase, right-of-way phase, or public transportation
3772 phase to the adopted work program and which is estimated to cost
3773 over \$5 million is subject to approval by the Legislative Budget
3774 Commission. Such amendment may not include any other proposed
3775 work program amendment described in paragraph (c). The
3776 department shall provide a narrative description of the project
3777 or project phase, a written justification for the addition of
3778 such project or project phase to the adopted work program, and
3779 an explanation describing the reason that delaying approval of
3780 the addition of the project or project phase would be
3781 detrimental to the interests of the state. After any such
3782 project or project phase is added to the adopted work program,
3783 that project or project phase may not be advanced before the
3784 adoption of the work program for the subsequent fiscal year. If
3785 a meeting of the Legislative Budget Commission cannot be held
3786 within 30 days after the department submits an amendment to the
3787 Legislative Budget Commission, the chair and vice chair of the
3788 Legislative Budget Commission, President of the Senate, and
3789 Speaker of the House of Representatives jointly may authorize
3790 such amendment to be approved pursuant to the provisions of s.
3791 216.177.

3792 Section 108. The amendment made by this act to s.
3793 339.135(7), Florida Statutes, expires July 1, 2017, and the text
3794 of that subsection shall revert to that in existence on June 30,
3795 2016, except that any amendments to such text enacted other than
3796 by this act shall be preserved and continue to operate to the



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3797 extent that such amendments are not dependent upon the portions
3798 of text which expire pursuant to this section.

3799 Section 109. Effective upon this act becoming a law, in
3800 order to implement Specific Appropriation 2580 and section 85 of
3801 the 2016-2017 General Appropriations Act, subsection (3) of
3802 section 321.04, Florida Statutes, is amended, and subsection (4)
3803 is added to that section, to read:

3804 321.04 Personnel of the highway patrol; rank
3805 classifications; probationary status of new patrol officers;
3806 subsistence; special assignments.—

3807 (3) The Department of Highway Safety and Motor Vehicles
3808 shall assign one patrol officer to the office of the Governor at
3809 the discretion of the Lieutenant Governor; said patrol officer
3810 so assigned shall be selected by the Governor and shall have
3811 rank and pay not less than that of a lieutenant of the Florida
3812 Highway Patrol, and said patrol officer so assigned to the
3813 Lieutenant Governor shall be paid by said department from the
3814 appropriation made to said department; said patrol officer shall
3815 have and receive all other benefits provided for in this chapter
3816 or any other statute now in existence or hereinafter enacted.

3817 (4) For the 2015-2016 and 2016-2017 fiscal years, the
3818 assignment of a patrol officer by the department shall include a
3819 Cabinet member specified in s. 4, Art. IV of the State
3820 Constitution if deemed appropriate by the department or in
3821 response to a threat and upon written request of such Cabinet
3822 member.



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3823 Section 110. The amendments made by this act to s. 321.04,
 3824 Florida Statutes, expire July 1, 2017, and the text of that
 3825 section shall revert to that in existence on June 30, 2016,
 3826 except that any amendments to such text enacted other than by
 3827 this act shall be preserved and continue to operate to the
 3828 extent that such amendments are not dependent upon the portions
 3829 of text which expire pursuant to this section.

3830 Section 111. In order to implement the salaries and
 3831 benefits, expenses, other personal services, contracted
 3832 services, special categories, and operating capital outlay
 3833 categories of the 2016-2017 General Appropriations Act,
 3834 paragraph (a) of subsection (2) of section 216.292, Florida
 3835 Statutes, is reenacted to read:

3836 216.292 Appropriations nontransferable; exceptions.—

3837 (2) The following transfers are authorized to be made by
 3838 the head of each department or the Chief Justice of the Supreme
 3839 Court whenever it is deemed necessary by reason of changed
 3840 conditions:

3841 (a) The transfer of appropriations funded from identical
 3842 funding sources, except appropriations for fixed capital outlay,
 3843 and the transfer of amounts included within the total original
 3844 approved budget and plans of releases of appropriations as
 3845 furnished pursuant to ss. 216.181 and 216.192, as follows:

3846 1. Between categories of appropriations within a budget
 3847 entity, if no category of appropriation is increased or
 3848 decreased by more than 5 percent of the original approved budget



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3849 or \$250,000, whichever is greater, by all action taken under
3850 this subsection.

3851 2. Between budget entities within identical categories of
3852 appropriations, if no category of appropriation is increased or
3853 decreased by more than 5 percent of the original approved budget
3854 or \$250,000, whichever is greater, by all action taken under
3855 this subsection.

3856 3. Any agency exceeding salary rate established pursuant
3857 to s. 216.181(8) on June 30th of any fiscal year shall not be
3858 authorized to make transfers pursuant to subparagraphs 1. and 2.
3859 in the subsequent fiscal year.

3860 4. Notice of proposed transfers under subparagraphs 1. and
3861 2. shall be provided to the Executive Office of the Governor and
3862 the chairs of the legislative appropriations committees at least
3863 3 days prior to agency implementation in order to provide an
3864 opportunity for review.

3865 Section 112. The amendment to s. 216.292(2)(a), Florida
3866 Statutes, as carried forward by this act from chapter 2015-222,
3867 Laws of Florida, expires July 1, 2017, and the text of that
3868 paragraph shall revert to that in existence on June 30, 2014,
3869 except that any amendments to such text enacted other than by
3870 this act shall be preserved and continue to operate to the
3871 extent that such amendments are not dependent upon the portions
3872 of text which expire pursuant to this section.

3873 Section 113. In order to implement the appropriation of
3874 funds in the special categories, contracted services, and



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3875 expenses categories of the 2016-2017 General Appropriations Act,
3876 a state agency may not initiate a competitive solicitation for a
3877 product or service if the completion of such competitive
3878 solicitation would:

3879 (1) Require a change in law; or
3880 (2) Require a change to the agency's budget other than a
3881 transfer authorized in s. 216.292(2) or (3), Florida Statutes,
3882 unless the initiation of such competitive solicitation is
3883 specifically authorized in law, in the General Appropriations
3884 Act, or by the Legislative Budget Commission.

3885
3886 This section does not apply to a competitive solicitation for
3887 which the agency head certifies that a valid emergency exists.
3888 This section expires July 1, 2017.

3889 Section 114. In order to implement appropriations for
3890 salaries and benefits in the 2016-2017 General Appropriations
3891 Act, subsection (6) of section 112.24, Florida Statutes, is
3892 amended to read:

3893 112.24 Intergovernmental interchange of public employees.—
3894 To encourage economical and effective utilization of public
3895 employees in this state, the temporary assignment of employees
3896 among agencies of government, both state and local, and
3897 including school districts and public institutions of higher
3898 education is authorized under terms and conditions set forth in
3899 this section. State agencies, municipalities, and political
3900 subdivisions are authorized to enter into employee interchange



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3901 | agreements with other state agencies, the Federal Government,
3902 | another state, a municipality, or a political subdivision
3903 | including a school district, or with a public institution of
3904 | higher education. State agencies are also authorized to enter
3905 | into employee interchange agreements with private institutions
3906 | of higher education and other nonprofit organizations under the
3907 | terms and conditions provided in this section. In addition, the
3908 | Governor or the Governor and Cabinet may enter into employee
3909 | interchange agreements with a state agency, the Federal
3910 | Government, another state, a municipality, or a political
3911 | subdivision including a school district, or with a public
3912 | institution of higher learning to fill, subject to the
3913 | requirements of chapter 20, appointive offices which are within
3914 | the executive branch of government and which are filled by
3915 | appointment by the Governor or the Governor and Cabinet. Under
3916 | no circumstances shall employee interchange agreements be
3917 | utilized for the purpose of assigning individuals to participate
3918 | in political campaigns. Duties and responsibilities of
3919 | interchange employees shall be limited to the mission and goals
3920 | of the agencies of government.

3921 | (6) For the 2016-2017 ~~2015-2016~~ fiscal year only, the
3922 | assignment of an employee of a state agency as provided in this
3923 | section may be made if recommended by the Governor or Chief
3924 | Justice, as appropriate, and approved by the chairs of the
3925 | legislative appropriations committees. Such actions shall be
3926 | deemed approved if neither chair provides written notice of



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3927 objection within 14 days after receiving notice of the action
 3928 pursuant to s. 216.177. This subsection expires July 1, 2017
 3929 ~~2016~~.

3930 Section 115. In order to implement Specific Appropriations
 3931 2652 and 2653 of the 2016-2017 General Appropriations Act and
 3932 notwithstanding s. 11.13(1), Florida Statutes, the authorized
 3933 salaries for members of the Legislature for the 2016-2017 fiscal
 3934 year shall be set at the same level in effect on July 1, 2010.
 3935 This section expires July 1, 2017.

3936 Section 116. In order to implement the transfer of funds
 3937 to the General Revenue Fund from trust funds in the 2016-2017
 3938 General Appropriations Act, paragraph (b) of subsection (2) of
 3939 section 215.32, Florida Statutes, is reenacted to read:

3940 215.32 State funds; segregation.—

3941 (2) The source and use of each of these funds shall be as
 3942 follows:

3943 (b)1. The trust funds shall consist of moneys received by
 3944 the state which under law or under trust agreement are
 3945 segregated for a purpose authorized by law. The state agency or
 3946 branch of state government receiving or collecting such moneys
 3947 is responsible for their proper expenditure as provided by law.
 3948 Upon the request of the state agency or branch of state
 3949 government responsible for the administration of the trust fund,
 3950 the Chief Financial Officer may establish accounts within the
 3951 trust fund at a level considered necessary for proper
 3952 accountability. Once an account is established, the Chief



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3953 Financial Officer may authorize payment from that account only
 3954 upon determining that there is sufficient cash and releases at
 3955 the level of the account.

3956 2. In addition to other trust funds created by law, to the
 3957 extent possible, each agency shall use the following trust funds
 3958 as described in this subparagraph for day-to-day operations:

3959 a. Operations or operating trust fund, for use as a
 3960 depository for funds to be used for program operations funded by
 3961 program revenues, with the exception of administrative
 3962 activities when the operations or operating trust fund is a
 3963 proprietary fund.

3964 b. Operations and maintenance trust fund, for use as a
 3965 depository for client services funded by third-party payors.

3966 c. Administrative trust fund, for use as a depository for
 3967 funds to be used for management activities that are departmental
 3968 in nature and funded by indirect cost earnings and assessments
 3969 against trust funds. Proprietary funds are excluded from the
 3970 requirement of using an administrative trust fund.

3971 d. Grants and donations trust fund, for use as a
 3972 depository for funds to be used for allowable grant or donor
 3973 agreement activities funded by restricted contractual revenue
 3974 from private and public nonfederal sources.

3975 e. Agency working capital trust fund, for use as a
 3976 depository for funds to be used pursuant to s. 216.272.

3977 f. Clearing funds trust fund, for use as a depository for
 3978 funds to account for collections pending distribution to lawful



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3979 recipients.
 3980 g. Federal grant trust fund, for use as a depository for
 3981 funds to be used for allowable grant activities funded by
 3982 restricted program revenues from federal sources.

3983
 3984 To the extent possible, each agency must adjust its internal
 3985 accounting to use existing trust funds consistent with the
 3986 requirements of this subparagraph. If an agency does not have
 3987 trust funds listed in this subparagraph and cannot make such
 3988 adjustment, the agency must recommend the creation of the
 3989 necessary trust funds to the Legislature no later than the next
 3990 scheduled review of the agency's trust funds pursuant to s.
 3991 215.3206.

3992 3. All such moneys are hereby appropriated to be expended
 3993 in accordance with the law or trust agreement under which they
 3994 were received, subject always to the provisions of chapter 216
 3995 relating to the appropriation of funds and to the applicable
 3996 laws relating to the deposit or expenditure of moneys in the
 3997 State Treasury.

3998 4.a. Notwithstanding any provision of law restricting the
 3999 use of trust funds to specific purposes, unappropriated cash
 4000 balances from selected trust funds may be authorized by the
 4001 Legislature for transfer to the Budget Stabilization Fund and
 4002 General Revenue Fund in the General Appropriations Act.

4003 b. This subparagraph does not apply to trust funds
 4004 required by federal programs or mandates; trust funds



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4005 established for bond covenants, indentures, or resolutions whose
4006 revenues are legally pledged by the state or public body to meet
4007 debt service or other financial requirements of any debt
4008 obligations of the state or any public body; the Division of
4009 Licensing Trust Fund in the Department of Agriculture and
4010 Consumer Services; the State Transportation Trust Fund; the
4011 trust fund containing the net annual proceeds from the Florida
4012 Education Lotteries; the Florida Retirement System Trust Fund;
4013 trust funds under the management of the State Board of Education
4014 or the Board of Governors of the State University System, where
4015 such trust funds are for auxiliary enterprises, self-insurance,
4016 and contracts, grants, and donations, as those terms are defined
4017 by general law; trust funds that serve as clearing funds or
4018 accounts for the Chief Financial Officer or state agencies;
4019 trust funds that account for assets held by the state in a
4020 trustee capacity as an agent or fiduciary for individuals,
4021 private organizations, or other governmental units; and other
4022 trust funds authorized by the State Constitution.

4023 Section 117. The amendment to s. 215.32(2)(b), Florida
4024 Statutes, as carried forward by this act from chapter 2011-47,
4025 Laws of Florida, expires July 1, 2017, and the text of that
4026 paragraph shall revert to that in existence on June 30, 2011,
4027 except that any amendments to such text enacted other than by
4028 this act shall be preserved and continue to operate to the
4029 extent that such amendments are not dependent upon the portions
4030 of text which expire pursuant to this section.



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4031 Section 118. In order to implement the issuance of new
4032 debt authorized in the 2016-2017 General Appropriations Act, and
4033 pursuant to s. 215.98, Florida Statutes, the Legislature
4034 determines that the authorization and issuance of debt for the
4035 2016-2017 fiscal year should be implemented and is in the best
4036 interest of the state. This section expires July 1, 2017.

4037 Section 119. In order to implement appropriations in the
4038 2016-2017 General Appropriations Act for state employee travel,
4039 the funds appropriated to each state agency which may be used
4040 for travel by state employees shall be limited during the 2016-
4041 2017 fiscal year to travel for activities that are critical to
4042 each state agency's mission. Funds may not be used for travel by
4043 state employees to foreign countries, other states, conferences,
4044 staff training activities, or other administrative functions
4045 unless the agency head has approved, in writing, that such
4046 activities are critical to the agency's mission. The agency head
4047 shall consider using teleconferencing and other forms of
4048 electronic communication to meet the needs of the proposed
4049 activity before approving mission-critical travel. This section
4050 does not apply to travel for law enforcement purposes, military
4051 purposes, emergency management activities, or public health
4052 activities. This section expires July 1, 2017.

4053 Section 120. In order to implement appropriations in the
4054 2016-2017 General Appropriations Act for state employee travel
4055 and notwithstanding s. 112.061, Florida Statutes, costs for
4056 lodging associated with a meeting, conference, or convention



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4057 organized or sponsored in whole or in part by a state agency or
4058 the judicial branch may not exceed \$150 per day. An employee may
4059 expend his or her own funds for any lodging expenses in excess
4060 of \$150 per day. This section expires July 1, 2017.

4061 Section 121. In order to implement appropriations in the
4062 2016-2017 General Appropriations Act for executive branch and
4063 judicial branch employee travel, the executive branch state
4064 agencies and the judicial branch must collaborate with the
4065 Executive Office of the Governor to implement the statewide
4066 travel management system funded in Specific Appropriation 1965A
4067 in the 2016-2017 General Appropriations Act. For the purpose of
4068 complying with s. 112.061, Florida Statutes, all executive
4069 branch state agencies and the judicial branch must use the
4070 statewide travel management system. This section expires July 1,
4071 2017.

4072 Section 122. In order to implement section 8 of the 2016-
4073 2017 General Appropriations Act, section 110.12315, Florida
4074 Statutes, is reenacted to read:

4075 110.12315 Prescription drug program.—The state employees'
4076 prescription drug program is established. This program shall be
4077 administered by the Department of Management Services, according
4078 to the terms and conditions of the plan as established by the
4079 relevant provisions of the annual General Appropriations Act and
4080 implementing legislation, subject to the following conditions:

4081 (1) The department shall allow prescriptions written by
4082 health care providers under the plan to be filled by any



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4083 licensed pharmacy pursuant to contractual claims-processing
4084 provisions. Nothing in this section may be construed as
4085 prohibiting a mail order prescription drug program distinct from
4086 the service provided by retail pharmacies.

4087 (2) In providing for reimbursement of pharmacies for
4088 prescription medicines dispensed to members of the state group
4089 health insurance plan and their dependents under the state
4090 employees' prescription drug program:

4091 (a) Retail pharmacies participating in the program must be
4092 reimbursed at a uniform rate and subject to uniform conditions,
4093 according to the terms and conditions of the plan.

4094 (b) There shall be a 30-day supply limit for prescription
4095 card purchases, a 90-day supply limit for maintenance
4096 prescription drug purchases, and a 90-day supply limit for mail
4097 order or mail order prescription drug purchases.

4098 (c) The pharmacy dispensing fee shall be negotiated by the
4099 department.

4100 (3) Pharmacy reimbursement rates shall be as follows:

4101 (a) For mail order and specialty pharmacies contracting
4102 with the department, reimbursement rates shall be as established
4103 in the contract.

4104 (b) For retail pharmacies, the reimbursement rate shall be
4105 at the same rate as mail order pharmacies under contract with
4106 the department.

4107 (4) The department shall maintain the preferred brand name
4108 drug list to be used in the administration of the state



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4109 employees' prescription drug program.

4110 (5) The department shall maintain a list of maintenance
4111 drugs.

4112 (a) Preferred provider organization health plan members
4113 may have prescriptions for maintenance drugs filled up to three
4114 times as a 30-day supply through a retail pharmacy; thereafter,
4115 prescriptions for the same maintenance drug must be filled as a
4116 90-day supply either through the department's contracted mail
4117 order pharmacy or through a retail pharmacy.

4118 (b) Health maintenance organization health plan members
4119 may have prescriptions for maintenance drugs filled as a 90-day
4120 supply either through a mail order pharmacy or through a retail
4121 pharmacy.

4122 (6) Copayments made by health plan members for a 90-day
4123 supply through a retail pharmacy shall be the same as copayments
4124 made for a 90-day supply through the department's contracted
4125 mail order pharmacy.

4126 (7) The department shall establish the reimbursement
4127 schedule for prescription pharmaceuticals dispensed under the
4128 program. Reimbursement rates for a prescription pharmaceutical
4129 must be based on the cost of the generic equivalent drug if a
4130 generic equivalent exists, unless the physician prescribing the
4131 pharmaceutical clearly states on the prescription that the brand
4132 name drug is medically necessary or that the drug product is
4133 included on the formulary of drug products that may not be
4134 interchanged as provided in chapter 465, in which case



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4135 reimbursement must be based on the cost of the brand name drug
4136 as specified in the reimbursement schedule adopted by the
4137 department.

4138 (8) The department shall conduct a prescription
4139 utilization review program. In order to participate in the state
4140 employees' prescription drug program, retail pharmacies
4141 dispensing prescription medicines to members of the state group
4142 health insurance plan or their covered dependents, or to
4143 subscribers or covered dependents of a health maintenance
4144 organization plan under the state group insurance program, shall
4145 make their records available for this review.

4146 (9) The department shall implement such additional cost-
4147 saving measures and adjustments as may be required to balance
4148 program funding within appropriations provided, including a
4149 trial or starter dose program and dispensing of long-term-
4150 maintenance medication in lieu of acute therapy medication.

4151 (10) Participating pharmacies must use a point-of-sale
4152 device or an online computer system to verify a participant's
4153 eligibility for coverage. The state is not liable for
4154 reimbursement of a participating pharmacy for dispensing
4155 prescription drugs to any person whose current eligibility for
4156 coverage has not been verified by the state's contracted
4157 administrator or by the department.

4158 (11) Under the state employees' prescription drug program
4159 copayments must be made as follows:

4160 (a) Effective January 1, 2013, for the State Group Health



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4161 Insurance Standard Plan:

4162 1. For generic drug with card.....\$7.

4163 2. For preferred brand name drug with card.....\$30.

4164 3. For nonpreferred brand name drug with card.....\$50.

4165 4. For generic mail order drug.....\$14.

4166 5. For preferred brand name mail order drug.....\$60.

4167 6. For nonpreferred brand name mail order drug.....\$100.

4168 (b) Effective January 1, 2006, for the State Group Health

4169 Insurance High Deductible Plan:

4170 1. Retail coinsurance for generic drug with card.....30%.

4171 2. Retail coinsurance for preferred brand name drug with

4172 card 30%.

4173 3. Retail coinsurance for nonpreferred brand name drug

4174 with card.....50%.

4175 4. Mail order coinsurance for generic drug.....30%.

4176 5. Mail order coinsurance for preferred brand name drug30%.

4177 6. Mail order coinsurance for nonpreferred brand name drug50%.

4178 (c) The department shall create a preferred brand name

4179 drug list to be used in the administration of the state

4180 employees' prescription drug program.

4181 Section 123. (1) The amendment to s. 110.12315(2)(b),

4182 Florida Statutes, as carried forward by this act from chapter

4183 2014-53, Laws of Florida, expires July 1, 2017, and the text of

4184 that paragraph shall revert to that in existence on June 30,

4185 2012, except that any amendments to such text enacted other than

4186 by this act shall be preserved and continue to operate to the



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4187 extent that such amendments are not dependent upon the portions
4188 of text which expire pursuant to this section.

4189 (2) The amendments to s. 110.12315(2)(c) and (3)-(6),
4190 Florida Statutes, as carried forward by this act from chapter
4191 2014-53, Laws of Florida, expire July 1, 2017, and the text and
4192 numbering of those provisions shall revert to that in existence
4193 on June 30, 2014, except that any amendments to such text
4194 enacted other than by this act shall be preserved and continue
4195 to operate to the extent that such amendments are not dependent
4196 upon the portions of text that expire pursuant to this section.

4197 (3) The amendment to s. 110.12315(7), Florida Statutes, as
4198 carried forward by this act from chapter 2014-53, Laws of
4199 Florida, expires July 1, 2017, and shall revert to the text of
4200 that subsection in existence on December 31, 2010, except that
4201 any amendments to such text enacted other than by this act shall
4202 be preserved and continue to operate to the extent that such
4203 amendments are not dependent upon the portions of text which
4204 expire pursuant to this section.

4205 Section 124. In order to implement the appropriation of
4206 funds in the special categories, contracted services, and
4207 expenses categories of the 2016-2017 General Appropriations Act,
4208 a state agency may not enter into a contract containing a
4209 nondisclosure clause that prohibits the contractor from
4210 disclosing information relevant to the performance of the
4211 contract to members or staff of the Senate or the House of
4212 Representatives. This section expires July 1, 2017.



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4213 Section 125. Any section of this act which implements a
4214 specific appropriation or specifically identified proviso
4215 language in the 2016-2017 General Appropriations Act is void if
4216 the specific appropriation or specifically identified proviso
4217 language is vetoed. Any section of this act which implements
4218 more than one specific appropriation or more than one portion of
4219 specifically identified proviso language in the 2016-2017
4220 General Appropriations Act is void if all the specific
4221 appropriations or portions of specifically identified proviso
4222 language are vetoed.

4223 Section 126. If any other act passed during the 2016
4224 Regular Session of the Legislature contains a provision that is
4225 substantively the same as a provision in this act, but that
4226 removes or is otherwise not subject to the future repeal applied
4227 to such provision by this act, the Legislature intends that the
4228 provision in the other act takes precedence and continues to
4229 operate, notwithstanding the future repeal provided by this act.

4230 Section 127. If any provision of this act or its
4231 application to any person or circumstance is held invalid, the
4232 invalidity does not affect other provisions or applications of
4233 the act which can be given effect without the invalid provision
4234 or application, and to this end the provisions of this act are
4235 severable.

4236 Section 128. Except as otherwise expressly provided in
4237 this act and except for this section, which shall take effect
4238 upon this act becoming a law, this act shall take effect July 1,



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4239 | 2016; or, if this act fails to become a law until after that
4240 | date, it shall take effect upon becoming a law and shall operate
4241 | retroactively to July 1, 2016.
4242 |